

City Council Chamber, City Hall, Tuesday, March 20, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 20, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director; present. Council Member Jarvis Johnson absent on personal business.

Note: Council Member At-Large Position 3 vacant.

At 1:57 p.m. Mayor White stated that Council Member Edwards would begin presentations; and Council Member Edwards stated that one pleasure of being a Council Member was getting to know city employees who made Council Members look good and each quarter she recognized employees who went beyond the call of duty and the BRAVO Award was the highest recognition for city employees and called on Ms. Hiawatha Henry with the Library Department, Mr. Chadwick Little with Solid Waste Management and Mr. Roberto Medina with Public Works and Engineering and presented each a BRAVO Award for their extraordinary work with the city and their communities. Council Members Garcia and Brown absent.

Council Member Edwards stated that life learned lessons for her were taught by a lot of women in her family of which many were members of Delta Sigma Theta Sorority, Inc., and they represented work, community service and tireless commitment to community building and rebuilding and today she had the great honor of honoring this group; and presented a Proclamation to the Delta Sigma Theta Sorority group for promoting political awareness and focusing on crime, health, housing, and issues which particularly affected the African American Community and proclaimed March 20, 2007, as "Delta Sigma theta Sorority Social Action Day" in Houston, Texas. Council Members Garcia and Green absent.

At 2:20 p.m. Acting Mayor Pro Tem Berry called the meeting to order and called on Council Member Edwards who led all in the prayer and pledge. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding.

At 2:22 p.m. the City Secretary called the roll. Council Member Johnson absent on personal business. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding.

Council Members Khan and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Johnson absent on personal business. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding. MOTION ADOPTED.

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Bishop James Dixon at the top of the Non-Agenda speakers and adding Mr. Mike Karm, Mr. Steve Gibson and Mr. Adam Aschman to the list of speakers on Agenda items, seconded by Council Member Khan. All voting aye. Nays none. Council Member Johnson absent on personal business. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding. MOTION 2007-0267 ADOPTED

At 2:24 p.m. the City Secretary began calling the public speakers. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding.

Ms. Vijay Kristin, 4127 Long Grove Drive, Clear Lake, Texas 77586 (281-326-2282) had reserved time to speak but was not present when her name was called. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Melvin Huge, 4710 Charade Drive, Houston, Texas 77066 (281-594-1550) appeared and stated that he was employed with the City of Houston 16 years and proud to be a member of HOPE whose mission was to see city employees work with the Council and Mayor to help all families in Houston by providing great service; that one of their first steps in working with Council would be to meet and confer negotiation process, employees waited a long time to have a real voice at the table and as a member of the negotiating team they were excited and appreciated Council's support and that was why he was surprised they considered hiring the law firm of Jackson Lewis to assist in the negotiations and he hoped the city would examine their advise during the process. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Thomas Webb, 4299 San Felipe #200, Houston, Texas 77027 (713-292-7810) appeared and stated that he was a member of the executive board for the Houston Organization of Public Employees (HOPE) and he was proud to work with city employees who worked daily to make sure citizens enjoyed high quality efficient public services and Council's support and recognition of HOPE was certainly something to be proud of, however, selecting Jackson Lewis which was a firm who built its business by helping employees keep unions out was not something he would be proud of and was asking them to help build their relationship with the union was like asking a wolf to help bring in the chickens; that they had an amazing opportunity in front of them and he asked Council to choose a team with their eyes open and create a partnership the whole city could benefit from. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Mike Karm, who was previously added to the speakers list, appeared and stated that he would like Mr. Adam Aschman to speak first. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Khan moved that the rules be suspended for the purpose of hearing from Mr. Adam Aschman out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent on personal business. Mayor White and Council Member Green absent. Acting Mayor Pro Tem Berry presiding. MOTION 2007-0268 ADOPTED

Mr. Adam Aschman, who was previously added to the speakers list, appeared in favor of Item 29 and stated that he was representing the Greater Houston Builders Association and was present to thank all for their work in looking at jobsite theft and in trying to get the scrap metal issue under control and HPD really stepped up to the plate and they were glad to partner with them on projects; that the Greater Houston Builders Association represented over 700 builders and 1,900 members and they had spent millions on security, theft and replacement and repairs; that sometime you could lose two feet of copper wire and it would cost a couple of thousand to replace it and ultimately the community bared the burden; that Item 29 on tomorrows Agenda was a first big step in getting after job site theft; and asked for all of Council's support. Mayor White, Council Members Holm and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Lawrence stated that she supported the ordinance and it was going through the Environmental Committee with one of the biggest scrap yard owners on the committee, and turning a buzz saw to all who spoke on a similar state law, so she would urge he get the word out as they would have to stand up to committee people and get it through calendars; and Mr. Aschman stated that they had been working closely with city staff in Austin

and Rep. Phillips who introduced House Bill 441 to push it through. Mayor White, Council Members Holm, Lovell and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated that they spent a great deal of time working on this and taking in advice from the industry that new rules apply and he thought what they were recommending was fair to the industry and important to the builders and citizenry being affected; that tomorrow Mayor White would have a report on the issue and he would like him to be present in case any questions or issues were brought up and would like Houston to be a model for the rest of the state; and Mr. Aschman stated that their goal was to help make Houston a model for the state and he could not be present tomorrow as he was needed in Austin; and Council Member Garcia stated that it would be helpful if members could be present tomorrow. Mayor White, Council Members Holm, Lovell and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown thanked the Greater Houston Builders Association for all their input on this and other items and stated that he hoped they would be able to make progress on such a major problem. Mayor White, Council Members Holm, Lovell and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Mike Karm, who was previously added to the speakers list, appeared and stated that he was past president of the Greater Houston Builders Association and he owned a company which built affordable housing and when the copper issue started he and Council Member Alvarado met with Assistant Police Chiefs and things started happening; that he thanked all the Council Members and appreciated their help as it was a very serious situation, each time they got hit it cost and as previously said by losing two feet it could cost \$2,000 and that was because they cut in the middle and it needed rewiring and then there would be broken sheetrock and broken windows, etc., that he was asked to use a house on a Crime Stopper commercial and three days later his house was set on fire, it was a \$92,000 house and it cost \$60,000 to fix and it was all retaliation; that they very much needed Council's support, each time a house went up \$1,000 it cost them 35,000 potential buyers; and urged all of Council's support on the item. Mayor White, Council Members Holm and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated this took him back to his patrol days when they received calls on such theft and when builders spoke with him it was what could they do to protect the worksite and this action was being taken on behalf of existing homeowners, businesses and builders and they did need all their support. Mayor White, Council Members Holm and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Steve Gibson, who was previously added to the speakers list, appeared and stated that currently he was senior vice president of operations for KB Homes in Houston and they wanted to thank the Mayor and Council for all their support on the ordinance and HPD who had done a great job working with them in helping to prevent theft; that it was a huge issue and their support was welcomed; that most builders absorbed cost in replacement of materials, but the price of copper was making it so attractive now it did not deter anyone from going and taking an entire house of copper and two feet may get them \$50.00 to \$60.00 and it may cost the builder \$2,000 with the other damages; and again thanked all for their support. Council Members Holm, Green and Berry absent.

Bishop James Dixon, 1023 Pinemont, Houston, Texas 77018 (713-688-2900 x-223) appeared and stated that he was present in the same spirit of Council Member Edwards's prayer, to stand for those who could not stand for themselves, he was speaking of poverty and wanted to express support for an ordinance which the Mayor and Council were deliberating at

this time; that there were 500,000 plus persons in the City of Houston living below the poverty line and 40,000,000 in America and with 9,000,000 of America's children now without healthcare; that recently formed was the Coalition for Working People and the Poor and he wanted to invite the Mayor and Council to a march and rally to take place Saturday where they would be marching across party lines, race lines and religious and gender lines to express vision and become voices in support of vehicles being considered at city and state and federal levels, policies on how people could live beyond now where the collective vision was to see poverty not the norm; that they were in support of the play or pay ordinance; and thanked all for their support. Council Members Lawrence, Holm, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she appreciated his work on the coalition and for inviting Council to join them; that she also wanted to thank him for the pay or play support which they had one meeting on and would probably have a follow-up meeting on, hopefully it would be making its way to the full Council soon, but they did have a problem with the uninsured and did not seem to be able to get the problem addressed at state or federal level and felt it appropriate they try and do what they could here in Houston; and Bishop Dixon stated that he did thank the Mayor and Council and it was important for citizens to hear their leaders say what Council Member Alvarado just expressed and that was why all were invited to the march and rally this Saturday and information was in their offices. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Edwards stated that the most important thing the coalition could do would be to encourage all involved to vote and get their children voting and become habitual voters because when they did not someone vote twice for or against them and that was a powerful thing to understand; and thanked him for all his work. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Brown stated that he wanted to thank him for reminding all of the gap between the myth and the reality of American life for too many and he thought the coalition was a way to get some progress done. Council Members Edwards, Holm, Green and Berry absent.

Mr. Amanuel Hadis, 6245 Renwick #4338, Houston, Texas 77081 (713-870-6470) had reserved time to speak but was not present when his name was called. Council Members Edwards, Holm, Green and Berry absent.

Ms. Thien An Vo, P. O. Box 66636, Houston, Texas (832-275-5465) appeared, presented information and stated that she was present regarding the taxicab medallions permit distribution and its unfair regulation for 2007; that she was a minority, Vietnamese, and spoke several languages and after the American dream of owning her own business; that in 2005 she was told she was to late to apply for a taxicab medallion and had to wait two years and now this year the Council was passing out 144 medallions and she wanted to submit application for one, however, now was told she was disqualified because she had never owned a taxicab medallion prior; that the City planned to apply Section 46-64 of the City Code when it had not enforced that section in previous years; and implored Council to reconsider their present decisions and regulations on the matter. Council Members Edwards, Holm, Green and Berry absent.

Upon questions by Council Member Khan, Ms. An Vo stated that she had been driving a taxicab for two years and at this time was an affiliate with Greater Houston Transportation Company in the Towncar division, but wanted a medallion to be in her own business and the city was saying she had never owned a medallion and this year they were going by the Code when they never had before; and Council Member Khan stated that he would request the Administration to have someone look at the process because he thought people who drove

cabs had a goal to be owner of a medallion and own the cab they drove so they could be independent business persons and this seemed they were preventing a group of people who were drivers to own them and it did not seem fair; and Mayor White stated that so they were learning from one another he would say whenever somebody said a company or group of companies should go first in line they should not forget there was someone in the back of the line; that he did not always get his way when he lobbied Council Members and he went along with things because he respected Council but he knew what she was talking about and he knew why and it was a decision they made to put people in the front of the line and he was glad she put a human face to it. Council Members Edwards, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Lawrence stated that she appreciated hearing her story and would like a follow-up on how medallions were going to be earned and a meeting with the people who would be doing it; and upon questions, Ms. An Vo stated that it was easier to deal with one company who owned 1,400 medallions than to deal with 1,400 separate companies and she understood that aspect, but if the city would control that then they should control how much lease drivers paid as she paid \$489.00 per week and that did not include gas and it was a lot of money; and Council Member Lawrence stated that she was the type of person she would like to have that job; and Mayor White stated that they would take a look at it and he would ask Council Members to look at it with an open mind, and unless they wanted to insure no one could make a living in the taxicab business there had to be a limit if they were going to require universal service and whenever they put a bunch of people in the front of the line when there was new availability then someone else was in the back. Council Members Edwards, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Mr. Christian Russ, 6700 S. Dairy Ashford #902, Houston, Texas 77072 (281-685-8952) appeared and stated that he represented taxicab drivers who were new entrants for this year's additional taxicab permits and their concern was this year there would be a distribution process of permits and they were asking that they look into that distribution process as new entrants were not treated fairly and they would like fairness considered; that in 1995 new entrants got nothing, maybe 2 or 3 and in 2001 3 were issued to new entrants and this time they would like 30% to 40% for new entrants because most had been trying for 15 to 25 years. Council Members Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he understood and thanked him for coming. Council Members Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Mr. Damian Ohale, 7200 Pinemont, Houston, Texas 77040 (281-201-4818) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Mr. Aschalew Mequanet, 5909 Fondren Drive #2303, Houston, Texas 77036 (832-283-1416) appeared and stated that he was present with the same issue; that he had driven a taxicab 5 or 6 years and anytime permits were given they were given to the same people and this time they were issuing over 100 permits and half was already gone; and they were interested in owning their own medallions. Council Members Holm, Garcia, Lovell and Green absent.

Mayor White thanked Mr. Mequanet for coming and stated that they would take a look at it. Council Members Holm, Garcia, Lovell and Green absent.

Ms. Brenda Brown, 8404 S. Course Drive #302, Houston, Texas 77072 had reserved time to speak but was not present when her name was called. Council Members Holm, Garcia, Lovell and Green absent.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (832-882-7761) appeared and stated that he was present to speak on immigration, he was in contact with several organizations and they formed a coalition for fair and equal immigration and basically their belief was simple, whatever was done for one group they should do for all; that they did not support catch and release as it was not fair and when people came here whether it be from Mexico or wherever once they got an ID card they could get a DBA and then hire 4 or 5 who may be the same and he was against the unjust type of immigration going on now; and he also did not want the man who was shot and killed forgotten, but was told the Mayor was working on it. Council Members Holm, Garcia, Lovell and Green absent.

Ms. Linda Jenkins, 8612 ½ Peach Tree, Houston, Texas 77016 (832-882-3501) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Lovell and Green absent.

Mr. John Cieslewicz, 1250 Dewbarry, Houston, Texas 77018 (713-683-0703) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Green and Berry absent.

Mr. Richard L. Freeman, 121 Riggs Road, Houston, Texas 77022 (no phone) appeared and stated that he was present a month ago and if there was any parliamentary law he would like to know where it was in the book; that his bus pension had never come about after 20 years invested and he had faxed the Mayor letters but would like answers; and he had a broke vehicle; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Kathie Wilson, 1400 Ella Blvd., Houston, Texas 77014 (no phone) appeared and stated that she was present to speak on apartment crime, you paid your rent and then was harassed daily for 12 months to get out so someone else could get in; that a person next to you could put chemicals in your vents, water, etc., and it had been happening about 2 years; and continued expressing her personal opinions until her time expired. Council Members Lawrence, Holm, Green and Berry absent.

Ms. Barbara Seeley, 362 Sulky Trails, Houston, Texas 77060 (281-448-4400) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Holm, Green and Berry absent.

Ms. Melanie Blake, 4107 Pine Blossom Trail, Houston, Texas 77059 (281-461-6891) appeared, presented information and stated that stray animals were a huge problem for Houston, when they received visitors from out of state they were appalled and shocked by the number of dead animals on the highway and that was an image problem and an economic problem; that she was told about 11,000 a month were euthanized and even half that was too much, how much did it cost taxpayers to catch, kill and dispose of the animals, it cost a lot; that there was world outrage at China's policies of killing animals and they may not be doing quite the same, but the catch and kill policy was inhumane and ineffective and further eroded Houston's reputation and did not work; that there were strays around the country and they showed workable resolutions, the city of Los Angeles which was far bigger than Houston was not only a "no kill" city but had fewer strays; that they needed to attack the problem at its source and should start with mandatory spa/neuter programs and divert resources to setting up more spay/neuter clinics and educate the public on responsible pet ownership; that shady businesses

like puppy mills and mass commercial breeding operations needed to be closed, breeders needed to be licensed and there needed to be restrictions on the breeding and profiting from selling animals in news papers and the side of the roads needed to be stopped; that chaining dogs was not only cruel but extremely dangerous, it made them very aggressive; that anti tethering laws were being adopted around the country including Texas City and current leash laws needed to be enforced; that they held themselves up as an advanced humane society but permitting the situation made them very hollow; that animals felt pain and fear and in suffering we all were the same; that with Council's help they could turn an antagonizing and embarrassing issue into action which would enhance the lives of citizens. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Wiseman stated that she was very interested in receiving her information and appreciated her passion and interest on the issue and the need for change in laws; that Council recently passed ordinances which took them a few steps closer to that goal by passing ordinances to prohibit the selling of pets on city's right-of-way and additional cost for people who had pets not spayed or neutered; that she would like to see another approach rather than the killing of animals and people did need to act responsibly. Council Members Lawrence, Holm, Green and Berry absent.

Mayor White stated that he appreciated the information and liked the idea of her specifics in recognizing there were so many people responsible and they had made improvements. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Clutterbuck thanked Ms. Blake for her specifics and stated that Council Member Wiseman addressed recent steps Council had taken with regard to licensing of breeders and prohibiting sell on city right-of-ways; and she would urge her colleagues and anyone listening to engage in a discussion about this; that she just asked the City Attorney why there was no policy of requiring spaying and neutering of animals; that her family had always done so, it was what responsible pet owners did and she would like discussions on pros and cons of public policy requiring such and felt it was a step to consider; that if taxpayers saw how much money was spent killing animals they would probably be appalled and this may be a step forward in addressing concerns; and again thanked Ms. Blake for being a voice. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Wiseman stated that there would be exceptions to that as some people did have a goal and objective to focus on and maintain the wonderful dog breeds and they wanted to be sensitive to that while at the same time they wanted to eliminate the problem of euthanizing animals. Council Members Lawrence, Alvarado and Green absent.

Ms. Jenna Wiley, 8803 Timberside Drive #11, Houston, Texas 77025 (713-666-9025) appeared and stated that she had sent E-mails but was not ready to speak on her topic of taxes as she thought Council Member Clutterbuck could handle it; that regarding the front page of the Agenda the outline did not reflect how Council sat and felt it confusing to those present; that on Agenda item number 5 they wanted two deputies from Harris County Precinct 1 at University of St. Thomas and they should vote no as they were overpaid and under qualified McCarthyistic Nazis endangering lives of school children; and continued expressing her personal opinions until her time expired. Council Members Lawrence, Holm, Alvarado and Green absent.

Ms. Laverne Fransau, 5716 Alba #21, Houston, Texas 77018 (713-475-0278) appeared and stated that she was liaison for the Fifth Ward area and last time she was present she discussed how senior citizens were having their land stolen by not being contacted regarding back taxes; that today she was present asking that seniors be called as a reminder that they owed; that they were looking for a new attitude of doing things for land in the city and the senior

citizen present with her today had someone manage to get her land and in doing so it pertained to back taxes, the man had taken a picture of her home and said it was abandoned but she was paying utilities; that she was asking seniors not be pushed out. Council Members Lawrence, Holm and Green absent.

Mayor White stated that on the specific addresses and block faces she should get that information to Mr. Fontaine; that in the Fifth Ward there were certain properties put on a list before he was Mayor and they had an average of 19 years tax delinquency and each property had foreclosure proceedings and they had pictures and were inspected 3 times to be sure there were no residents; that certain lots were foreclosed on and were now being rebuilt out of the first group and another group did not have foreclosure proceedings but they were in process and a report would be made to Council before there were any such proceedings instituted; that if the house was not in one of those two categories then he needed to find out and what they did was simple, they let Council know and then they would let them know what was going on; that many properties were taken over by neighbors and churches and if it was up to Council someone who wanted to take over the property and was not the owner and wanted to invest in it would have back taxes forgiven, but the school district and other levels of government which charged most of the taxes would not go along with it; and upon questions, Ms. Fransau stated that the senior with her had not paid taxes since 2002 because of disability, it was \$17,636.00 to be exact, the property was valued at \$175,000.00; and Mayor White stated that she could give Mr. Fontaine information, but he would say that in many parts of the city if people did not pay for police and fire and their neighbors did...; that on \$175,000.00 properties they did foreclose on some of them, but it had nothing to do with it being the Fifth Ward; that if someone did not pay taxes on a \$175,000.00 property they were told they better pay, it was not that they went to one neighborhood, but they would look at it. Council Members Lawrence, Holm and Green absent.

Council Member Edwards stated that the Mayor had said what she wanted to say and he was trying not to displace people; and upon questions, Ms. Fransau stated that she was saying people did not know they owed taxes, her home was homesteaded and in her family 100 years and her aunt 3 blocks over was having the same thing happen to her and she was 86 years old; that each said they were not notified of their taxes, she had not paid since 2002; and Council Member Edwards stated that Mr. Fontaine would speak with her and they were not trying to redevelop communities but help them revitalize themselves as it was a win/win for the city. Council Members Lawrence, Holm and Green absent.

Mr. Mustapha El-Hakam, 1950 Lexington, Houston, Texas 77098 (281-804-2157) appeared and stated that he would request his wife speak first; and Council Member Khan moved that the rules be suspended for the purpose of hearing Mrs. Rebekah Madux El-Hakam out of order, seconded by Council Member Berry. All voting aye. Nays none. Council Member Johnson absent on personal business. Council Members Lawrence, Holm and Green absent.  
MOTION 2007-0268 ADOPTED

Mrs. Rebekah Madux El-Hakam, 1950 Lexington, Houston, Texas 77098 (281-804-2157) appeared and stated that she and her family lived in a residential area and she had been working months to obtain residential permit parking for their area as they had a chronic parking problem; that today she was present to speak on one property the city was maintaining was not residential, it was a 4 unit apartment complex and the ordinance was clear on what should be deemed residential and what shouldn't and Parking Management was not following what the ordinance said, it spoke specifically to single family homes, duplexes, condominiums and apartment complexes with 8 or fewer units and this one was a 4 unit; also saying it would be deemed to be residential unless actually occupied and used exclusively for other purposes and she had sent much information to the city to show it was residential; asked neighbors present supporting her to stand to be recognized; and that she did not understand why the city



maintained it to not be residential when it was and they could get no response from Legal. Council Members Lawrence, Holm, Lovell and Green absent.

Council Member Edwards stated that the area was in District D and she had gone out and they were trying a year to do this; that they looked residential to her and she would like to know why it was being classified otherwise; and Mayor White stated okay; and Ms. El-Hakam stated that if the one property was not being considered residential then the entire block did not qualify for the 75% residential to get the permit parking and they had acted in good faith walking the street and getting signatures to show support from their neighbors and it was to be for both sides of the street and not just their side; and Council Member Edwards stated that in dense urban communities when they allowed businesses to come in and gobble up parking in front of people's homes they had to make a decision of what they would do, build public parking in communities or what, but something had to be dealt with on the issue and she would like someone to show her office where this was not residential and she would be appreciative; and Mayor White stated that he had information on this and would like to make sure rules were clear, did they have reasonable rules in place and was residential defined properly because it was the city's responsibility to make sure rules were clear in advance and they would try and apply rules as written so it could be predicted on how things would be done in the future. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Brown stated that what was happening was residential neighborhoods were getting eaten away by conversion of additions to structures which were commercial and in terms of parking impacts a restaurant had the most severe negative impact on residential properties and the neighborhood became destabilized; and upon questions, Ms. El-Hakam stated that Parking Management was nice but they never got back with her and neither would Legal and she showed them the HAR Listings and pictures of the property, etc., and she did not know why it was not residential; and Mayor White stated that this was so contrary to reports; and upon questions, Ms. El-Hakam stated that the city met with her but when asking specific questions on the property they would never get back with her and it was that property keeping them from reaching the 75% residential; that there was a hearing tonight but for only one side and that would place one side of the street against the other; that she was speaking about 1963 Lexington and believed the owner was present to speak from that property. Council Members Lawrence, Khan, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Mr. Mustapha El-Hakam appeared and stated that regarding the same ordinance in general it said specifically, "a premises designed primarily for living, sleeping, cooking and eating will be deemed to be residential in character unless it is actually occupied and used exclusively for other purposes" and that key word was exclusively, what they had was a rule to make it easy for Parking Management to designate residential from business properties and make it easier for them to streamline the process; that when a property was being used as part business and part residential it had to be deemed as residential under the ordinance and he felt it was an equitable process, they were seeking equity and wanted both sides of the street to qualify as residential status so they may obtain a hearing and get residential parking for both sides of the street and the ordinance was simply written and very clear, it did not take a lot of time to consider; that also chapter 45, Article 6, Section 45-114 of the ordinance talked about cutting back of curbs and they had people who owned property on the street who decided to cut the curb without any city approval and then they were giving them the windfall of allowing them to vote against other people who had curbs in place to vote against residential parking and in his opinion that was the most inequitable thing; that 1963 Lexington had cut their curbs in violation of the ordinance. Council Members Lawrence, Khan, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he had an office near them and other than them and two other neighbors no one wanted to change the parking on the street more than he did, but there was also no more thorough department in the City of Houston than the Parking Division, they did their backup, and though he did not like their answer he received their methodology was pretty rock solid; and he did want to make sure they knew there was a hearing today because of much of this would be addressed there; and Mr. El-Hakam stated that if there was some manner in which the City Attorney's Office was construing this ordinance to not fall in line with the rule of construction you learned the first year of law school he would like to be privy to it because it seemed clear to him. Council Members Lawrence, Khan, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Mayor White thanked Council Member Berry for focusing on the issue and for talking about the diligence of some of the city employees; that Council could take responsibility of the ordinance which sometimes was flawed or sometimes they were mistaken or something was drafted bad, but one issue was the character of 1963 Lexington and the second issue was what their percentages were if the status was deemed residential and what the percentages would be in that case where there was a difference in what he was hearing here and the briefing he received and third was why one block face would be considered residential rather than both block faces; that he would say those who wanted to protect residential neighborhoods wanted to do it block face by block face because their thinking was it would give residents the best shot, but they would look at this as he heard something at the mike that was different and they would get the details. Council Members Lawrence, Khan, Holm and Green absent.

Ms. Lisa Thompson, 1963 Lexington, Houston, Texas 77098 (832-279-6367) appeared and stated that she was owner of 1963 Lexington and she was contacted once a year ago regarding the petition and she explained the situation of her property which was at some point deed restrictions were put into effect in the neighborhood and at that time certain properties were allowed to exempt themselves from those restrictions; that the previous owner of her property chose to do so and there were properties in the neighborhood allowed to be used as commercial use; that her part of the block had commercial properties and hers was a four plex, when they purchased the property it was being used as a tax office, real estate office and some residential rental, but because it was exempted from the deed restrictions the owner could use it for commercial purposes; that they were never contacted by neighbors to complain about parking issues and regarding the cut curb they had never cut it, it was that way since the time they purchased it; and on the issue of the petition, there was one passed around but when they found they were not for the parking permits they were not shown the petition or permitted to sign the petition; that there were other businesses on her side of the street and it was mixed use; that they did own a bed and breakfast on Hazard and some of the longer stay people and one renter did currently live at Lexington. Council Members Lawrence, Khan, Holm and Green absent.

Council Member Berry stated that he was her neighbor across Hazard and he liked a city that was not zoned but there were issues and at least one of the two restaurants on Lexington abused their valet parking privileges and the public street for their personal use; and upon questions, Ms. Thompson stated that she did not experience that during the day but did from time to time in the evening though she did not think her property should be re-characterized to residential when it would cause her economic harm because of one restaurant misappropriating parts of the street; that those people should be dealt with, she did not know why they were singled out; that it was commercial and she wanted no changes. Council Members Lawrence, Khan, Holm, Alvarado and Green absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Thompson stated that when they purchased the property in 1999 the property was exempted from deed restrictions and was one

of the properties which could be used for commercial use and was mixed use at this time. Council Members Lawrence, Khan, Holm, Alvarado and Green absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Ms. Thompson stated that she thought the parking problems with the restaurants had gotten significantly better and she knew the restaurant owners and thought they had made a genuine effort. Council Members Lawrence, Khan, Holm, Alvarado and Green absent. (NO QUORUM PRESENT)

Ms. Dashonda Nunn, 14935 Richmond #1122, Houston, Texas 77082 (832-604-6735) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Khan, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Mr. James Hale, Jr., 10221 Rockaway, Houston, Texas 77016 (no phone) appeared and stated that this was his second appearance dealing with his vehicle being towed illegally from private property; That Council asked Officer McDougal to look into it which he did and another officer, Officer Sharon, who dealt with the city tow yard looked into it and at this time circumstances surrounding the vehicle have not changed, but in fact had gotten worse; that the vehicle sustained about \$4,000 damage while in the care of the storage yard, it was beaten down with machinery of some sort and the electronics were removed; that Officer McDougal acknowledged the city did not have the right to remove the vehicle as he had permission from the Burger King manager and owner to leave it there and they both spoke with Internal Affairs and told them the same story two months ago, but Internal Affairs was still saying they were continuing investigation and his question today was the same as before, how long did it take to see if they were telling the truth and then how long to correct the problem; that he had been arrested on warrants which he had already served time for and the judge understood and cut him loose instantly; and the manager of Burger King stated at the time it happened to the officer his car could stay and though the Police Department had been helpful the problem was not solved. Council Members Lawrence, Khan, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Sue Dodd, 10223 Palm Shadow, Houston, Texas 77075 (713-987-9677) appeared, presented information and stated that she did appreciate seeing all at the Council table with a glass of water rather than a plastic bottle of water; that she represented the Women's International League for Peace and Freedom, the oldest and largest international women's peace organization in the world, they worked to oppose oppression and exploitation and there were 37 countries coordinated by an international office in Geneva and they carried out their work through grassroots organizing; that in 2006 water was one of the main issues for wealth and the Houston branch had an eight week water study and they would continue to focus on water and the concerns around it; that World Water Day was March 22nd and was created by the United Nations General Assembly Resolution at the 1992 United Nations Conference on Environment and Development in Brazil and they would like to thank the City of Houston for providing its citizens with safe, clean water and an effective sewage treatment and they were grateful the water supply was kept public and not privatized as history showed once privatized rates went up and services went down. Council Members Lawrence, Wiseman, Khan, Holm, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Awanda Whitworth, 1838 Cheshire, Houston, Texas 77018 (713-688-1060) appeared and stated that she was also with the International League for Peace and Freedom and their organization had worked on water issues for a year and they were pleased to be present to tell of the Water for Life Decade and the information presented said the "Water for Life" Decade aimed to promote efforts to fulfill international commitments made on water and water-related issues by 2015, placing special emphasis on the involvement of women in the efforts; and in

Washington, D. C. March 22nd there would be a press conference held by water advocates as disease came by unsafe drinking water and inadequate sanitation which could be prevented and today they were raising awareness. Council Members Lawrence, Wiseman, Khan, Holm, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that to Ms. Whitworth, Ms. Dodd and their colleagues in the effort, she was not sure people understood the importance of what they spoke of because in some countries the decision between water and education was made for a lot of women who were not educated so they could fetch water for the family by walking miles and miles and it was an amazing phenomena which could be solved easily if they had but the will to do so and she thanked them for their commitment and hopefully it would change for many women around the world. Council Members Lawrence, Wiseman, Khan, Holm, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Joan Denkler, 823 Patchester, Houston, Texas 77079 (713-467-2996) appeared and stated that she wanted to thank Council Member Edwards for the comments, it was encouraging people were noticing and they were looking for more opportunities; that she was a public citizen and had become aware water was more of an issue as time went on; and she would ask what happened to the big springs in Big Springs, Texas, as it did not exist anymore and what happened to Comanche, Springs in Stockton, Texas, as it was no longer there and water was a cycle which they lost use of some as it was in soil moisture now, overused, and though Houston was rich in water they had challenges particularly with climate change and she was talking of not only where it was dry but of storm surges, sudden bursts of rainfall and Houston was fortunate as it had not privatized, Atlanta, Georgia, received terrible service from the private sector and had an epidemic of water main breaks and even had to boil water before the city took it back over. Council Members Lawrence, Wiseman, Khan, Holm, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White thanked all for coming and stated that one reason they had a senior officer who attended all senior staff members on sustainable growth, who they added three weeks ago and who was an outstanding individual and scientist, was to look at the issue of water; that water plants were very expensive and anything they could do to avoid waste and reduce cost to the community was a positive. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown thanked all for what they did and stated that they needed to keep reminding Council they needed to be more sensitive to environmental issues; that they were working hard and were committed to energy conservation and water conservation, but even though they were well intended they needed to be well reminded; and he and his wife were building a new house and putting in a cistern, all needed all the help they could get. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Rodney Underwood, 2221 Wentworth, Houston, Texas 77004 (832-868-7219) appeared and stated that he was executive director of a community organization in southeast Houston and present to speak on employment problems and affordable living conditions; that they had a MHMRA contract and DRS which was Department of Rehabilitative Services and they dealt with the homeless by providing housing and better way of living by helping with job

opportunities; that he had a contract pending and needed Affirmative Action to back them, but they limited him to plumbing only when before they had a labor contract and provided staffing, the majority of people at his facility were in need of employment to help subsidize their living as most made less than \$550.00 a month and they would like to know why they were not being assisted when such a large population needed their services. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Underwood stated that they provided housing for the homeless community and were in southeast Houston near Hobby Airport; that it was a 21 unit apartment complex and had a dozen SRO's; that the majority of them did physical labor and they were an Affirmative Action affiliate, but when he submitted his contract he got notification that the labor component in his certification as an MBE contractor was denied; that he spoke with Affirmative Action and they wanted to put him through the process all over again which they would have passed the deadline and they needed consistency; that he spoke with someone named Isaiah but had not spoken with Ms. Laws; and Council Member Edwards stated that she was not sure of the process but he should find out exactly what he needed to do and should speak with Ms. Laws, but they did need plumbers and she did not see why that would be a problem; and Mr. Underwood stated that the majority of his people would not be able to do plumbing but they were able to do labor services, he needed a broader based use. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Mayor White stated that Mr. Robert Gallegos was walking over right now and so there would be someone who worked with the director to speak with and help him work through this if he could wait; and Mr. Underwood thanked Mayor White for the assistance. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Ms. Yvonne Clark, 4706 Brownstone, Houston, Texas 77053 (713-433-6059) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

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 Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box, 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the official President of the United States; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Mr. Michael Garrett, 7806 Chaseway Drive, Missouri City, Texas 77489 (281-438-9665) appeared, presented information and stated that he was present seeking Council's support on a matter that may seem trivial to some, but he could assure them that for those who were blind or visually impaired it was an issue of great importance and it was a matter of assessable,

identifiable paper currency; that in 2002 the American Council of the Blind filed suit against the Department of Treasury under the premises that the department was not providing assessable and identifiable currency and in November 2006 the U. S. District Court Judge James Robertson affirmed ACB's allegations citing that the Treasury Department did not issue assessable currency; that over 180 countries provided assessable currency to their blind and visually impaired and they believed the Mayor and Council as local representatives had a level of access and influence to national officials they did not and they were asking as a community for them to consider the issue and lend their voice and influence to urge President Bush to tell the Treasury Department to drop the appeal; and more detail would be found in information he presented. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado and Green absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Garrett stated that Australia, Canada and England were some who had assessable currency. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado and Green absent. (NO QUORUM PRESENT)

At 4:28 p.m. City Council recessed until 9:00 a.m., Wednesday, March 21, 2007. Council Members Lawrence, Clutterbuck, Wiseman, Khan, Holm, Garcia, Alvarado and Green absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, March 21, 2007

The Houston City Council reconvened at 9:00 a.m. Wednesday, March 21, 2007, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

Note: Council Member At Large Position 3 vacant.

At 8:15 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:22 a.m. Mayor White called the meeting to order. Council Members Wiseman, Garcia, Green and Berry absent.

### **HEARINGS - 9:00A.M.**

1. **PUBLIC HEARING** regarding the amendment of the Planning and Zoning Regulations and Zoning Map for **TIRZ NO. ONE (ST. GEORGE PLACE TIRZ) - DISTRICT C - CLUTTERBUCK** – was called.

The City Secretary stated that no one had reserved time to appear at the hearing and Mr. Robert Fiederlein would make remarks concerning the hearing. Council Members Wiseman, Garcia, Green and Berry absent.

Mr. Fiederlein stated that had received a request to amend the zoning regulations applicable to TIRZ No. 1 the St. George Place TIRZ for Chapter 311 of the Tax Code, the TIRZ Act, that the City Council had delegated to the petition TIRZ the authority to implement zoning within it's boundaries, that he had with him the Zone Planning and Zoning Official, Mr. David Hawes to present a brief overview of the proposed amendment to the zoning regulations and answer any questions that they might have, that he had also distributed materials last week and

again today at the Council table that presented detailed information, that the City Council would be asked shortly to approve the proposed amendments to the zoning regulations. Council Members Wiseman, Garcia and Berry absent.

Mr. David Hawes stated that they had a zoning ordinance and this was a process within the zoning ordinance for the establishment of a planned unit development, it was an amendment to the current ordinance that they had on the books, that they already had four planned unit development districts within the zoning, this was an additional one, that planned unit developments were for the purpose of planning a development in a specific area that met certain criteria, that this particular recommendation from the TIRZ Board as the intermediary between the Planning and Zoning Commission of the zone to the City Council as a recommendation to amend the ordinance, provide for additional restrictions as well as additional regulations related to this specific development, that he really appreciated the involvement of Council Member Clutterbuck, her leadership and insight and her understanding of her constituency was very helpful in bringing the parties together, the process started off contentious sometimes when they start doing things within neighborhoods and she was very helpful in pulling that together, also he wanted to thank Council Member Brown whose insight in planning and design was very helpful in working with the applicant to come up with a better design which was acceptable to all, in the end they had a unanimous vote from the TRIZ Board making the recommendation to the City Council and they had a unanimous affirmative response from the civic association in favor of the particular amendment so everyone was on the same page. Council Members Wiseman, Garcia and Berry absent.

Council Member Clutterbuck stated that this was the only place in Houston that had zoning and was an issue that she started to learn about before she took office and continued through the last year, that she found it very interesting that a lot of people talk about and bemoan the fact that they did not have zoning in Houston and she could tell them from experience that zoning was not a panacea, this particular area had a zone and the developers proposed something that many thought was better than what was restricted by the zone, but the residents wanted to keep their regulations and requirements on it, so zoning was not without problems, that she too wanted to add her thanks to David and Robert for their hard work and persistence, and she wanted to thank the TIRZ Board who followed the rules and stuck with it and listened to the residents, that she also wanted to thank the zoning commission who also followed the rules, that this particular zone had a requirement that if they deviated from the zone and enough residents petitioned, more than 20%, that a variance would not be allowed, that was outlined in the handout that they passed out, that she wanted to thank the developer Rowe Wright for working with the residents and coming up with a plan that she thought was beautiful and complied with the request of the residents, and she thought not at all insignificant to the process was the willingness of the TIRZ and the TIRZ Board and David to hold the meetings at a time and place that was convenient for the residents, that was critical to the process and she thought going forward they would see a lot more transparency or the perception of transparency and the ability of the residents to be able to participate. Council Members Johnson, Wiseman, Garcia, Alvarado, Lovell and Berry absent.

After further discussion Council Member Clutterbuck moved to close the public hearing, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson, Wiseman, Garcia, Alvarado and Lovell absent. MOTION 2007-0270 ADOPTED.

#### **MAYOR'S REPORT** - Scrap Metal Initiative

Mayor White stated that Executive Assistant Chief Vickie King had some materials on what was a critically important topic, in fact he could not think of anything that was being considered in Austin now that would have more impact immediately on making housing

affordable and strengthening their economy compared to other states than the issue that they were going to hear about now but they had not waited for any other jurisdiction, that HPD had taken the lead on the important effort and was way out in front of the other urban law enforcement authorities on this important issue. Council Members Johnson, Wiseman, Holm, Garcia, Lovell and Berry absent.

Executive Assistant Chief King reviewed a handout titled "Proposed Ordinance Update: Secondhand Metals and Construction Materials", a copy of which is on file in the City Secretary's office for review. Council Member Berry absent.

Council Member Clutterbuck stated that she had a question to try to address the mobile aspect of it and perhaps the City Attorney might be able to address it for her and wondered why the ordinance was drafted in a way to say that "anyone who from a fixed location engages in a business, etc.", she wondered if many of the eighteen wheelers, though some were up on jacks, if they were considered mobile, and also on page 6 in Section 7-57 it indicated a requirement for a licensing fee for metal recycling entities with a permanent place of business and since many of the locations were mobile and did not have a permanent place of business she was concerned that they may be able to get out of the requirements. Council Member Berry absent.

Mr. Michel stated that he would consult with a couple of people very quickly and he would have an answer. Council Member Berry absent.

Council Member Johnson stated that there were a lot of ad hoc stations around communities and asked what were they doing in the area of thwarting some of their efforts because it was almost like a substation, people went there to drop of their materials and then they take them to the licensed scrap yards, what were they doing in those areas where they had propped up in the middle of neighborhoods, and Chief King stated that the wonderful thing about the ordinance was that it would not allow those kinds of operations to get a permit and that was why the reference to the fixed position, they could only get a permit if they were a fixed position so if they had a patrol officer who rolled through a neighborhood and saw an eighteen wheeler he knows automatically that they could not have a permit and could start his investigation right then and there, so it would allow any patrol officer to be able to enforce, and if they show a permit, sorry they could not have one because they had to be a fixed site in order to do it, that they had 2,500 guys out there who would be on the look out for those kind of locations, that it was an automatic probable cause for them to begin an investigation. Council Members Clutterbuck, Holm and Berry absent.

Council Member Edwards asked what was the penalty for being an unlicensed dealer, and Chief King stated that she believed it was \$500 plus they could go to jail, they could take them into custody and seize their materials, that it was just a fine but they could make an arrest on a Class C misdemeanor and they could more importantly seize all the products they had and that was where they were going to get hurt, if they saw an eighteen wheeler they would get a heavy duty wrecker and take that entire eighteen wheeler and were going to hit these operations and hit them hard, that it could be considered receiving stolen goods and they could make a case as they had in many cases they had some under cover operations going out there and they may try to go in and make an organized crime case on them or make a receiving stolen merchandise case a felony case, which they did 73 times during their last undercover operations, what they wanted to do was take these guys off of the streets and allow the legitimate business owners to be able to have a level playing field, that \$500 was not a lot of money but when they take their product as well as the \$500 and put them in jail, maybe only overnight, but that was the most that a municipal government could do and that was why they were also working at the State Legislative level to get stiffer penalties for this type of event, that for a Class C misdemeanor the most they could do was impose a fine, only the State Legislatures could impose a prison



sentence in a County jail or a prison jail in the State penitentiary, that an unlicensed dealer was probably only going to be taking in the scarp, that they rely on the criminals to go out in their trucks and their work shirts to blend into society and steal stuff, that as to the staffing impact on HPD the good thing was from a patrol aspect it would just give probable cause and their DRT's were already out there working on these types of initiatives in the community, where it did have a staffing impact was when they went to their undercover proactive operations in the Burglary and Theft Division and they were stretched a bit then but her guys were so dedicated, they were working nights and weekends, with the promise of a future day off they were working for comp time rather than pay in many instances so she had to take her hat off to those guys. Council Members Johnson, Clutterbuck, Holm and Berry absent.

Mayor White stated that even with the old ordinance they had to use a lot of undercover resources to do what they could do just by simply spotting the truck and hauling it off under the new ordinance so one of the purposes of the new ordinance was to allow them to do more without having to incur the enormous amount of resources that they had been incurring in the past. Council Members Johnson, Clutterbuck, Holm and Berry absent.

Council Member Edwards asked what was the penalty if she found someone stripping her air conditioner and she stopped that person, and Chief King stated that it depended on the amount of damage, it would be a criminal mischief or a theft, and it was dependent on the amount of damage, if it was \$2,000 it would be up in the Class A misdemeanor range, if it was higher than that they could be up in the third degree or State jail felony range. Council Members Johnson, Clutterbuck, Holm and Berry absent.

Council Member Garcia stated that these were issues that had long plagued the business community and neighborhoods and it was time to bring in a new day and improve the way they do business around here, that all of the work that had gone into the ordinance was not something that in a week or two weeks they came up with an ordinance, but it had been months and months of discussion and he wanted to thank someone who helped him prioritize it when they first brought it to the administration, Officer Greg Bissel, who was a canine officer who saw how it was affecting his work out there and how he was repeatedly having to go into businesses at night to respond to these types of calls and he said there was something wrong with the ordinance and they needed to improve it, so he wanted to let folks know that there was a lot of brainpower within the Police Department, that he wanted to thank his staff, Rhonda Sauder for all her good work on it as well, that he thought they had gotten the ordinance as right as they could but he would communicate to the industry that if for some reason it was not just right he was committed to coming back to the table and evaluating it and hearing from more officers, from Chief King's staff and from Captain Moore and his staff, that he wanted to make sure that they tighten it up and they have a good piece of legislation, that a lot of people may not like it but it makes good sense, that he hoped that the Legislature hears what Houston was doing and supports what they were doing rather than thwart them. Council Members Johnson, Clutterbuck, Edwards and Berry absent.

Mayor White stated that he would say to anyone who was recycling that the scrap metal business was an important that did social good, that he personally had observed cases where there had been overregulation of that business for example it used to be that there was recycling of batteries but then the environmental restrictions got so onerous people just sent them to the Solid Waste site, law of unintended consequences, but on this issue that the cost of compliance was little and if some scrap metal dealer thought there ought to be some changes then come and bring them that idea but do not make it accepting stolen goods or make it hard to trace stolen goods. Council Members Johnson, Clutterbuck, Edwards and Berry absent.

Council Member Lovell stated that on the proposed ordinance revision she would like to ask Chief King to maybe consider adding something else where they had property delivered by shopping carts, she learned yesterday that actually a better mode of moving around the neighborhoods was a City of Houston garbage can because they could put everything in there, it was concealed and when they saw an officer coming down the street they could just park the can in front of somebody's house and walk off and the officer would not think there was anything unusual about it being there and then they could come back and pick it up, or they pick up the stolen goods, put it back to the house it belongs to and then come back at night and everybody would just think they were going through the garbage can, not that they were storing their stolen goods in somebody's garbage can, that she would like to ask them to also put the City of Houston garbage cans on there, and Chief King stated that was an excellent point, that she recently found out that since they clamped down on the shopping cart issue that the thieves had adapted and were using the City of Houston trash bins as handcarts so perhaps what they needed to do was amend the ordinance to include any kind of City of Houston property that was being delivered, clearly it had their insignia on it, but also perhaps get some more information on handcarts. Council Members Johnson, Clutterbuck and Berry absent.

Council Member Alvarado stated that it was really disheartening that they had to come up with an ordinance to address a very organized string of crimes that was causing a very drastic economic impact in the home building industry but what angered her most was that they had people who were preying on charitable organizations like their churches and non profits, that their office began getting calls last year from the Third Ward Community about the churches and non profits and in the Fourth Ward about the homebuilders, but whether it was the criminal history background check or the uniformed electric database, photo ID or the video taping of the transaction she thought they were finally closing the loop on a most unfortunate stream of crimes that often plague on charitable organizations that helped to serve those in need, that she wanted to thank Chief King and HPD because they really did a lot in a short period of time that people did not realize, the hundreds of citations that they issued, the time that was spent, the time the Mayor spent meeting with stakeholders, that she also wanted to recognize the work of Council Member Garcia and his staff for bringing this along and helping to address the issues that many of them were facing in their district. Council Members Johnson, Clutterbuck, Lovell and Berry absent.

Council Member Khan asked if there were any efforts at the State level where Houston could participate because what they did not want was criminals just to go outside of the city limits and start selling their stolen goods, that yes the ordinance would tighten the thing in the City of Houston and would give a lot of teeth to the ordinance but what would prevent somebody from driving across the city limits and have a metal shop and accept all the stolen goods they wanted there, and Mayor White stated that he did not think that should delay what they do, certainly if they got some of these fencing trucks out of some of their neighborhoods it would be good, that they did have a bill in the Legislature and Council Member Khan made a good point and they would know by the actions of the Legislature whether the homeowners and businesses and churches of the community have more influence with their elected representatives than the lobbyists for the scrap metal industry who were trying to water it down, that he was asking the elected officials to help him, the scrap metal dealers were organized, he was not saying they were bad people but there was more stolen merchandise and copper ripped out of buildings there was a greater volume going to their business, that there was money involved in this on both ends of the equation, and they had a bill, and it was the item that he spent more time with people that he talked to and he was told that the scrap dealers were out in force trying to water down whatever was done and maybe he was wrong but proof was in the pudding within the next 60 days of whether or not they had people working for the scrap dealers or for the public. Council Members Johnson, Lovell and Berry absent.

Council Member Garcia moved to suspend the rules to consider Item Numbers 29, 98, 96, 96a, 4, 44 and 46 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Berry absent. MOTION 2007-0271 ADOPTED.

29. **ORDINANCE AMENDING CHAPTER 7 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Metal Recycling Entities, Secondhand Metal Dealers, and Secondhand Dealers; declaring certain conduct to be unlawful and providing a penalty therefor; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability – was presented. Council Member Johnson absent.

Council Member Garcia stated that based on all the good work they still found some last minute tightening up on the ordinance that they wanted to provide and offered the following written motion to amend Item No. 29. Council Member Johnson absent.

“I move to amend Item 29 by amending the provision in Section 2 of the proposed Ordinance, which amends Chapter 7 of the Code of Ordinances, Houston, Texas, as follows:

1. By amending Item (3) of Subsection (a) Section 7-58 to read as follows:  
“(3) A clear thumbprint impression from the person seeking to transfer, sell or otherwise give the items that are the subject of each transaction;”
2. By amending the second sentence in subsection (b) of Section 7-58 to read as follows:  
“The metal recycling entity or secondhand metal dealer shall forward the required record and descriptions set forth in subsection (a) of this section ~~to the police department~~ in an electronic format to the designated police department web site before the close of business on each day on which the metal recycling entity or secondhand metal dealer is open for business.”
3. By deleting Item (2) of Subsection (c) of Section 7-60, renumbering the subsequent Items of that Subsection and amending new Item (2) to read as follows:  
“(2) The metal recycling entity verifies that the person or entity seeking to sell or otherwise transfer the metal items has a valid city-issued metal recycling entity or secondhand metal dealer license, which the metal recycling entity or secondhand metal dealer shall record by photocopying the license or recording the license number in connection with the sale and maintain for a period of not less than three years; or”

Mayor White stated that they had no objection to the amendments and a vote was called on Council Member Garcia’s motion to amend Item No. 29. All voting aye. Nays none. MOTION 2007-0272 ADOPTED.

A vote was called on Item No. 29 as amended. All voting aye. Nays none. ORDINANCE 2007-0295 ADOPTED.

Mayor White stated that the fact that they were a unanimous body on this difficult issue he wanted everyone who talked about it to note that it was not an ideological issue, partisan issue

or an issue affecting one neighborhood, that the governing body of the fourth largest City in the Nation stood united.

Council Member Berry stated that he wanted to applaud the administration, that the first response should not be for government to regulate, but this was the case that the free market simply did not work and was not working and needed the invisible hand to get involved, that he would ask to make sure they were getting results, if they could get four, six or eight weeks from now an update from the Police Department on how many arrests, how many officers were assigned to this, what kind of resources were they putting into it because like all of his colleagues he had heard from a number of individuals, and developers and builders talking about the amount of theft, that oddly enough he thought it would bother him less if they stole copper worth \$1,000 and got \$1,000 but they were doing \$300,000 worth of damage and getting paid \$800 at the scrap metal place, there was just something so wrong about this thing and the cost and the number of people who said they did not want to be in our City because of that so he would like to see some results and obviously passing the ordinance did not get them those results it just enables them to, so if they could set a time certain for them to come back and let them know the update and Mayor White stated that they ought to schedule that for a Mayor's Report in about three or four months.

98. ORDINANCE approving and authorizing contract between the City of Houston and **JACKSON LEWIS LLP**, for Legal Services to include representation of the City of Houston relating to negotiations with the Houston Organization of Public Employees (H.O.P.E.); providing a maximum contract amount - \$150,000.00 - General Fund – **(This was Item 25 on Agenda of March 7, 2007, TAGGED BY COUNCIL MEMBERS WISEMAN, LOVELL, GARCIA, HOLM, ALVARADO, KHAN, GREEN, CLUTTERBUCK, EDWARDS and JOHNSON)** – was presented.

After discussion by Council Members, Mayor White stated that he wanted to assure the Council Members that the issues that were raised by the website and other things were very serious issues that were taken into account in the interview process and the interview process was extensive and he was not going to put any words in people's mouths but they had good dialog with an extraordinarily experienced negotiators that had been brought in, sometimes in acrimonious negotiations by SEIU others and he thought it was fair to say that they understood that the City was entitled to representation by people who had experience in dealing with this organization, that there was no outside counsel who was on the City's negotiation team and he wanted to be able to assure people, that there were parts of the public who were very skeptical of organized labor period and he wanted to assure them that they were not going to be tricked or fooled, they were going to have good advice and know what they were doing on all of this.

After further discussion by Council Members, a vote was called on Item No. 98. Council Members Edwards and Lovell voting no, balance voting aye. ORDINANCE 2007-0296 ADOPTED.

96. WRITTEN Motion by Council Member Lawrence to amend Item 96A as follows:  
Amend Section 3 of the Ordinance so that the introductory paragraph of Subsection 42-163(e) shall read as follows:  
(e) The director shall determine the special building line requirement for each proposed special building line requirement area. The special building line requirement shall be the constructed building line farthest from the street that the constructed building line of at least 70 percent of the structures in the area is the same as or farther from the street than. If the proposed special building line requirement area is included within an historic district designated pursuant to article VII of chapter 33 of this Code, the special building line requirement shall be the constructed building line farthest from the street that the

constructed building line of at least 60 percent of the structures in the area is the same as or farther from the street than. The constructed building line shall be measured from the property line to the closest point of the building nearest to the property line. The director shall approve the application for establishment of a special building line requirement area upon determining that each of the following conditions exist: - (**TAGGED BY COUNCIL MEMBERS LAWRENCE, WISEMAN, LOVELL and HOLM**) – was presented.

Council Member Holm stated that the proposed ordinance that they had before them was really good and really brought into light and allowed them to proactively address and set good standards for development but for the last several weeks they had continued in discussions that had evolved on whether it took 60% or 70% to change the character of a neighborhood and the end result through all of the discussions had been a lot of pictures and a lot of information that she had tried to gather and what they had heard was the end result was, one, that was a compromise with developers in order to set that standard and two, that they had focused on deciding when the character of a neighborhood changes, that for her establishing subjective criteria created a problem and she was looking for an objective, the argument had been whether they chose 60% or 70% it made no difference and from working with Planning and some people on the Planning Commission and her own analysis in almost every instance that was absolutely true, it did not make a difference if it was 60% or 70%, but in some instances when they had eleven lots per block or less then it did make a difference and for her that was what they were deciding on today, were they deciding that they wanted to support the neighborhoods which chose to have a status quo, which would be 60%, or were they ready to address changes which would move it to 70%, that she was proposing a motion as follows:

“I move to amend Section 3 of the motion so that the introductory paragraph of Subsection 42-163(e) shall read as follows:

(e) The director shall determine the special building line requirement for each proposed special building line requirement area. The special building line requirement shall be the constructed building line farthest from the street that the constructed building line of at least 60 percent of the structures in the area is the same as or farther from the street than. If the proposed special building line requirement area is included within an historic district designated pursuant to article VII of chapter 33 of this Code, the special building line requirement shall be the constructed building line farthest from the street that the constructed building line of at least 60 percent of the structures in the area is the same as or farther from the street than. The constructed building line shall be measured from the property line to the closest point of the building nearest to the property line. The director shall approve the application for establishment of a special building line requirement area upon determining that each of the following conditions exist:”

Council Member Lawrence stated that she appreciated the comments of her colleague, that it had been a very tough decision to come up with, they had committee meetings, some of them meeting for a year and talking about this, they had even one gentlemen from the committee come up and show the example with the chart and basically what they were doing was taking, and she knew it was very detailed and some of the Council Members that had not been to the committee and she apologized if some of them already knew it, all of the sizes of the lots and put them in line and when they do that then they chose 60% or 70%, which was what her colleague was referring to and usually, and think about the existing neighborhoods, the larger lots were at the end of the block and then they had maybe one other one, so when they come down 70% or 60%, as was stated, they were really going to have the same number, it had become a very argumentative situation with some people about which one they take, what the committee came with a unanimous vote and they talked about it for three different months and

they had a number of people from Planning to come and had different commissioners to come, that they recommended that the historical be 60% because of different sizes of homes and number of homes and lots and then for the other lots that were determining lot size and building line to keep it standard, to keep it at 70% and so it was something that she thought the director saw the merit, there was some argument, 65% or 75%, so this way everybody wins when they come to the number 70%, they had new development going in and that was very important to some areas, and then they had existing and of course they wanted to keep the character so it had been a very tough decision, they could pick it to pieces but as Planning looked at the last 18 people that made applications, or the 18 last applications for lots sizes they had 7 of those blocks that only one foot was the difference of 18 block faces and then just one of them was a two foot difference, so they wanted it to be a win win for everybody and existing homeowners and developers, if they were going to have a win win for everybody then they were going to have to look at 70%/60%. Council Member Berry absent.

Mayor White stated that he wanted to thank Council Member Lawrence for the diligence in it, that some of these they could be debating forever but he would rather make progress than make points and that was the ethic that she and the committee, who was about one of the hardest working committees that he had ever seen, when they were talking about all the changes that they were going to make and had been making in Chapter 42 to protect the interest of homeowners, and that was why he was listening to Council Member Holm says but they did not support the amendment, the administration supported what the committee had reported out, and finally he would say as just one member of the Council that he had never been contacted by any developer about the issue and after about the first year they just quit trying to contact him because he really could care less about somebody's economic interest as a builder, period, he was concerned about the rights of property owners within a neighborhood, he had seen to long, look at what happened all over the Country in the 1960's and 1970's, and what happened in LA when people put in restrictions that were designed to keep newcomers out of neighborhoods, and if they got 40% of homeowners in a neighborhood wanting something they had a voice to, that minorities in neighborhoods, whether they be minorities of opinion or any other way, did have a right to some voice, so he did not think the 60% or 70% was all about neighborhoods versus developers but thought it was about trying to create a right balance among their citizens so that they could respect the majority and a super majority in determining where that super majority was.

After further discussion by Council Members, Mayor White stated that on one hand they wanted to make it small enough so they did not put a big impediment to residents, but on the other hand they may want to give residents an option to submit more than one block face for the hearing process so long as they meet some criteria and he would ask Ms. Gafrick to take a look at what they could do to come up with something like that; that it was important what people in the Planning Commission did, that he would like Members of the Planning Commission to highlight issues that they saw where they saw a pattern that the City Council needed to address, what he did not want to try to fix something that may not be broken because they had some many broken things that they had to fix, that on the issue of Chapter 42 maybe they could figure a way in which the Planning Commission could make a periodic report to Members of City Council concerning issues that they thought the City Council ought to address that were in the law, that they may not agree because they were a deliberate body with different views than the Planning Commission, they were not going to substitute the Planning Commission judgment for theirs on the law but they needed that kind of proactive response and maybe there was a way that they could sort of ask the Planning Commission citizens from time to time, with the assistance of staff, to identify for them what the top priorities should be on Chapter 42.

After further discussion by Council Members, Mayor White asked Council Member Lawrence to share with him her perceptions, whether it be the Legal support or the Planning

staff, that the important initiative about new platting standards for green space and street width variations for new plats of residential developments for the city limits was going to be popping before this body near the beginning of June, that she was having a fast pace on other amendments, like taking some of the areas outside of the loop and for Ms. Gafrick to keep them apprised so they were not resource constrained on the amount of professional assistance they were getting on those efforts, that he knew that Andy and Marlene were working very hard.

After further discussion by Council Members a roll call vote was called on Council Member Holm's motion to amend Item No. 96.

ROLL CALL VOTE:

Mayor White voting no	Council Member Garcia voting no
Council Member Lawrence voting no	Council Member Alvarado voting no
Council Member Johnson voting no	Council Member Brown voting no
Council Member Clutterbuck voting aye no	Council Member Lovell voting no
Council Member Edwards voting no	Council Member Green voting no
Council Member Wiseman voting no	Council Member Berry voting no
Council Member Khan voting no	MOTION 2007-0273 FAILED
Council Member Holm voting aye	

Council Member Clutterbuck stated that she would like to change her vote to "no", and Mayor White stated that if there was no objection by any member of the body to Council Member Clutterbuck's vote being recorded as being "no" and hearing none by unanimous consent so ordered.

A vote was called on Item No. 96. All voting aye. Nays none. MOTION 2007-0274 ADOPTED.

96a. **ORDINANCE AMENDING CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to minimum building line and minimum lot size areas; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability; containing a savings clause – **(This was Item 19 on Agenda of March 7, 2007, TAGGED BY COUNCIL MEMBERS WISEMAN, LOVELL and HOLM)** - was presented. All voting aye. Nays none. ORDINANCE 2007-0297 ADOPTED AS AMENDED.

4. **RECOMMENDATION** from Director Parks & Recreation Department for new fee schedule for permitted use of City of Houston sports fields – was presented, and tagged by Council Member Wiseman.

Council Member Garcia stated that he had been better focused on the lack of effective park maintenance especially in areas of his district, that he knew that the Parks Department was extremely strapped and did not have the resources but he had to convince his constituents that where the fee would apply that they could expect some return on their investment because these were folks that had been involved in the permitting process, had been paying fees for a number of years where they went from paying nothing to paying something but the conditions of the fields had remained the same, so he was looking for some plan or system, something that he could hang his hat on to say to folks in the Melrose, Moody Park and other areas that they were not just taking their money, they were going to see something different, that he wanted to support the administration on the item but was conflicted on the item just by virtue that he had to go back to Eastwood and Denver Harbor and try to convince folks that they were taking their money but they were going to see something but those improvements did not seem to be coming fast enough, that he was not sure if they were going to do something creative with the

CIP funding or the bond funding that they attained, but he would like to have some discussion on the item, and Mayor White stated that he had sent out some proposal that he thought they could be discussing with him in the next week concerning a new field maintenance team and thought may even be a separate ledger item, they were looking at the operating budget but this next week would give Mr. Turner and Mr. Peterson the ability to talk with Council Member Garcia about the field maintenance team. Council Member Berry absent.

Council Member Wiseman stated that she had tagged the item because she was looking for an opportunity to visit with Mr. Turner and his staff on the item, particularly because when it was first proposed there were no exemptions proposed for organizations that adopt some of their parks and there was a huge outcry in the Southbelt area because of that, they had Blackhawk Park, not far from Beltway 8, and Blackhawk Park for many years was nothing more than vacant land and it was through the persistence and dedication of the community that they were able to obtain private interest in initiating the development of that park and for that they had a football field at Blackhawk Park, but beyond going out and getting private charitable donations of in kind services the community gathered together to help support that effort, people went out and took turns watering the field, took turns just keeping watch so that people would not vandalize it, they did so much for that field, they sought additional donations for goals and other improvements to the facility and it was amazing to see the community come together that way and they were now in the process of developing the park further and they had taken great interest in that and had been very involved in the process so when it was proposed they could imagine the uproar that occurred because here they gave so much of themselves for the park and now it had been proposed that they be charged a fee, so she was glad to see that as it was being proposed now there was an exception for organizations like the ones who took part in Blackhawk Park, but she would like to see where it fell within the Code of Ordinances and the fee schedules. Council Member Berry absent.

Council Member Lawrence stated that she was very impressed when the Parks Director and Assistant Director came forward and talked about the fee and how it was going to be dedicated to the various fields, but also teams who chose to adopt a field could work and make that new fee up by sweat equity, so she thought they were going to see some of that and thought Council Member Wiseman would come to a great conclusion as far as all the work that her neighborhood had done and the people who used that field could use sweat equity for that fee, and that was what they were looking for, people to give back to their parks because the City could not do it all and they had some great facilities and hopefully they would have more, like 11<sup>th</sup> Street Park, so as they grew with Parks she thought that was what they were all looking for, more greenspace in the parks and more places for people to go and enjoy without just being inundated with fees. Council Members Green and Berry absent.

Council Member Lovell stated that as someone who belonged to a little league and had adopted two fields it really did work well and she wanted to thank the Parks Department, that her other comment was what they had talked about, sort or forecasting and looking forward and really what was wrong was that they waited since 1990 to raise the fee, that even to just catch up was such a shock to a lot of the little leagues and youth sports who had to raise their fees just to catch up, it was a big leap, if they could look at it at least on an every other year basis or a five year plan than those leagues could go ahead and make sure they understood that the fees were going to be raised but not by such a great leap, it was really a lot for the leagues to handle, so maybe in the future they would not wait 17 years to raise their fees again, that the other thing was that part of what was wrong with their fields was that they were so over used, which was great, and they were going to have fields where they were not just going to have grass all the time because they were in use and there was just no way the grass could really grow and look lush and green and that was good because they were being used, on the other side it was bad because they could just not keep grass growing on a field that was constantly



used, that she would like the Parks Department to look at the things that they could fix such as gates or fences or things in those parks of which the fee could be used, but there needed to be an understanding with the leagues that were using the fields and were constantly in use all the time, they were just not going to look like Minute Maid Park, that maybe a little education from the Parks Department about constant use of grass would be beneficial to some of the misunderstandings they were having, that she wanted to thank them for the Sweat Equity Program, it was great and worked. Council Member Berry absent.

Mayor White stated for, Ms. Stein and Mr. Turner, that Council Member Lovell made an excellent point, if they had a fee schedule then maybe they ought to look at things where they did something and say that in five years blank would be done and must be presented to Council or without further Council action, or something like that, because they were absolutely right when people postpone and people knew, that look at what had happened to water rates when they did not have a rate increase for 10 years, they were insolvent and were going bankrupt, that water system would have gone bankrupt had they not taken some of the actions that they took, and he asked what were people thinking, and they said somebody would deal with it in the future, that they did not want to be in that situation again. Council Member Berry absent.

Council Member Holm stated that she wanted to commend the Parks Department as they were looking forward, the issue of greenspace the usage or maintenance of it was one of the most important that they had to deal with and it was so important to the members of their community and they just had a new bond election which included a lot of funding for parks, in the last one much of that money was spent on deferred maintenance, they needed to aggressively look at those roles and those positions so that they were in a position to maintain regularly so they would not get in those positions, that she knew that Mr. Turner would meet with Council Member Wiseman and answer all of her questions but she wanted to commend him because they had three committee meetings where they had discussed the fee schedule, partnerships, private initiatives, the shared usage, adoptions, contractual and agreements between private sectors, the Sweat Equity Program and all of those things had come forward with a lot of discussion and a lot of open dialog between the elected representatives and the great leadership from the Parks Committee, that she wanted everybody to be recognized and to appreciate and know that the Parks Department had been very engaged in a process in bringing these fees forward.. Council Members Lawrence and Berry absent.

Council Member Wiseman stated that she appreciated all of the hard work and effort and gave her kudos to Mr. Turner, that of course all of the discussions that had been held, what it all came down to was the legal document that they officially approved at the Council table and that was why she wanted those reassurances for the hundreds, if not thousands, of constituents who were very vocal on the issue when they felt they were being taken advantage of and she applauded Mr. Turner for hearing their concerns and taking appropriate action, that she needed to discuss with him further the legal action they were taking and she did have some questions about the Sweat Equity Agreement, beyond Blackhawk Park they had another park in the Southbelt area also, Beverly Hills, which by the way that park was donated, handed over to the City by the community with certain restrictions, if she was not mistaken, and even after that fact the community spent tens of thousands of dollars for the acquisition and installation of lights at the park so with respect to that park their immediate reaction was that they had already spent tens of thousands of dollars and now they were going to be charged a fee and there was a concern to that they would be offered the Sweat Equity Agreement, she would like to see the actual agreement and what it entailed, that in lieu of money they were going to have to work for the park but they had already donated tens of thousands of dollars worth of improvements for the park so those were the things that she thought they needed to clarify before she was comfortable voting for it and she knew that Mr. Turner would be more than happy to visit with her on that. Council Members Edwards and Berry absent.

Council Member Garcia stated that he had put before Mayor White a proposal from the Bishop Flores Baseball Association in regards to the parks they were using and how they thought they could work with the administration to come up with a win win and would ask the administration to take a look at that and see if they could create a pilot initiative and see where it would take them. Council Members Edwards and Berry absent.

Mayor White stated that Item No. 4 had been tagged. Council Members Edwards and Berry absent.

44. ORDINANCE approving and authorizing contract between the City of Houston and **EL CENTRO DE CORAZON** to provide \$50,000.00 in Community Development Block Grant Funds for the provision of Mental Health Services to low and very-low income persons in the East End Area of Houston - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Members Edwards and Berry absent. ORDINANCE 2007-0298 ADOPTED.
46. ORDINANCE approving and authorizing first amendment to grant agreement between the City of Houston and **NHH CANAL STREET APARTMENTS, INC**, in connection with the Construction of a Transitional Housing Facility for low and very low income persons located at 2800 Canal Street **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Members Edwards and Berry absent. ORDINANCE 2007-0299 ADOPTED.

#### **CONSENT AGENDA NUMBERS 2 through 93A**

#### **MISCELLANEOUS** - NUMBERS 2 through 6A

2. REQUEST from Mayor for confirmation of the reappointment of the following to the **BOILER CODE REVIEW AND LICENSING BOARD**, for terms to expire January 2, 2009:  
Position One - **MR. RODNEY H. LEWIS**  
Position Three - **MR. BILLY E. JACKSON**  
- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Berry absent. MOTION 2007-0275 ADOPTED.
5. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **THE UNIVERSITY OF ST. THOMAS** for law enforcement services of two (2) deputies from Harris County Constable Precinct 1 - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Berry absent. MOTION 2007-0276 ADOPTED.
6. ORDINANCE appropriating \$315,449.05 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction of a 54-Inch Water Line along Dolly Wright from W. Montgomery to Acres Homes Pump Station (WBS S-000900-00A9-4) and approving and authorizing first amendment to Construction Contract with **BRH-GARVER CONSTRUCTION, L.P.** (approved by Ordinance No. 2005-1313); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT B – JOHNSON** – was presented. All voting aye. Nays none. Council Members Edwards and Berry absent. ORDINANCE 2007-0300 ADOPTED.

- 6a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 4 in the amount of \$231,635.47 for 54-Inch Water Line along Dolly Wright from W. Montgomery to Acres Homes Pump Station, WBS S-000900-00A9-4 - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Berry absent. MOTION 2007-0277 ADOPTED.

**ACCEPT WORK** - NUMBER 7

7. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$2,332,063.90 and acceptance of work on contract with **THE RYAN COMPANY** for Terminal C Electrical Vault Expansion at George Bush Intercontinental Airport/Houston, Project 490P, WBS A-000322-0004-4-01 - 9.93% under the original contract amount - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards, Garcia and Berry absent. MOTION 2007-0278 ADOPTED.

**PROPERTY** - NUMBERS 8 through 19

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ginger Thornton of GDT Land Consultants, Inc., on behalf of Monument Pipeline, L.P. [NET General Partners, LLC (Jerry C. Dearing, Vice President), General Partner] and Sue Findley on behalf of CenterPoint Energy Resources Corp. dba CenterPoint Energy Texas Gas Operations, for the sale to Monument Pipeline, L.P. of a ±4,000-square-foot surface pipeline easement and to CenterPoint Energy Resources Corp., dba CenterPoint Energy Texas Gas Operations, of a ±16,814-square-foot subsurface pipeline easement, both out of fee-owned City property, G. P. Burnett Survey, A-1382, Parcels SY7-033 and SY7-034 - **APPRAISERS - DISTRICT E - WISEMAN** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0279 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David and Naomi Strauss, Town and Country Surveyors, LLC, on behalf of Harris County Hospital District (J. Evans Attwell, Chairman), for abandonment and sale of a portion of McGee Street from Hoffman Road west ±1,042 feet, a portion of Troost Street from Hoffman Road west ±987 feet, and Hoffman Road from Interstate Highway 610 North to Kelley Street, in exchange for the conveyance to the City of two 10-foot-wide water line easements, all located in Kashmere Gardens, Park Section, out of the Harris and Wilson Two League Grant, A-32, Parcels SY7-047A, SY7-047B, SY7-047C, KY7-118A and KY7-118B - **APPRAISERS - DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0280 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David C. Finklea, Walter P. Moore and Associates, Inc., on behalf of Hudson Partnership, Ltd. (E. J. Hudson, General Partner), for abandonment and sale of a 20-foot-wide storm sewer easement, a 30-foot-wide drainage easement, and a portion of a 30-foot-wide storm sewer easement from North Wynden Drive northeast ±192 feet, in exchange for conveyance to the City of a 30-foot-wide storm sewer easement and a 30-foot-wide drainage easement, all located in Unrestricted Reserve "A", West Oaks Place Subdivision, out of William White Survey, A-

836, Parcels SY7-052A, SY7-052B, SY7-052C, LY7-051A and LY7-051B - **STAFF APPRAISERS - DISTRICT G - HOLM** - had been pulled from the Agenda by the Administration, and was not considered. Council Members Edwards and Garcia absent.

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Rick Radford of CLR, Inc., on behalf of Houston Gulfgate Partners, L.P. [Wulfe Gulfgate Partners, Inc. (Edmond D. Wulfe, President), General Partner], for abandonment and sale of four 10-foot-wide water line easements, all located within Gulfgate Subdivision, out of the Jacob Thomas Survey, A-762, Parcels SY7-059A through D - **APPRAISERS - DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0281 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY3-062, located at Emerald Lane and Keegans' Bayou, owned by Marsielle Sanders and Tommy Ross Liles for the **KEEGANS' BAYOU HIKE AND BIKE TRAIL from Braes Bayou to Kirkwood**, N-000420-0025-2-01 - **DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0282 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-076, located at the southeast corner of Aldine Westfield Road and Schilder Drive, owned by Jose L. Cantu, Sr., Jose L Cantu, Jr., and Hector Cantu for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0283 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-092, located at 2222 Parker Road, owned by James Peterson for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0284 ADOPTED.
19. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel LY6-057, located on the east line of Monroe Street, owned by David Lavon Hunt and Julianne Coddou Hunt, for the **MONROE ROAD PAVING IMPROVEMENTS PROJECT from Almeda-Genoa Road to Fuqua Street**, N-000574-0001-2-01 - **DISTRICT E - WISEMAN** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0285 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 20 through 26

20. **EQUIPMENT SUPPORT SERVICES, INC** - \$65,039.74 and **LANSDOWNE-MOODY COMPANY** \$48,743.40 for Tractors and a Mower Attachment for the Houston Airport System - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0286 ADOPTED.

21. **STUBBS CYCLES** for Two-Passenger Scooters for Police Department - \$50,103.00 - Mobility Response Team Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0287 ADOPTED.
24. **TEXANS AUTO CENTER** for Water Tank Removal and Replacement for the Department of Public Works & Engineering - \$49,500.00 - Fleet Management Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0288 ADOPTED.
25. **WAUSAU FINANCIAL SYSTEMS, INC** for Hardware and Software Maintenance and Support Services Agreement for an Image Payment System for Department of Public Works & Engineering - \$56,149.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0289 ADOPTED.
26. **CHLORINATOR MAINTENANCE CONSTRUCTION, INC** for Emergency Repair of a Chlorine Line at the East Water Purification Plant for Department of Public Works & Engineering \$48,845.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Garcia absent. MOTION 2007-0290 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 27 through 63

27. RESOLUTION designating a certain property within the City of Houston as a Historic Landmark (Cox-Ewing House - 1508 Kirby Drive) - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. RESOLUTION 2007-0011 ADOPTED.
28. RESOLUTION designating a certain property within the City of Houston as a Landmark and a Protected Landmark (Walter W. and Cassie Henderson - 2216 Kane Street) - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. RESOLUTION 2007-0012 ADOPTED.
30. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Avenue B from 75th Street to 76th Street, Parcel SY5-003, vacating and abandoning said street to C. M. Garver, Trustee, the abutting owner, in consideration of his conveyance to the City of a 15-foot-wide sanitary sewer easement, Parcel DY5-005, and his payment of \$66,100.00 and other consideration to the City; the abandonment parcel and the conveyance parcel both being out of Magnolia Park, Section 2, Houston, Harris County, Texas **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0301 ADOPTED.
31. ORDINANCE approving and authorizing Lease Agreement (Storage) between **TRELLEBORG CRP, INC., as tenant**, and the City of Houston, Texas, as landlord, for two acres of a 2.8766 acre tract of land described as TR3B, Block 1, Harking Acres (Parcel P85-2) located at 1822 Rankin Road, in consideration of tenant's monthly rental payment of \$900.00 per month - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0302 ADOPTED.

32. ORDINANCE ordering and setting a public hearing pursuant to the provisions of Chapter 26, Texas Parks & Wildlife Code regarding (A) the proposed roadway and bridge construction at Brays Bayou and South MacGregor Drive, (B) the relocation of portions of North MacGregor Drive currently located in Hermann Park, and (C) associated temporary construction easements, all through Hermann Park, by the Public Works Department; authorizing and directing that notice of such hearing be given, stating in substance the form of such notice; finding and stating other matters generally relating thereto - **DISTRICT D – EDWARDS - HEARING DATE - 9:00 A.M. - WEDNESDAY - MAY 9, 2007** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0303 ADOPTED.
33. ORDINANCE consenting to the addition of 2.3488 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0304 ADOPTED.
34. ORDINANCE consenting to the addition of 28.189 acres of land to the **WOODLANDS METRO CENTER MUNICIPAL UTILITY DISTRICT OF MONTGOMERY COUNTY, TEXAS**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0305 ADOPTED.
36. ORDINANCE consenting to the addition of 7.6446 acres of land to **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0306 ADOPTED.
37. ORDINANCE establishing the south side of the 4600 block of McKinney Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0307 ADOPTED.
38. ORDINANCE establishing the north and south sides of the 2600 block of Oakdale Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0308 ADOPTED.
39. ORDINANCE establishing the north and south sides of the 100 through 300 blocks of Payne Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0309 ADOPTED.
40. ORDINANCE establishing the north and south sides of the 2200 and 2300 blocks of Wichita Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0310 ADOPTED.
42. ORDINANCE approving and authorizing seventh amendment to contract between the City of Houston, the **ALIEF INDEPENDENT SCHOOL DISTRICT** and **SPARK**, to provide \$55,000.00 and continue the program for the development of Neighborhood Parks on

public school grounds under the Spark Program - Grant Fund - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0311 ADOPTED.

43. ORDINANCE approving and authorizing first amendment to contract between the City of Houston, the **HOUSTON INDEPENDENT SCHOOL DISTRICT** and **SPARK**, to provide \$394,214.00 and continue the program for the development of Neighborhood Parks on public school grounds under the Spark Program - Grant Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0312 ADOPTED.
48. ORDINANCE approving and authorizing second amendment, modification and extension agreement between the City of Houston and **SIMMONS GARDEN SENIOR CITIZEN HOUSING, LTD.** - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0313 ADOPTED.
50. ORDINANCE accepting the proposal from **LEXINGTON INSURANCE COMPANY** for Bush/IAH and Hobby Airports and approving and authorizing the purchase of Terrorism Insurance \$311,701.50 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0314 ADOPTED.
52. ORDINANCE approving and authorizing Concession Contract between the City of Houston and **WALTON GOLF MANAGEMENT** for the Operation of Melrose Golf Course - 8 Years with 2 two-year options - Revenue - **DISTRICT B – JOHNSON** – had been pulled from the Agenda by the Administration, and was not considered. Council Members Garcia and Berry absent.
53. ORDINANCE approving and authorizing an Animal Shelter Feeding Services Agreement between the City of Houston and **HILL'S PET NUTRITION, INC** and acceptance of Pet Food Products; providing a maximum contract amount - 2 Years with one-year renewal - \$38,625.00 - Health Special Revenue Fund – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0315 ADOPTED.
56. ORDINANCE approving and authorizing contract between the City of Houston and **ANACOMP, INC** for Document Processing and WEB Presentment for the Department of Public Works and Engineering; providing a maximum contract amount - 3 Years with two one-year options \$1,159,497.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0316 ADOPTED.
58. ORDINANCE approving and authorizing Treated Surface Water Supply Contract between the City of Houston and **JOHN M. FULTZ, Receiver for VERGIL MARTIN, D/B/A H&J UTILITIES** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0317 ADOPTED.
62. ORDINANCE appropriating \$2,412,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **C. E. BARKER, LTD.** for Water Line Replacement in the Mary Bates South & Maplewood Area, WBS S-000035-00E7-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System

Consolidated Construction Fund - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0318 ADOPTED.

63. ORDINANCE appropriating \$24,000.00 out of Drainage Improvements Commercial Paper Series F Fund, \$44,000.00 out of Street & Bridge Consolidated Construction Fund, \$132,000.00 out of Water & Sewer System Consolidated Construction Fund for advertising costs for various C.I.P. Projects relating to construction of facilities financed by the respective funds, WBS M-000126-00AD-4, N-000668-00AD-4, R-000019-00AD-4 and S-000019-00AD-4 for the Department of Public Works & Engineering – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2007-0319 ADOPTED.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**MISCELLANEOUS**

3. RECOMMENDATION from Director Department of Finance & Administration for payment of invoices to **JEFFERSON WELLS** in the amount of \$1,135,000.00 and to **SUNLAND GROUP** in the amount of \$468,585.00 for Professional Services for Hurricane Housing Program and allocate funds previously appropriated to the Hurricane Katrina Aid and Recovery Fund – was presented, moved by Council Member Khan, seconded Council Member Alvarado, and tagged by Council Member Wiseman. Council Members Holm, Garcia and Berry absent.

**PROPERTY**

12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jeanie Forbis of Brown & Gay Engineers, Inc., on behalf of St. Paul's United Methodist Church (Fred Hofheinz, Member/Legal Counsel), for abandonment and sale of Calumet Avenue, from Fannin Street to San Jacinto Street, in exchange for the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, all located within the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcels SY7-064, VY7-033, AY7-375A and AY7-375B - **APPRAISERS - DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Holm, Garcia and Berry absent. MOTION 2007-0291 ADOPTED.
16. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-095, located at 10208 Aldine Westfield Road, owned by Xing Van Huynh and Set Thi Huynh for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Members Garcia and Berry absent.

Council Member Wiseman stated that she wanted to make a clarification, the project was not within her district as listed on the agenda. Council Members Garcia and Berry absent.

Council Member Brown stated that he wanted to comment on items related to the acquisition of additional right-of-way for Westfield Road and his office did a calculation and they were paying from \$8.85 per square foot, another was \$9.08 per square foot, that Item No. 16 was \$51 per square foot and Item No. 17 was \$119 per square foot and Item No. 18 was \$115



per square foot, that he did not have the resources to check out why some of it was \$9 per square foot and some of it was \$120 per square foot but he could tell them there was very little \$120 per square foot land in the City of Houston except maybe downtown, that he just wanted to make sure. Council Members Garcia and Berry absent.

Mayor White asked what was the total amount of each of them, and Council Member Brown stated that he just thought they ought to look into it, that he did not necessarily want to be the guy that was tagging things. Council Members Garcia and Berry absent.

Council Member Johnson stated that based on the information that they gathered, some of it was major thoroughfare and the other properties they were talking about had been back roads so obviously it had different values, that was the information that was provided to his office and in regards to the others it was the same question that his office had asked as well as to why they had differences of prices and the answer was that different uses were issued for them. Council Members Garcia and Berry absent.

After further discussion by Council Members, Council Member Khan stated that he would tag Item No. 16. Council Members Garcia and Berry absent.

After further discussion by Council Members, Council Member Wiseman stated that she was interested in seeing the information on the blanket appropriation ordinance that they passed in 2005 that funded this and how that dividing up process happened and was it for land acquisition altogether or was it for a specific CIP project, that she thought it was important to know. Council Members Garcia and Berry absent.

Mayor White stated that Item No. 16 had been tagged. Council Members Garcia and Berry absent.

17. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY7-001, located at 10453 Aldine Westfield Road, owned by Ysmael J. Vargas for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B – JOHNSON** – was presented, and tagged by Council Member Khan. Council Member Garcia absent.
18. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY7-002, located at 10457 Aldine Westfield Road, owned by Juan C. Coronado for the **ALDINE WESTFIELD PAVING PROJECT**, N-000577-0001-2-01 - **DISTRICT B - JOHNSON** – was presented, and tagged by Council Member Khan. Council Member Garcia absent.

#### **PURCHASING AND TABULATION OF BIDS**

22. **RUSH EQUIPMENT CENTERS OF TEXAS, INC** for Purchase of Earth Moving Equipment through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Department of Public Works & Engineering - \$2,110,520.71 - Enterprise, Storm Water Utility and Equipment Acquisition Consolidated Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Garcia absent. MOTION 2007-0292 ADOPTED.
23. **ELEVATOR REPAIR SERVICE, INC** for Elevator Modernization at 3300 Main for the Department of Public Works & Engineering - \$139,640.00 and contingencies for a total amount not to exceed \$153,604.00 - Building Inspection Fund – was presented, moved by

Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Garcia absent. MOTION 2007-0293 ADOPTED.

### **RESOLUTIONS AND ORDINANCES**

35. ORDINANCE consenting to the addition of 607.47 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 400**, for inclusion in its district - was presented, and tagged by Council Member Wiseman. Council Member Garcia absent.
41. ORDINANCE approving and authorizing issuance of notes by the Uptown Development Authority; containing other provisions relating to the foregoing subject; providing for severability - **DISTRICT G – HOLM** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0320 ADOPTED.
45. ORDINANCE approving and authorizing first contract amendment between the City of Houston and **INDIA HOUSE, INC - DISTRICT F – KHAN** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0321 ADOPTED.
47. ORDINANCE approving and authorizing agreement between the City of Houston and **SHIFA SERVICES FOUNDATION, INC.**, a Community Housing Development Organization (“CHDO”), to provide \$50,000.00 in Federal “HOME” Investment Partnership Funds for operating expenses associated with building its capacity as a CHDO to develop affordable housing - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Members Khan and Garcia absent. ORDINANCE 2007-0322 ADOPTED.
49. ORDINANCE accepting the individual proposals from **WESTCHESTER FIRE INSURANCE COMPANY, LEXINGTON INSURANCE COMPANY, ESSEX INSURANCE COMPANY, LIBERTY MUTUAL FIRE INSURANCE COMPANY, JAMES RIVER INSURANCE COMPANY, COMMONWEALTH INSURANCE COMPANY, CONTINENTAL CASUALTY INSURANCE COMPANY, UNDERWRITERS AT LLOYDS LONDON, and ALLIED WORD ASSURANCE (US)** which are participating in the layered property insurance program and approving and authorizing the purchase of a General City Property Insurance Policy - \$7,933,939.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0323 ADOPTED.
51. ORDINANCE approving and authorizing contract between the City of Houston and **MARSHALL & LEWIS, LLP** for Legal Services to include representation of the City of Houston relating to a Time Warner Franchise Fee Compliance Review Claim Litigation Project; providing a maximum contract amount - \$525,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0324 ADOPTED.
54. ORDINANCE approving and authorizing second amendment to Contract #C53353 between the City of Houston and **BAKER & TAYLOR, INC** for the provision of Acquisition, Cataloging and Processing Services for the Houston Public Library – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0325 ADOPTED.
55. ORDINANCE awarding contract to **GREEN ACRES LAWN CARE** for Grounds Maintenance and Landscaping Services for the Building Services Department; providing a maximum contract amount - 1 Year with 2 one-year options - \$839,207.70 - General Fund

– was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0326 ADOPTED.

57. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund; approving and authorizing contract for Professional Consulting Services by and between the City of Houston and **DEREK CONSULTING GROUP, INC** for Professional Information Technology Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field; (WBS A-000138-0013-3-01; Proj. 409F); providing a maximum contract amount - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0327 ADOPTED.
59. ORDINANCE approving and authorizing Cost Sharing Agreement between the City of Houston and **BUFFALO LAKES LTD.** for Design and Construction of the Paving Extension of Buffalo Speedway from West Bellfort Boulevard to the extended Willowbend Boulevard and Willowbend Boulevard from its present terminus to Buffalo Speedway (WBS No. N-000622-0001-3) **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0328 ADOPTED.
60. ORDINANCE appropriating \$3,025,000.00 out of Water & Sewer System Consolidated Construction Fund, and approving and authorizing first amendment to Professional Engineering Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for Services Associated with the Surface Water Transmission Program, WBS S-000900-0002-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0329 ADOPTED.
61. ORDINANCE appropriating \$63,985.79 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **WOODMERE DEVELOPMENT COMPANY, LTD.** for Construction of Water and Sewer System Lines to serve the Wayside Village Subdivision, WBS S-000802-0050-4 and R-000802-0050-4 - **DISTRICT B - JOHNSON** – was presented.

After discussion by Council Members, a vote was called on Item No. 61. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0330 ADOPTED.

Council Member Wiseman stated that Item Numbers 64 through 93a were the limited purpose annexation items which she had pulled those for separate consideration because for all but one she would be voting no on them, and moved to suspend the rules to consider Item Numbers 64 through 93a as one vote, with the exception of Item Numbers 88 and 88a, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Garcia absent. MOTION 2007-0294 ADOPTED.

Council Member Wiseman stated that voting no, on a personal level she did not support any form of annexation with the exception of communities that truly were indeed themselves seeking the annexation and they rarely ran across that, but today they did have Item Number 88 and 88a where the community truly did wish to have that land be a part of the City so she certainly would not stand in the way of that and would support it, but on the other items, even though they were limited purpose annexations they had situations in the City now where they had the Strategic Partnership Agreements where they had agreed to provide services that they could not really provide, case and point was in the Summerwood area, under the agreement

they were supposed to provide police and fire protection, they had taken steps in a partnership with them to fund the construction of a fire station and to fund the operations of that fire station, unfortunately they had not done the same in the way of police protection and as it was they were short staffed throughout the City and in the northeast section they very much were, that it takes anywhere between 20 to 30 minutes to get from the Kingwood Substation to Summerwood and they were understaffed in Kingwood as it was and those officers were required to not only patrol the Kingwood area but Summerwood and Huffman which was another 20 to 30 minutes driving time distance, that she was concerned that they were entering into the agreements without any far thinking being applied, they were not looking far enough into the future to see if it really was the right thing, and she knew it was not a legal requirement to post notices in community newspapers or even through other means of notification, whether it be by people's water bills, but on a personal label she thought if they really wanted to enter into such an agreement they would know about it and the fact that the residents in these MUDs did not know about it was what gave her concern and that was why she would be voting no. Council Member Garcia absent.

64. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **CHELFORD CITY MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0331 ADOPTED.
65. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **HORSEPEN BAYOU MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0332 ADOPTED.
- 65a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HORSEPEN BAYOU MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Horsepen Bayou Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Horsepen Bayou Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Horsepen Bayou Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0333 ADOPTED.
66. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **NORTH FOREST MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0334 ADOPTED.
- 66a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTH FOREST MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of North Forest Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of North Forest Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within North Forest

Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0335 ADOPTED.

67. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0336 ADOPTED.
- 67a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **BRIDGESTONE MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Bridgestone Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Bridgestone Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Bridgestone Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0337 ADOPTED.
68. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0338 ADOPTED.
- 68a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119** and certain territory located in the vicinity of Fort Bend County Municipal Utility District No. 119, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Fort Bend County Municipal Utility District No. 119; imposing the sales and use tax of the City of Houston in the area within Fort Bend County Municipal Utility District No. 119 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0339 ADOPTED.
69. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 33**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0340 ADOPTED.
- 69a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 33** and certain territory located in the vicinity of Harris County Municipal Utility District No. 33, in Harris

County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 33; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 33 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0341 ADOPTED.

70. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 53**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0342 ADOPTED.
- 70a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 53** and certain territory located in the vicinity of Harris County Municipal Utility District No. 53, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 53; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 53 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0343 ADOPTED.
71. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0344 ADOPTED.
- 71a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55** and certain territory located in the vicinity of Harris County Municipal Utility District No. 55, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 55; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 55 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0345 ADOPTED.
72. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 154**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0346 ADOPTED.

- 72a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 154** and certain territory located in the vicinity of Harris County Municipal Utility District No. 154, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 154; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 154 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0347 ADOPTED.
73. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 179**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0348 ADOPTED.
- 73a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 179** and certain territory located in the vicinity of Harris County Municipal Utility District No. 179, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 179; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 179 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0349 ADOPTED.
74. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 185**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0350 ADOPTED.
- 74a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 185** and certain territory located in the vicinity of Harris County Municipal Utility District No. 185, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 185; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 185 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0351 ADOPTED.
75. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 188**; making

various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0352 ADOPTED.

- 75a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 188** and certain territory located in the vicinity of Harris County Municipal Utility District No. 188, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 188; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 188 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0353 ADOPTED.
76. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 189**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0354 ADOPTED.
- 76a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 189** and certain territory located in the vicinity of Harris County Municipal Utility District No. 189, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 189; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 189 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0355 ADOPTED.
77. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 222**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0356 ADOPTED.
- 77a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 222** and certain territory located in the vicinity of Harris County Municipal Utility District No. 222, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 222; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 222 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member



Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0357 ADOPTED.

78. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 264**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0358 ADOPTED.
- 78a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 264** and certain territory located in the vicinity of Harris County Municipal Utility District No. 264, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 264; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 264 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0359 ADOPTED.
79. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 286**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0360 ADOPTED.
- 79a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 286** and certain territory located in the vicinity of Harris County Municipal Utility District No. 286, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 286; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 286 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0361 ADOPTED.
80. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 358**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0362 ADOPTED.
- 80a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 358** and certain territory located in the vicinity of Harris County Municipal Utility District No. 358, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 358; imposing the sales and use tax of the City of Houston in the area within

Harris County Municipal Utility District No. 358 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0363 ADOPTED.

81. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 322**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0364 ADOPTED.
- 81a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 322** and certain territory located in the vicinity of Harris County Municipal Utility District No. 322, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 322; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 322 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0365 ADOPTED.
82. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 365**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0366 ADOPTED.
- 82a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 365** and certain territory located in the vicinity of Harris County Municipal Utility District No. 365, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 365; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 365 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0367 ADOPTED.
83. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0368 ADOPTED.
- 83a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368** and certain

territory located in the vicinity of Harris County Municipal Utility District No. 368, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 368; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 368 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0369 ADOPTED.

84. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 397**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0370 ADOPTED.
- 84a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 397** and certain territory located in the vicinity of Harris County Municipal Utility District No. 397, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 397; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 397 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0371 ADOPTED.
85. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 468**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0372 ADOPTED.
- 85a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 468** and certain territory located in the vicinity of Harris County Municipal Utility District No. 468, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 468; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 468 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0373 ADOPTED.
86. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **MORTON ROAD MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was

presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0374 ADOPTED.

- 86a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MORTON ROAD MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Morton Road Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Morton Road Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Morton Road Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0375 ADOPTED.
87. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 9**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0376 ADOPTED.
- 87a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 9** and certain territory located in the vicinity of Northwest Harris County Municipal Utility District No. 9, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Northwest Harris County Municipal Utility District No. 9; imposing the sales and use tax of the City of Houston in the area within Northwest Harris County Municipal Utility District No. 9 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0377 ADOPTED.
89. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **TIMBER LANE UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0378 ADOPTED.
- 89a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **TIMBER LANE UTILITY DISTRICT** and certain territory located in the vicinity of Timber Lane Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Timber Lane Utility District; imposing the sales and use tax of the City of Houston in the area within Timber Lane Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0379 ADOPTED.

90. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 6**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0380 ADOPTED.
- 90a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 6** and certain territory located in the vicinity of West Harris County Municipal Utility District No. 6, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of West Harris County Municipal Utility District No. 6; imposing the sales and use tax of the City of Houston in the area within West Harris County Municipal Utility District No. 6 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0381 ADOPTED.
91. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **WHITE OAK BEND MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0382 ADOPTED.
- 91a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WHITE OAK BEND MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of White Oak Bend Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of White Oak Bend Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within White Oak Bend Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0383 ADOPTED.
92. ORDINANCE approving and authorizing an amendment to the Strategic Partnership Agreement between the City of Houston and **NORTHWEST PARK MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0384 ADOPTED.
- 92a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **NORTHWEST PARK MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Northwest Park Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Northwest Park Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Northwest Park Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman

voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0385 ADOPTED.

93. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0386 ADOPTED.
- 93a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 119** and certain territory located in the vicinity of Harris County Water Control and Improvement District No. 119, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Water Control and Improvement District No. 119; imposing the sales and use tax of the City of Houston in the area within Harris County Water Control and Improvement District No. 119 annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2007-0387 ADOPTED.
88. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **SAGEMEADOW UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0388 ADOPTED.
- 88a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **SAGEMEADOW UTILITY DISTRICT** and certain territory located in the vicinity of Sagemeadow Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Sagemeadow Utility District; imposing the sales and use tax of the City of Houston in the area within Sagemeadow Utility District annexed for limited purposes; assigning annexed areas to adjacent district from which district council member is elected until such time as district boundaries may be changed pursuant to the City of Houston Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0389 ADOPTED.

**MATTERS HELD** - NUMBERS 94 through 99

94. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,106,627.93 payable to the **Surety, ST. PAUL FIRE AND MARINE INSURANCE COMPANY**, on contract awarded to **CONTRACTOR TECHNOLOGY, INC** and acceptance of work for Construction of 36-inch Water Line along Beamer Road from Dixie Farm Road to W. Bay Area Boulevard, WBS S-000900-0078-4 - 00.04% under the original contract amount - **DISTRICT E - WISEMAN – (This was Item 9 on Agenda of March 7, 2007, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Garcia absent. MOTION 2007-0295 ADOPTED.

Council Member Brown asked how did the City treat a contract that had not performed, if he came back and bid another job and had defaulted on a previous job was he eligible to bid or was there a waiting period or did they have a policy, and Mayor White stated that was a very good question, that obviously they had both bonding and the State statute says financially responsible bidder, but he thought it was a legitimate issue that they needed addressed by Public Works, that they did not want the people who had gone insolvent on these jobs to be bidding in Public Works again, and asked that they get a report on that. Council Member Garcia absent.

95. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department Finance & Administration to award to **TEXAS DEPARTMENT OF PUBLIC SAFETY** for State Inspection Stickers for Police Department \$46,900.00 - General Fund – **(This was Item 14 on Agenda of March 7, 2007, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. All voting aye. Nays none. Council Member Garcia absent. MOTION 2007-0296 ADOPTED.
97. ORDINANCE amending Exhibit “A” of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2006-747), to amend the Master Pay Structure by increasing the pay grade maximums by eight percent (8%), to add, revise and/or delete certain classifications substituting the amended exhibits as part of the current Master Classification Listing; providing for severability – **(This was Item 21 on Agenda of March 7, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2007-0390 ADOPTED.
99. RECOMMENDATION from Director Building Services Department for approval to delegate authority to the Director Building Services Department to determine which alternative project delivery method for construction projects provides the best value for the City – **(This was Item 36 on Agenda of March 7, 2007, POSTPONED BY MOTION #2007-263)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Garcia absent. MOTION 2007-0297 ADOPTED.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Green stated that the next Budget and Fiscal Affairs Committee meeting would take place on April 3, 2007 at 10:00 a.m., that he thought it would be the meeting where they would talk about the Solid Waste Committee, the proposed changes that would come about from the study that had been done. Council Members Khan and Garcia absent.

Council Member Green stated that the Greater Fondren Southwest Super Neighborhood No. 36 was hosting their Third Annual Garage Sale, which was at the HPD Braeburn Storefront located at 10101 Fondren on Friday, March 23, 2007 and Saturday, March 24, 2007, from 7:30 a.m. to 4:00 p.m., if they needed a booth to call Barbara Haight at 713-882-4975, that it would take place in District C. Council Members Khan and Garcia absent.

Council Member Green stated that the City of Houston Emergency Management announces the evacuation registry for citizens with special needs, they could access the City's website, [www.houston.tx.gov/oem](http://www.houston.tx.gov/oem), that he did a speech last week and thought it was a great idea, there were some people from Emergency Management there and if they knew some elderly individuals who lived in the district they could register so there was at least a sort of public acknowledgement that individuals who may be disabled or in need of special care when it came to evacuation, the City would know about these individuals and check on them and could

evacuate them, that he thought it was a great idea and they could spread the word so if they ever had another instance like Katrina or Rita they could evacuate their elderly or disabled fairly quickly. Council Members Khan and Garcia absent.

Council Member Green stated that he enjoyed participating in the Tour de Houston this weekend, that he and Council Member Lawrence rode most of the way together. Council Members Khan and Garcia absent.

Council Member Berry stated that he wanted to congratulate Clyde Drexler who made them proud on Dancing with the Stars, that Houston had some great publicity as of late. Council Members Khan and Garcia absent.

Council Member Brown stated that he had a handout on a fact finding trip that he and Council Member Johnson hosted to Dallas on March 15 and 16, 2007, in a kind of exchange with Council Members in Dallas, that they would be giving a report on what they learned and saw in Dallas, sharing that with the Mayor and City Council, that it was a very interesting trip and Mr. Andy Icken accompanied them and also a developer Frank Lube, that the City of Dallas, Council and Staff were extremely hospitable and took them on a whole day tour and presentations and PowerPoint shows and they saw a lot of interesting things, that they had a really interesting approach to what they called conservation neighborhoods that used form based codes and did not rely so much on the zoning that they had, a very astounding project was Victory Park, a \$3 billion high density, pedestrian friendly, mixed use development that was occurring next to American Airline Center and was a real prototype for what could happen at Astroworld and some of the other mega project sites that they were beginning to see happening in Houston, which he had high hopes for, that anybody who wanted to see what could happen go to Victory Park, it was a Ross Perrot, Jr. project, it had a rail stop and two five star hotels, it had 4,000 units of housing and was a very interesting development, that what was good about it was that they had created a critical mass there and the demand for the housing, the units stay on sale for three weeks and then they are gone, that the same thing was happening downtown, that he believed there were 10 to 12 high rise projects going on in downtown Dallas, that they also got a presentation of the Dallas Comprehensive Plan called "Forward Dallas" and next week he would hand out some copies, that it was a document that had really brought that city together with a sense of mission which permeated the development community, the staff, the leadership of the City and the business leadership, that it had really been effective in defining a vision for the future of Dallas and getting everybody on board to work hard in that direction, they also had an interesting focus on design innovation and some of the things that he thought were interesting were what they called deck parks, where they had actually worked with the FTA and TxDOT to cover over depressed freeways to build parks as part of the downtown park system, so he looked forward with Council Member Johnson to share the information that they learned. Council Members Khan and Garcia absent.

Council Member Brown stated that he wanted to bring up again the issue of drainage and their revitalizing neighborhoods, that they had a serious problem and the City needed on a fast track basis to get going with some standards that give the developers on what to do with the open ditch neighborhoods, there were all sorts of strange things happening out there that was impeding the flow of water and they really needed to work on it, that it as happening in many neighborhoods, particularly Woodcrest and Cottage Grove and he hoped they could make some progress on that. Council Members Khan, Garcia, Green and Berry absent.

Council Member Brown stated that he wanted to say a few words on the new urbanism, which they experienced in Dallas and handed out a planning and urban development movement that was taking hold in cities all across the Country, particularly in terms of adopting new urban codes and ordinances, that they had ordinances adopted in the Houston area, in La Marque and



the City of Galveston and it was really improving the quality of development, and developers had choices, they were opting to go with these form based new urban codes and he thought that was something that they really needed to look at, that he had been a practitioner of new urbanism since the 1990s and he could tell them that there were literally hundreds of projects of enormous quality happening in urban and suburban areas and cities all across the Nation. Council Members Khan, Garcia, Alvarado, Green and Berry absent.

Council Member Green stated that Blueprint Houston was having a leadership conference on March 31, 2007 from 8:30 a.m. to 1:30 p.m. at the Tejano Center for Community Concerns at 2950 Broadway, that they could email Martha at [www.blueprintheouston.org](http://www.blueprintheouston.org) to sign up for the conference. Council Members Khan, Garcia, Alvarado, Green and Berry absent.

Council Member Clutterbuck stated that the issue of increased density in many of their residential areas of Houston and the pressure it put on their community was an issue that she knew they shared throughout Houston, that they had a number of discussions at the table and thought they all recognized that increased density was going to be coming and while they started the meeting with a discussion about zoning and the only place in Houston that had zoning and the recognition that it was not a panacea either that surely they could find something in between that might be able to help them deal with the issue of increased density so that the citizens of Houston, the taxpayers and the residents were not the only ones that bore the burden of it, that it seemed to her and she was thinking about, for example, the Medical Clinic of Houston, which was expanding from their two story footprint to a seven story footprint, from 200 cars to 600 cars on their existing lot that the attitude in the City had often been, and was something that she agreed with, that they owned the property and they should have the right to do with it as they wished, it was not deed restricted, it was a commercial use currently, they were just adding density, but the difficulty that she had was that they just threw up their hands and said oh well the increased traffic was just going to be a consequence they were going to have to deal with and instead there were a number of things in addition to limiting curb cuts or when a facility was going to increase density tremendously asking them to reorient their entrance, for example, onto a major thoroughfare instead of onto a side street, that they require that they perform a traffic study and that if the traffic study showed an increased amount of burden onto their publicly owned thoroughfares that the citizens and the taxpayers should not be the ones that had to bare the burden of that increased density and that increased traffic, that it should be the developer that has to, that if the increased traffic, for example at the Medical Clinic of Houston was going to result in the need for a traffic light at the corner of Cherokee and Rice Boulevard, that the developer and development should be required to pay for that very expensive traffic light rather than the citizens and taxpayers of Houston, likewise if traffic was going to be backed up as a result of that traffic light all along a residential street, Sunset Boulevard as opposed to a more commercial street like Rice or Fannin, that those types of consequences should be taken into account in the planning stages so that they do not force the taxpayers to bare the burden of that increased density alone, that it should also fall on the developers or the people who chose to make their property more dense, and an example of where that was happening was in the La Mesa project, just six blocks over from that in the Rice Village area, where it was one block off of Bolsover Street and they owned both sides of the street, they were going to be increasing it from two stories to seven stories on each side of the street, adding more traffic, but one of the things that this particular developer had agreed to do was to spend money to assist the City in evaluating and studying Morningside Street, which was the adjacent side street and how to improve that street with drainage and curbs and sidewalks, which it currently did not have, that she threw the two examples out and would like to add those constructive thoughts as a part of the discussion, that she did not know if it was going to require a vote on the part of City Council to require that all development that increases density be required to have a traffic study, or if that was something that they could do administratively already under existing powers, but it was certainly an area that they needed to go in trying to

address the very valid concerns of their neighborhoods. Council Members Holm, Garcia, Green and Berry absent.

Council Member Brown stated that he thought a procedural way to deal with the issue was that they should have a site plan review procedure in Houston so that before the plans were drawn up and the developer says he could not change them, he had come in and done a preliminary site plan review and they could see what the problems were and they could take it the Planning Department staff and they could tell them where they were okay or not okay, it was a very simple process and it helped the developer and helped build consensus. Council Members Johnson, Holm, Garcia, Green and Berry absent.

Council Member Clutterbuck stated that in Braeswood Place they were having the largest street reconstruction in the history of Houston, it was a phenomenal project that was causing a bit of distress to the neighbors but they had to go through terrible to get to wonderful, but they had seen some flexibility there, the particular neighborhood, in addition to having the largest street reconstruction project ever also happened to have a brand new Middle School put in, Pershing Middle School, and the renovation of a brand new Elementary School, Mark Twain Elementary, all at the same time, including new traffic patterns, new drop off patterns, that they had seen some flexibility in dealing with it because in the Neighborhood Street Reconstruction Project on Bluebonnet the last stage of that project was supposed to be completed at the end of May and any parent knew that meant that the whole street would be torn up right at the time of drop off and pick up at Pershing Middle School, that she wanted to thank in particular Raymond Chong and Richard Smith, with the Public Works and Engineering Department for working with Pershing Middle School about the traffic issues in the area, putting up specific signs and helping to get them a no left turn sign and no standing vehicles on school days, quicker than waiting the long 90 days which would be ineffective to deal with the problem, that she also wanted to thank Mr. Mike Marcotte and Mr. Tim Lincoln, Public Works for coordinating with Conrad Construction for allowing them a break in their contract and not holding them accountable or accessing penalties for failure to complete the project by the end of May, all of these seemed like simple common sense solutions and they were but those of them who had been working here long enough knew that it was not without a lot of work that those common sense solutions got implemented and she was grateful for the flexibility of the department heads. Council Members Johnson, Holm, Garcia, Green and Berry absent.

Council Member Clutterbuck stated that Ms. Liliانا Rambo was honored on Tuesday night as one of the Outstanding Black Houstonians, the Who's Who Among Outstanding Black Houstonians. Council Members Johnson, Holm, Garcia, Green and Berry absent.

Mayor White stated that on the various issues she raised he was taking notes and they needed to give some of those suggestions some very serious consideration, that he wanted to explore it with Council Member Clutterbuck, that maybe there would be something that they would learn from a number of the developments that were going on in her district that were practical things, that they were not going to do site review without criteria. Council Members Johnson, Holm, Garcia, Green and Berry absent.

Council Member Wiseman stated that she had the opportunity to visit with constituents in Skyscraper Shadows last night and they discussed several issues and few items that they asked her to bring to the Mayor's attention and to share with him and she was hopeful that they could resolve some of the disconnect that was occurring with some issues out there, that Skyscraper Shadows had a terrible flooding issue and it was true that when it rained it floods in Skyscraper Shadows, that they had been told by Public Works that the area was a bowl and trying to drain it was going to be a tedious task and would they ever be able to keep it from flooding and those were some bigger issues that they were attempting to address and she

appreciated that a great deal, but in the interim there was a issue with a senior citizen couple, that unfortunately Mr. Mitchell was having some health challenges right now and her prayers were with him and Mrs. Mitchell and he had not been able to personally come to Council himself to attempt to address the issue, that back in July of last year they brought to the Council's attention an issue of lack of drainage and activity that was occurring at the neighboring property that was exacerbating the flooding issue that they were experiencing, their neighbor had built up the property, new construction, so high and had their property draining onto the Mitchell's property, that it was her understanding that the law stated that they could not drain their property onto another person's property, well a member of the Mayor's staff, and by no ill intention she was sure, informed the constituent that it was no longer the law, that they did not enforce that law anymore and that was part of the disconnect that had occurred, since then they had been trying to have it resolved, in addition trying to have the issue of the storm drains, that were being clogged up by their neighbor, having that addressed, and after going back and forth for months, the staffer from the Mayor's office paid a personal visit and at that time said that work orders would be issued and communication went back and forth and he said that the regrading and the cleaning out would occur, then he sent another email and said that actually they were not going to do that after all, and then sent a boldface to stress his point in January, an email saying that after thorough investigation Public Works had determined that no work was needed on the drainage system abutting their property, that ditches were graded properly to allow storm water to flow into the nearby watershed and culverts allowed sufficient drainage, of course that was a concern to them and they attempted to assist in pursuing it further, then they received an email that said they had emailed the Mitchell's saying that Public Works had reexamined the ditches abutting their property and determined that maintenance was indeed warranted, on this assessment crews cleaned and regarded the ditches and flushed area culverts to allow for better drainage, and while they appreciated that they would like to attempt to ascertain how it was that it went on for so many months and they had experienced heavy rainfalls in that time, how it had been allowed to go on for that long and where the disconnect and miscommunication lay, all the while the employee was still of the position and had actually faxed over a copy of the code to the constituent saying that they no longer enforce the code that prohibited them from draining their property onto another person's property, so she thought he was confused about something, and she would seek the Mayor's assistance for Mr. and Mrs. Mitchell in correcting the problem and addressing it appropriately. Council Members Holm, Garcia, Green and Berry absent.

Council Member Edwards stated that she did not know who that employee was but they really were giving out wrong information, that before when they had Damian Maddox who they had hired to be kind of like running interference on these type of calls they were able to go out and have somebody look and see, they were encouraging people to call 3-1-1 whenever they saw fill of any type on any property at all, so to say they were not enforcing it she was not sure who that employee was but she would imagine that at least they needed to be refreshed on what their duty and job was, that they encouraged anyone who was having problems with flooding or drainage in their district or in their areas if they could refer long standing issues to the Flooding Committee they tried to get on them right away and have someone go out there and look and see what was going on. Council Members Holm, Garcia, Brown, Green and Berry absent.

Council Member Wiseman stated that she attempted to address it with Mr. Marcotte and Mayor White through written correspondence in January and again they had a disconnect and unless they were mistaken they had checked to see if the break was on their end with respect to the correspondence and she checked again and they did not have a response from out of the Mayor's office or Public Works on this issue that they attempted to address in a formal written memo expressing the concerns over how it had been handled, that the constituents asked that she relay the question specifically and she would follow up with it, that she had her office

preparing the written memo so that they would have the correspondence so they would have a paper trail, their question to Mayor White was what was he going to do to dig up and put culverts in place for water to flow in the 8000 Block of Swiftwater on the south side of the street from Valentine to Randolph, that she thought it was important that they do have a response in writing that they could refer to, that one of the downsides to term limits was that they all come and go at the Council table and unfortunately what the constituent experienced was a long standing problem that could carry on for years and years and term limits did not help them any in the way of trying to get the issues resolved, and Mayor White stated that he would look at the background and asked if they were asking for the taxpayers to finance putting culverts in the streets, and Council Member Wiseman stated that it was not their residential street, it was not their abutting property, it was to carry the water to the flood control ditch because apparently the flood control ditch had it's own little moat that prevented water from getting into it, so they had been attempting to resolve it for years and it was going to require them taking the water under the street and it was a street that ran along their neighborhood, they were not asking that the City go in and do work on their own property, it was a totally different situation, that it was not necessarily a CIP project, that the culvert had been requested in the last five years, that they had been requesting it since year one. Council Members Holm, Garcia, Green and Berry absent.

Council Member Wiseman stated that they had a senior citizen who said that he did not want to leave this world owing a debt to society and was very upset over a situation of a faulty transmitter that was not reading his meter properly, that the senior citizen was billed for \$457 for water that the City claimed he used and even after he raised the issue if the City was back billing him for water that he supposedly used for several months, the City said they would investigate and he needed to check to see if he had a leak on his side, then the determination was that it was back billed because for several months it was not read properly so they billed for all that time, it did not make sense that they would put the constituent through all of that and then tell him that it was a problem on their end, they did not bill him correctly and now he had to pay them, that they could not credit him the entire amount because it would constitute a gift and the law prohibited them from giving gifts, then they reached a compromise dollar amount and how did that not constitute a gift, it did not make any sense, now he had gotten a notice that his water would be cut off on the 13<sup>th</sup> and she understood that Judge Joann Delgado would be contacting Mayor White about it as well, she was very concerned for the constituent, that he had asked her to relate to the Mayor that he take a personal interest in his matter, and what could Mayor White do to prevent his water from being cut off on the 13<sup>th</sup>, that her staff would give Mayor White all his contact information. Council Members Holm, Garcia, Green and Berry absent.

Council Member Khan moved to remain in session beyond the scheduled noon recess to continue the business agenda, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Holm, Garcia, Green and Berry absent. MOTION 2007-0298 ADOPTED.

Council Member Johnson stated that as Council Member Brown mentioned earlier they did venture to Dallas last week, and to him it was more of a best practices kind of find, he wanted to find out how he could always look at ways of improving certainly the City of Houston and his district, where he was truly impressed at some of the things that Dallas had to offer in terms of development in creating density that was attracting great commercialism he certainly believed at the same token Dallas could learn a lot from the City of Houston and he thought when they looked at Dallas and Houston they could look at how they as a State could start marketing themselves, that he knew it was not his responsibility but nationally they should be saying to the international commercialism and market that the great State of Texas really had the things they needed in order to relocate their corporations to their State and certainly from a city standpoint

locate them to the City of Houston, so for him it was a great opportunity of finding out what some other cities were doing, that he believed that Dallas had some things that worked and certainly he believed the City of Houston could offer that as well, that it was a great trip and they built some great alliances and made some great friends and they welcome them and encourage them to come to the City and some of the things they were doing. Council Members Holm, Garcia, Green and Berry absent.

Council Member Johnson stated that tomorrow Mayor White would be venturing into District B to pass out the first \$40,000 check to the Good Neighbor Program, that he was very excited about the program and thought it was a good program to attract teachers and public safety employees, police and fire to the City, he certainly thought they could do a better job if they could, he knew they were restrained by federal guidelines but he certainly would like to look at how do they truly attract those people because they made a little more money than they were allowing them to make here and he knew they could only make so much money in order to qualify for these grants, because he truly believed that with the kind of development that they were trying to do in District B they certainly wanted these kind of individuals coming back into the City, so he was really impressed with it and wanted to thank the administration for creating the program so that they could get people to move back into the communities. Council Members Holm, Garcia, Green and Berry absent.

Council Member Johnson stated that on Friday, March 23, 2007, from 9:00 a.m. to 12:00 p.m., he would be hosting a business symposium at the airport, he was calling it Proximity to Opportunity, they just did a disparity study and it clearly stated that minority contractors were falling short, or it was the City that was falling short when it came to providing opportunities for minority contractors to get business, so he thought one of the ways that they must close that gap was to make sure they were giving the contractors the information they needed, and it was not just the information but certainly bringing some of those prime contractors to sit down, because one of the biggest complaints they heard were the prime contractors saying they could not find qualified people, but on the other hand he was seeing qualified minority contractors saying they were qualified and certainly they could do the work, so what they needed to do was get both of those in the room together to make sure that they could look at how they could work together, and he believed it would be a great forum that they would be doing out at the airport, that he would be doing it in collaboration with the Houston Association of Minority Contractors and the Houston Urban League and many State and City elected officials would be a part of it so he hoped everyone would come out and get the information so they could then take it back,, it was their responsibility to truly create business opportunities for the people that were from their district or certainly building stronger minority contractor participation in the City of Houston . Council Members Lawrence, Clutterbuck, Holm, Garcia, Green and Berry absent.

Council Member Johnson stated that he would be hosting his annual Spring Fling, that the first year they had a great participation and this year they were going to have even a bigger participation, they would be doing it at 7901 Tidwell, at the Northeast YMCA, that it would be a great program and he was inviting all of his Council Members out to participate in a celebrity softball game, they would be playing against the radio stations and the ex NBA All Stars and they could really show them what they were made of, that he definitely encouraged everyone to come out and participate. Council Members Lawrence, Clutterbuck, Holm, Garcia, Green and Berry absent.

Council Member Johnson stated that last year he introduced during the budget season a new Fire Inspection Fee and they had been working diligently on it, that he had the opportunity to talk with Terrance Fontaine last week as well as several of the fire chiefs to come out and give him an update on where they were and he certainly appreciated their diligence on it, he thought they were moving in the right direction in regards to recouping some of those man hours

that he thought they were losing as the fire fighters and fire inspectors were going into the larger buildings and spending hours if not weeks doing inspections but yet they were only spending twenty minutes inside of little mom and pop operations and charging the same amount of money, he thought it was a great move and appreciated the administration for supporting him on it and having the Fire Department do their due diligence. Council Members Lawrence, Clutterbuck, Holm, Garcia, Green and Berry absent.

Council Member Johnson stated that on the Woodmere Development and what they were doing with the Kipp Academy, it was going to be a tremendous opportunity for them to be able to create now a better development, as they had a unique dynamic that took place with the Leeland Woods Community in which they could not qualify people to buy the homes that they were building because the people made too much money, which was an interesting dynamic for what people think District B was supposed to be and that was the "affordable district", that he thought what was being said was that there was opportunity now to build more market homes as well as the affordable homes, but he thought it was the mixed income community that would build sustainability for years to come and certainly send a better message, because as he advocated on behalf of his district to try to attract commercialism, the first thing that commercial developers were saying was that the market would not sustain it, they were not going to buy their product, and he truly believed that was too far from the truth, he thought the communities were ready and were primed to have the kind of development that they needed to come into the area that was going to bring great jobs and certainly lower crime, because jobs in his estimation were deterrent to crime itself, because if they were working they were certainly not going to be stealing, that he thought it was what District B needed and thought Woodmere would be doing a better job and certainly he looked forward to a better master plan. Council Members Lawrence, Clutterbuck, Holm, Garcia, Green and Berry absent.

Mayor White stated that the development added two things to education which was critically important, one an alternative that people had, where as he knew one of the things that they faced in North Forest were issues involving perception and sometimes reality of the school district, and more tax base for the public schools when people built within the school district and it was a vicious cycle, unless they improved the schools it was hard to attract the development, which was why he was so passionate sometimes about trying to encourage people that they would do whatever they could to encourage their investing within the City limits and they would not be perceived of as an impediment. Council Members Lawrence, Clutterbuck, Holm, Garcia, Green and Berry absent.

Council Member Lovell stated that on that issue she knew that KIPP right now was trying to get from TEA a priority zone status which meant that when they built around the school that the people who lived in that neighborhood had priority to be able to go to that school, so she hoped that they could help them achieve that, it would add to the success of these programs. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent.  
(NO QUORUM PRESENT)

Council Member Lovell stated that they needed to talk about the appalling and disgusting situation at the Texas Youth Commission, many of those children that had gone from Harris County to the facilities were really their children from the City of Houston, that she knew there had been calls for a moratorium and no more youth from Harris County being sent, she would like to join in with that and hoped all of the leaders around the Council table would do so, she knew that it put a burden on their juvenile system and knew they were really struggling right now to deal with it and any way that the Council could assist them in any fashion, formal or whatever, that they needed to do so, they had a responsibility also, the facilities were going to be overcrowded, their therapeutic and residential programs were going to be over crowded, so whatever they could do to make sure that none of their youth, until they fix that situation, go to

any of those facilities, that their children who do wrong deserved to be punished but not to be abused and the cries for help that were ignored some of those kids lives were now ruined, she did not know how they would ever recover from reaching out and asking for help and being ignored. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that the Little League season had started, congratulations to all the leagues that were up and running, that she wanted to thank all the parents and coaches that were out there participating, that she wanted to thank the kids and wished them a good season and good luck, that the situation with TYC really brought back that they really had to continue to make some investment in their after school programs, especially for the middle school children, if they looked at what was going on with TYC and the repeat offenders that were sent there it really did start the first time they did something wrong really did start in middle school, and she knew they had some programs that were going on with Parks and Recreation and they were very good and she applauded them and there were others that were going on but they really did have to concentrate and make a better effort in partnerships with the middle schools to make sure their middle school youth were in school and she thought one of the reasons why KIPP had been so successful was that the children went to school from 7:30 a.m. to 7:30 p.m., that sort of encompassed that after school program that they were all struggling to make sure was available in the middle school, so the children were there and not out getting in trouble, so whatever they could do in the next year to make sure and contribute and make partnerships to make sure their middle school youth were there and to encourage HISD to keep those middle school open longer than the 3:30 p.m. or 4:00 p.m., at which some of them were doing everything they could to move those kids off of the campus, that she was a taxpayer and she thought those schools ought to be open until late in the evening, until after dinner, to where there was a safe zone for their children to go where there were constructive things, where there were programs going on, but most of all where they knew they could go and be safe, that the idea of shutting down the school at 4:00 p.m. was just not acceptable anymore and the proof was in the number of kids that were getting in trouble, that she wanted to applaud the schools who recognized the problem and had really good after school programs and encouraged those who did not, it made such a big impact on the neighborhood but more importantly that program may keep some of these children from being sent to TYC or in an over crowded situation, that she would rather have their kids in an overcrowded situation here in Harris County where she knew they were not being abused than in a situation where they had to send them to TYC because they had no where to put them, that she hoped they could reach out some way to the Juvenile Justice System in Harris County and if any way they could help them find spaces for these kids that they do so. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to congratulate Cynthia Cooper and the Lady Panthers at Prairie View for making, the first time in a long time, a stab at the NCAA Women's Championship, that in two years she had done a great job and hopefully they would see better things. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Mr. Gary Norman from Public Works, they had been talking about the intersection of MLK and 610 since she had been in office and they finally got some attention, there were about 20 trucks out there the other day and hopefully they would find a solution for that problem that had been long standing there; that another problem they had been having was Vulcan and Beacon Streets in the Southpark area, that she knew they had a timeline thanks to Mr. Fontaine, that they would really like to see those streets reconstructed before she leaves office, that it had been going around the loop forever but if there was any way they could get those streets done they would like to see it completed

before they get out of office. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that one of the books she had been reading since being the Chair of the Housing Committee was the Death and Life of Great American Cities by Jane Jacobs, that she was sure that a lot of them were aware of the book already and she had found it to be very instructive to her trying to develop a foundation for what housing was and was not, and what was community development and what it was not, that she was so impressed by the book that they were going to be giving members of the Housing Committee a copy of the book, that it kind of added to whatever level of knowledge they had and for her it was very instructive. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that as to the TYC, first she wanted to give kudos to Linda Clarke, based on what she did in education for the City of Houston she thought was probably one of the most important under appreciated jobs in the City of Houston, the education of young people in the City was directly tied to three things in her opinion, employment opportunities, so that dealt with their tax base and how to move forward, crime, when they had people who were educated and had different ways of making choices there was less petty crime, they had more opportunities and better choice making skills, that she would hope that their education would get more to helping people develop skills sets to how to make choices as opposed to how they become an occupation type of thing because most people if they knew how to make choices and knew how to use them to manipulate they could usually wind up anywhere, she always contented that Booker T. Washington when he was studying books in the gutter by streetlights was not doing that to become the director and founder of Tuskegee University but because of those skills that he developed and those disciplines and that self control that he developed and he could be was a consequence and not the focus, so she would hope that HISD in particular since it was the largest school district would get more in focus to looking at developing skill sets as opposed to trying to get people looking at 15 years of age that they wanted to be something, that she thought especially for their children in the urban communities that development of self control, that development of being self disciplined and knowing how to take an idea from an idea position to a plan and then how to implement that plan would give them opportunities to be whatever they wanted to be but they had to have a foundation of that and she thought that Linda was kind of a wrap around type of person and the thing that was amazing to her was that they had discussion the other day about welders helpers and the fact that their was a gap in the City in technical skills and when they looked at a welders helper, \$39 per hour and if they worked in the east Texas area where they were doing the rebuilding plus their salary they got \$100 per diem, now how do they become a welders helper, there was a six week course they could take at HCC or San Jacinto or what have you and that type of information for a lot of young people who did not necessarily want to go to a university or college, or perhaps their family needed them to help develop an economic stability for their family, if they had an emancipated minor or a 16 year old who was not really hitting it with the books but if they could find a way to get them into skills that would transport them and their vision to another area then hopefully they would not be out there trying to steal \$30 out of copper wire out of her air conditioner, did they understand the connection, that Linda understood that very clearly and she would like to applaud her, that she did not know how they could broaden that but would like to discuss it with Mayor White and Linda, that she was very proud of KIPP, but KIPP was the same format that they used in the 1960s in what they called Freedom Schools, it was a wraparound type of thing, the parent had to be involved it was not an option, it was not an option to come to PTO meetings, either they were there or their kid was not there, that she thought it was an awesome project, they were getting two new KIPP schools in District D and Tori Dugard who was a product of Yates High School was going to be one of the organizers of one of those schools, that she gets very irritated as a taxpayer when she looks at



ISDs who had multi billion dollar budgets and their product was what they continually discussed here with petty crimes and after school programs and so forth, that she would hope with the vision that Mayor White seemed to have as to how they could help to impress upon folks that their bonus should be not in dollars but quantitatively what kind of product were they putting out on the street, it was very frustrating to her as a person who was very active in the community to talk with people about their kids going to school, not being a problem in school, and still when they graduate not having the skills to manipulate the society in which they were going to be living in, the three languages in the State of Texas were English, Spanish and Chinese, that she did not know of any school in District D that was teaching Chinese; that in her opinion they wind up with having to react to the product that was coming out of their school system, not just HISD but across the board, their office got calls from college students all the time who graduated from college and still could not find gainful employment, there was a disconnect between education and how it affected the community development they were looking at, how do they build better neighborhoods, the issue that was going on at TYC, the figures that she had were not only TYC but TDC was that probably 60% of all of the inmates came from the City of Houston, Harris County, so when those people come back where were they going to go, one place they could go was the City of Houston.

Council Member Edwards stated that she had to give kudos to Mr. Buck Buchanan and the folks at Solid Waste for them being able to step out and say they were willing to give people who had made a mistake and were changing their life a chance to reestablish their work record, have a decent wage coming in and having health benefits for their families, it was not about throwing cans it was about rebuilding their lives, that this weekend the Solid Waste Department would be at one of their communities, it was a partnership between corporations and the City, radio stations, the City of Houston, Solid Waste Management and community groups this Saturday and having people come and bring their friends, they had to bring a drivers license and have to be willing to be screened for drugs and so forth, but it was a great opportunity, if they had been released, if they had made a mistake and were trying to reestablish their life, to get gainful employment, dignified employment, employment that could provide health benefits and a stable record of their making the change from that position to here and she applauded Mr. Buchanan and any other department in the City of Houston who was willing to go out and say they were willing to be a part of what needed to happen in their community, so on Saturday at the Breakfast Klub if they knew of somebody who needed to look at employment they encouraged them to come down from 9:00 a.m. to at least 2:00 p.m. and they would be taking job applications on the spot and trying to get people directly hooked up into a position where they could be employed and viable citizens of the City of Houston. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she wanted to congratulate everyone on probably their best Tour de Houston ride and wanted to give special thanks to the Office of Special Events, Susan Christian and her staff, and HPD, HFD, Parks, Public Works, TXDOT, Chavez High School and their sponsors who helped to make it happen, Guaranty Bank, KPRC, Michelob Ultra, Oxi Oil and Gas, Houston Press, Sun and Ski Sports and CDM, they had great weather and a wonderful route and was pleased that they also increased their ridership by at least 1,000. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she hoped that her colleagues would look at the TML Legislative update, they had a record number of bills that were filed and hundreds of those affected cities, so she asked that they please take some time and look at those bills filed, everything from eminent domain to immigration to REV caps, they were things that they needed to stay on top of, and again their personal relationships with legislators was critical. Council

Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she and Council Member Green went to National League of Cities during the break and the top issues that they continued to focus on were the telecom issue, even though Texas did have their own compromise but it continued to surface and continued funding for CDBG and the COPS programs, those were things that were on the forefront for that week. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to congratulate Mayor White for being selected as the 2007 recipient of the John F. Kennedy Profiles of Courage Award. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that in today's New York Times was a very good article about Houston and KIPP Academy and they mentioned KIPP and how they were doing in Houston so his congratulations to KIPP Academy for being recognized in the national media. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to thank the Library Director, Dr. Lawson, that she sent a memo asking them about Item No. 54, it was good to see directors taking responsibility and instead of saying the item was not taggable saying why it happened and to work with them, that he appreciated Dr. Lawson in that way. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that on March 29, 2007 there would be an opening of the Ibn Sina Clinic in District F on Wilcrest and Mayor White would be doing the opening at the ribbon cutting ceremony and he encouraged all of his colleagues and everybody to come and see what a great partnership it had been between the Housing Department and the private sector and some of the most dedicated group of people and physicians who had made a commitment to provide free or very low cost medical services to the most needy in their community, that he encouraged everybody to be there next week at 11:00 a.m. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that their C3 Cleanup would be on May 19, 2007, on Saturday, and they wanted to encourage all of the residents of District F to not only participate in the cleanup but also call their office and make suggestions as to what location they wanted the C3 Cleanup crews to be present, he would encourage all of the neighborhoods to get involved. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to say a heartfelt farewell to the Consul General of China, Hua Jinzhou, who was leaving Houston next month and who had been very supportive of the local Chinese community and made great contributions for the local community during his tenure in Houston, that he wanted to wish him the best in his future and the community would be hosting a farewell dinner for him on Saturday, for those interested to please call the District F office. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that students at Rice University, the Jones Partners at Rice, Jones Graduate School of Management were sponsoring a lecture by Ms. Christine Lagarde, who was Minister of Trade and Investment for France and she was recognized by Forbes Magazine as 30<sup>th</sup> among the most powerful women for 2006, she was ranked 88<sup>th</sup> in 2005, that she would be in Houston on Thursday, March 22, 2007 at 4:00 p.m. at the Shell Auditorium at the Janice and Robert McNair Hall at Jones Graduate School at Rice University, that there would be a reception following and anyone interested could call 713-348-4730. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that she wanted to thank people in the City, especially Anthony Freddie, Ronald Trote, Trina Tillman, Brian Lumpkin and Matt Tibideax, there was an incident in District F, one of the properties was an abandoned property, all kinds of trash and when their constituents contacted their office they sent the information to Neighborhood Protection and not only was there prompt action but they finally got hold of the owner of the property and cited them, so he wanted to thank everyone who was involved. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that on April 24, 2007 the second through sixth grade classes from Saint Francis De Salle would be making a field trip to City Hall. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that the Greek Independence Day celebration would be on March 25, 2007 at 6:30 p.m. at Martel Hall Annunciation Cathedral at 3511 Yokum, that it was a fun event and he hoped to see a lot of people there. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:47 p.m. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

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Anna Russell, City Secretary