

City Council Chamber, City Hall, Tuesday, November 15, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, November 15, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman M. J. Khan, Pam Holm, Adrian Garcia Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director, Mr. Jose Soto, Assistant Agenda Director present.

At 2:01 p.m. Mayor White stated that Council would begin with presentations and called on Council Member Khan who stated that bullying was a big problem at schools and the Sharpstown Collaboration had an anti-bullying campaign; and invited Jorge Ojeda, Elizabeth Ramirez, Jeffrey Boakye and Nicole Barrera, winners of the contest, along with principals to the podium. Mayor White and Council Member Khan presented a Proclamation to the group proclaiming November 15, 2005, as "Sharpstown Collaboration for a Powerful Community Day" in Houston, Texas and presented Certificates of Recognition to the students. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Green and Berry absent.

Council Member Edwards stated that they were celebrating one of the most phenomenal groups in the history of America and that was the Omega Psi Phi Fraternity and the Rho Beta Beta Chapter in Houston and invited them to the podium. Council Member Edwards further stated that they played a vital role in communities around the world; and Mayor White presented them a Proclamation proclaiming November 15, 2005, as "Rho Beta Beta Chapter, Omega Psi Phi Fraternity, Inc. Day" in Houston, Texas. Mr. Tony Williams stated that he currently served as vice president of Rho Beta Beta Chapter Omega Psi Phi Fraternity and their purpose for being present today was they were celebrating their 94th anniversary; that during achievement week they had an award they gave called "Community Action or Citizen of the Year Award" and they decided this year to present it to the City of Houston; that they had been in the spotlight for the past couple of years and now after opening the Astrodome for all those less fortunate (Katrina evacuees) it invoked a spirit and all came from all over Houston and would now give the mike to ex-Council Member Robinson; and Mr. Carroll Robinson presented a plaque to Mayor White and stated that there was a poem which represented how to persevere and he would present that to the Mayor and also the award they would like him to accept on behalf of all citizens of Houston after naming Houston "Citizen of the Year"; and more important than the Mayor being called Mayor they thought it important he be called "Citizen of the Year" as he could and did do what was needed. Council Members Garcia and Berry absent.

Council Members thanked the group for coming, for their service and good works to the community and for recognizing Mayor White and the City of Houston. Council Member Berry absent.

Mayor White invited Ms. Sherea McKenzie to the podium; and Ms. McKenzie stated that she was executive director of the Joint City/County Commission on Children and a packet was presented to the Council Members entitled "Winner's Packet"; that they decided they wanted to submit Houston/Harris County to America's Promise and The Alliance for Children which was headed by General Colin L. Powell and the competition would name 100 communities and had over 1,000 entries, but they were named a winner and Houston/Harris County was now officially one of the 100 best communities for young people; that everyone also had to submit something on their Katrina efforts and Houston/Harris County won and received a \$20,000.00 prize they could use to further youth development; and thanked the Mayor and Council for making this one of the best places to be a young person. Mayor White congratulated them for what they were doing; and Council Members thanked them for their work and guidance. Council Member Berry absent.

At 2:29 p.m. Mayor White called the meeting to order and called on Council Member Sekula-Gibbs who invited Reverend Brendan J. Cahill director of St. Mary's Seminary to lead all in prayer and Council Member Sekula-Gibbs led all in the pledge.

At 2:30 p.m. the City Secretary called the roll. All present.

Council Members Khan and Garcia moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED.

Council Member Edwards moved that the rules be suspended for the purpose of hearing from Mr. DeLoyd Parker after Mr. Michael Griffin, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2005-1080 ADOPTED.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing Ms. Suzanne Poole as the last speaker on Agenda items, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2005-1081 ADOPTED.

Council Member Khan moved that the rules be suspended for the purpose of hearing Mr. John Lorenz at the top of the Non-Agenda speakers list, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. MOTION 2005-1082 ADOPTED.

Council Member Green moved that the rules be suspended for the purpose of hearing Mr. Ray Hill at the top of the Non-Agenda speakers list, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-1083 ADOPTED.

Mr. Ovide Duncantel, 2900 Woodridge #311, Houston, Texas 77087 (713-245-9598) appeared and stated that he was with the Black Heritage Society and was present again regarding the parade issue; that the new ordinance was on the Agenda and they thanked Council Member Goldberg for meeting with them but they had some basic disagreements centered around the parade and items to be negotiated; and asked that the item be put on hold a couple of weeks and allow them to see it first. Council Member Wiseman absent.

Council Member Goldberg stated that they met yesterday and Legal was making minor changes in the document; that the length of the parade could be the same, 25 intersections, but those with small crowds, those with not much money, would not have to pay for 10 blocks and it could start and continue 10 straight blocks and then participants could continue back to the beginning but obeying traffic laws and that would save money for them; and Mr. Duncantell stated that the real issue was how much control organizers had over their own parade and they wanted the City of Houston to work with them. Council Member Wiseman absent.

Mayor White stated that he knew people were working on the document and should be out this afternoon; and Council Member Goldberg stated that they had a disagreement on two and those would be resolved; that he thought they would be happy with the outcome. Council Member Wiseman absent.

Mr. Michael Griffin, 5327 Winding Way Drive, Houston, Texas 77091 (713-503-8064) appeared and stated that he was also present on the parade ordinance and they needed to be very careful; that different parade chairmen were present at the meeting and they took this serious; that parades could gather money and Savannah, Georgia was an example with their St. Patrick's Day Weekend and drew 350,000 people, in otherwords they had a Super Bowl every year; that he was told by them their city got behind them 100% and it was embarrassing to think all the conventions from New Orleans were going to Atlanta; that Houston needed to draw people and they could start with parades; that he appreciated Council Member Goldberg working with them but would like it postponed another two weeks. Council Members Galloway, Garcia and Wiseman absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Griffin stated that 90% of those attending the Super Bowl said Houston was great but only 70% said they would come back; that if Council would think of events from October to May there would be thousands of people, they needed to get behind something; and Council Member Sekula-Gibbs suggested they work together on it. Council Members Galloway, Garcia, Alvarado and Wiseman absent.

Upon questions by Council Member Quan, Mr. Griffin stated that he was not satisfied with the proposed ordinance; that they were being limited to 10 blocks and after that you had to pay \$1,000.00 per block and their group barely had money to put it together and that was like seven out of 10 parades downtown; that if the Shriners joined them that would be four more blocks; that he felt 15 blocks would be reasonable; that the most important thing was historical significance and he felt it should be given 50%, and other items were still being worked on; and Council Member Quan stated that he did appreciate all Mr. Griffin's efforts. Council Members Galloway, Garcia, Alvarado, Wiseman and Berry absent.

Council Member Khan thanked Mr. Griffin for all he had done and agreed parades were a part of any city culture and needed to be preserved; that they gave a chance for all to share in the pride and he hoped he would continue to work on it. Council Members Galloway, Garcia, Alvarado, Wiseman and Berry absent.

Mayor White thanked Mr. Griffin for coming and stated that they did want to promote parades and make a more modern ordinance for all to participate. Council Members Galloway, Garcia, Alvarado, Wiseman and Berry absent.

Mr. DeLoyd Parker, 3201 Elgin, Houston, Texas 77004 (832-689-5015) appeared relative to Item 58 on the Agenda and stated that for over 36 years he had headed the Shape Community Center, a family strengthening and empowering institution through their programs, schools and screenings; that they were an institution in Houston and they wanted to continue their work. Council Members Galloway, Garcia, Alvarado and Berry absent.

Council Member Quan stated that he admired the work at Shape; and upon questions, Mr. Parker stated that they did all they needed to apply for funds and they wanted to move on and complete the project; and Council Member Quan stated that it concerned him at how long it was taking to complete the project. Council Members Galloway and Garcia absent.

Upon questions by Council Member Alvarado, Mr. Parker stated that about an hour ago he was requested to present a financial audit of the Center and it was supplied; that it did not matter if they asked that of everyone, they were not everyone, they were Black and had to pass every test and they understood; and Council Member Alvarado stated that it boiled down to about \$80,000 this Council was approving and did go back several years; that it was frustrating as Council Members; that much of the hold up was the city's fault; and she hoped this would pass tomorrow. Council Members Lawrence, Galloway, Garcia and Ellis absent.

Council Member Edwards stated that she could remember when the Shape Center was about the only thing in the Third Ward helping children; that she would recommend people look at their record as they had won numerous awards and honored and hosted numerous people such as the Mandella's and Clinton's; that also anytime a place was needed for a meeting they could use the Center and when immigrants came they called Shape; that for Council to sit there and act like they did not know of them or if they did not know of them, then same on them as they should have asked about them sooner, it was disheartening to hear people talk when she knew Shape had not received as much funding as others and had done so much more; that if they were asking citizens to be partners then they should partner with them. Council Members Lawrence, Galloway, Garcia and Ellis absent.

Council Member Sekula-Gibbs thanked Mr. Parker for his work and for the information, cut stated that she did not have time to review until the item was on the Agenda; and upon

questions, Mr. Parker stated that he did not know how much money they had received over the years, it depended on what area she was talking about; and Council Member Sekula-Gibbs stated that the project had mushroomed in size and she wanted to know how much money the city had already given; and Mr. Parker stated that on this project not one penny; that in 1992 they received money for renovation of the family center, but he was not sure of the amount; that on this project part of the increase was because of cost increase and the size of the building was reduced; that they did own the land, but it was not paid in full. Council Members Lawrence, Galloway, Holm, Garcia, Ellis and Berry absent.

Council Member Green stated there was no doubt many on Council supported what Shape had been doing and he felt they were going down a slippery slope when some of the questions were brought up at the Council Table; and for whatever reason someone may not support this he would like everyone to vote no or yes, but not drag a good organization through the mud; and he would urge all to push this forward, get it off the ground. Council Members Galloway, Holm, Garcia and Ellis absent.

Council Member Edwards thanked Mr. Parker for his and his staff's work over the years as many worked at times without getting paid and she was at the Center when they raised \$30,000.00 to get a sex offender who had molested one of their boys; that they also raised money for other countries with problems; and she would encourage everyone to vote up or down, as Council Member Green had stated; that this was one of the most insulting barrage of questioning she had heard since she was at the table, this was tagged last week and questions could have been answered. Council Members Holm, Garcia, Ellis and Berry absent.

Mr. Ken Ulmer, 1700 Brittmoore, Houston, Texas 77043 (713-468-5975) appeared and stated that he was a SafeClear operator and involved in the pilot program and he learned it was a 24 hour/7 day commitment; that in many cases they were first responder and they had reduced accidents, injuries and deaths; that if the program was opened to every tow truck to respond it would destroy the incident management and safety processes would be completely destroyed; that during the hurricane evacuation Captain Bender and himself choreographed and executed removal of hundreds of disabled cars in a matter of hours; that at the program was growing and getting better but they had only seen the surface and Houston had the opportunity to go from one of the worst to absolute best in terms of incident management. Council Members Holm, Garcia, Ellis and Berry absent.

Mayor White thanked Mr. Ulmer for coming and for being a part of the safety network. Council Member Berry absent.

Upon questions by Council Member Quan, Mr. Ulmer stated that he received a copy of the amendment and SafeClear contractors were comfortable with the changes to the program, he thought they met the program needs better; and Council Member Quan stated that he had questions as to the stalled car requiring police clearance; and Mayor White stated that he would appreciate Captain Bender speaking with him on that, it was not their intention to change it; and upon further questions by Council Member Quan, Mr. Ulmer stated that the contractors had storage facilities they did business with and they had agreed to waive the first 24 hours of fees and assist citizens with well lit facilities, restrooms, etc. Council Members Khan and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Ulmer stated that the tow trucks no longer would pay for their segments and the cost for actual free tows was only about one million a year; that he was not sure where funding for the program came from, but in a meeting with Captain Bender, Richard Lewis and others and they were under the impression as contractors that nothing changed regarding who could authorize a tow and would still be done through Trans Star.

Upon further questions by Council Member Sekula-Gibbs, Mayor White stated that maybe

there was another place or forum where they could debate a legal issue, but the Judge did not say there was no ability to regulate or exclude someone, he said that the record at the time showed the economic burden; that the fee structure was in relationship to what the objectives were excessive and they had changed that; and the good legal advice of the Judge's opinion was not that they could not have reasonable rules and regulations, but he did not specifically say it had to be opened to anyone. Council Members Wiseman, Khan and Ellis absent.

Mayor White stated that he and Lt Bender got feedback that they needed response times down, some more flatbed equipment; and upon questions, Mr. Ulmer stated that was correct, they had no idea how many times a flatbed would be the only tow truck that could be used; and Mayor White stated that he would like him to help keep him apprised and he thanked him for the investment he was making. Council Members Wiseman, Khan, Ellis and Sekula-Gibbs absent.

Ms. Suzanne Poole, P. O. Box 1035, Missouri City, Texas 77459 (281-438-5427) appeared and stated that she was present supporting Council Member Sekula-Gibbs amendments; that in the proposed ordinance it was stated the right to enter into agreement would be extended on a uniform basis to all eligible persons and they would like the same verbiage admitted into Item 8-127 on page 13 of the proposed ordinance; that they also wanted to know requirements and be allowed to meet them so they too could be part of the solution; that regarding racing to the scene, etc., there was technology they were willing to implement, the GPS system, which would keep that down. Council Members Goldberg, Wiseman, Khan, Ellis and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Poole stated that it was the legal opinion of their attorney that the ordinance did not satisfy the Judge's opinion without her amendment; that the GPS system would work excellently for the city and they would know people were not racing to the scenes and they could be called off by numbers on top of their cabs if there were too many responding, the system showed how fast they were going, how long it took to get there, etc., and not only the city could watch but they could watch it in their own trucks. Council Members Goldberg, Wiseman, Khan and Ellis absent. Council Members Goldberg, Wiseman, Holm and Ellis absent.

Upon questions by Council Member Quan, Ms. Poole stated that they wanted it open for all to participate; that it would basically be first come first serve and with the GPS system it would keep them from speeding. Council Members Goldberg, Edwards, Wiseman, Holm and Ellis absent.

Mr. Stephen Hester, 7000 Regency Square Blvd. #160, Houston, Texas 77036 (713-974-4621) appeared and stated that he was housing advocate for the Houston Center for Independent Living and present to urge Houston to continue and increase support for affordable and accessible housing for people with disabilities; and they looked forward to working with the Housing Director. Council Members Goldberg, Wiseman, Holm and Ellis absent.

Council Member Quan stated that he knew he was in the meeting earlier in the morning; and upon questions, Mr. Hester stated that they wanted to make sure accountability and transparency was in the housing program and they wanted people with disabilities included in the decision making on housing for them as they knew best what was needed, etc.; that they did support the ordinance and the principal behind it. Council Members Goldberg, Wiseman, Holm, Ellis and Berry absent.

Council Member Sekula-Gibbs stated that she hoped through Council Member Quan's effectiveness they would be able to get the ordinance through committee by December because it would be his last meeting and he had worked diligently on affordability and to make sure they did pay heed to the disabled community; and Council Member Quan stated that he would love to see that happen. Council Members Goldberg, Wiseman, Holm, Ellis and Berry absent.

Mr. John Lorenz, 8318 Mobud, Houston, Texas 77036 (713-988-8539) appeared and stated that he was a resident of Sharpstown for over 20 years and the Redevelopment Committee met earlier today and there was discussion on Plaza Mexico at the site of Fondren and Bellaire and it would include specialty shops and night club; that he was present asking Council's assistance in opposing the development and the element it would bring to the area; that intersection was one of the worst in the state and they did not need to add 3,000 more automobiles a night; that Club Carnival, the club to move in, had numerous police calls and cited with 377 calls being between November 2003 and October 2005 and in over a 24 month period that equated to about 10 calls per month. Council Members Galloway, Goldberg, Wiseman, Holm, Ellis and Berry absent.

Council Member Khan stated earlier in the Housing Committee Meeting the developer presented a fancy plan for the area and he thought all would agree that except for the club it was very attractive and they welcomed it; that they called it a concert hall but for revenue they were putting a night club which would have 8,000 patrons at any given time; and he would like to know if there was anything that would give them legal grounds to fight the extension, they received over 740 petitions signed by residents of the area; and in addition more were brought this morning and he felt it would be a great misfortune if the expansion was allowed. Council Members Galloway, Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

Mayor White stated that he would like an update from the City Attorney and others as to where they stood that their goal was to stand up for the neighborhood and he thought this would be a great test case of what they could do to make sure the neighborhood was protected and stand up for them; and he needed a briefing. Council Members Galloway, Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

Mr. Ray Hill, P. O. Box 3624, Houston, Texas 77253-3624 (713-523-6969) appeared and stated that again he was present to talk on Houston Media Source, he spent many years coming to speak before Council on behalf of individuals they had chosen to deny constitutional rights to and fought those and other cases in federal courts and each time he challenged he won and the city had lost; that on the issue of Media Source and the contract this time he and Legal agreed, they agreed that citizens and their extensions may not exercise prior restraint censorship of the first amendment protected material, but he read the Mayor wanted to sack the director of Houston Media Source because she was trying to operate a system within the law and obedient to the Constitution; that if they wanted a system where a board of directors could exercise prior censorship over broadcast material they could, but the city had to give up control of the board, a board appointed by the Mayor could not do so. Council Members Galloway, Goldberg, Wiseman, Holm, Ellis and Berry absent.

Council Member Edwards congratulated Mr. Hill on receiving the ACLU Lifetime Achievement Award and stated this was only the second time it had been given. Council Members Galloway, Wiseman, Holm, Ellis and Berry absent.

Mr. Hill stated that he should thank Council for giving him the opportunity to win such an award; and urged a vote. Council Members Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Sekula-Gibbs stated that September 14, 2005 Council voted to terminate the contract with Houston Media Source and yet they were still airing; that she sent a memo to Legal asking for an understanding from them and she would like to know when another RFP may be issued; and Mayor White stated that they did not vote to terminate but to not contract with them; that the city had a contract to pay them to do something and now they were not paying them to do it. Council Members Galloway, Wiseman, Holm, Alvarado, Ellis and Berry absent.

Mr. Adrian Chavana, 3629 N. MacGregor Way #134, Houston, Texas 77004 (832-668-4906) appeared and stated that he was a student at the University of Houston and present

representing the Coalition Against Intolerance and For Respect; that they represented 10 organizations who fought for social justice and they were formed in response to the Minute Men issue and they had been around the day labor sites taking pictures; that Council Member Ellis made a proposal allowing HPD officers to ask status when currently they could not ask immigration status and in addition asked for federal funding to help HPD implement an immigration program similar to what the INS already did; that today they were presenting a petition with over 500 signatures opposing his recommendations; that currently HPD's general order 500-05 would forbid any officer from asking anyone about immigration status and the order existed to insure public safety throughout the entire city and all residents paid taxes and were entitled to public safety; that Council Member Ellis's proposal was strongly opposed by Mayor White and most of Council and the presentation of the petition was more of a symbolic statement. Council Members Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Quan stated that he did applaud Mr. Chavana's activism and willingness to speak out on issues. Council Members Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Alvarado thanked Mr. Chavana for his work and though his jester was symbolic she took it to heart. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Garcia thanked Mr. Chavana for continuing to bring the issue into the forefront; that it was critical HPD continued to have information flowing in and imperative lines be kept separate as to jobs; that they paid a great deal of money providing border protection and enforcement and HPD officers needed to stay focused on patrolling streets and keeping life and property safe. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Sekula-Gibbs stated that she appreciated Mr. Chavana coming and bringing the concerned signatures, but she had concerns as to what police officers were doing and whether they were abiding by the general order for HPD; that they were not talking about racial profiling, but she thought when someone committed a crime as a part of their identification process they would have to show they were a citizen; and Council Member Quan stated that officers could ask if it was above a Class C and that was happening; and Council Member Garcia stated that had been happening, it was practice; and Council Member Quan stated it had been happening since 1991. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Khan stated that it was his belief you did not go into someone's house without their permission; that procedures were already in place and the responsibility belonged to the federal and not local government; that if HPD officers were to start asking and checking on immigration status there was more potential for human rights violation and civil rights violation than anything else; that once someone committed a crime they were already under immigration hold; that no one wanted America to be like some other countries in the world where basic rights were violated daily. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

Council Member Edwards stated that this issue came up time and time again and she would request the Public Safety Committee hold a hearing or briefing regarding immigration and what officers did and when and why they did it. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

The City Secretary informed Mr. Chavana he could turn in his petition to Mr. Cantu of Citizens Assistance. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

appeared, presented information and stated that with the devastation of the recent hurricane in New Orleans she and three others started a partnership called Hurricane Assistance Business Network Alliance and their own money and time was put up to let people know what was available; that they would like to know how to get on the city website or if Council Members could place information on their individual web sites because some companies would participate statewide, etc., and offered free consultations and assistance to businesses affected. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

Council Member Sekula-Gibbs stated that all assistance they could have to help Katrina evacuees return to homes or establish a good position and work here they wanted to do so if they had expertise in the area, they welcomed them; and if she would contact her office they would help them get on their website if appropriate. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Ms. Catherine Bezman, 1600 Memorial Dr. #100, Houston, Texas 77079 (281-558-8787) appeared and stated that this was spurred by Ms. Fontenot when she had to house several members of her family who were dispersed by Katrina; that she represented Meeks and Partners Architects and their purpose in joining the organization was to help a local chapter of the American Institute of Architects when the association was besieged by architects looking for a place to do business; that as previously stated they were all volunteers and any business needing help or wanting to help could contact HABNA. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that any one wanting to contact them could at www.habna.org; and Ms. Bezman stated that was correct and many businesses were in outlying areas of Houston and they were creating networks to reach out and were trying to disseminate information. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Beverly Jurenko, P. O. Box 270252, Houston, Texas 77277 (713-305-3620) appeared and stated that she was owner of Best Cleaning Services and member of HABNA and present to provide testimonial of a service she was providing which was discounting her basic cleaning services 15% to help businesses move into new offices and specialized in construction cleanup for retail, industrial and commercial. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Goldberg moved that the rules be suspended for the purpose of hearing Mr. Elliot Kaufman as the next speaker, seconded by Council Member Sekula-Gibbs. No vote was recorded as no quorum was present. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Elliot Kaufman, 5203 Willowbend, Houston, Texas 77096 (7163-723-0237) was called and Mr. Daniel Faerman spoke in place of Mr. Kaufman, and appeared with others and stated that they were the dissertation team "Red Light/Green Light" from Pin Oak Middle School; that his teammates were Elliot Kaufman, John Nuwatne and Javier Vasques Trayhill and they were trying to reduce the number of accidents at the intersection of Willowbend and West Belfort; that they observed over 83% of the cars headed east on W. Belfort were going over 35 miles an hour and 80% headed west were going over 45 miles an hour; that they also observed cars running red lights and they believed the reason for auto accidents was the red light runners were getting in front of the Willowbend, West Belfort traffic and those with a green light were being hit; and today they were present suggesting the installation of an advanced warning flasher, it had been shown by the Intelligent Transportation Systems Institute from the University of Minnesota they were very effective. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Goldberg stated that he knew there were a lot of accidents at that

intersection and one thing Council was doing was to put in cameras so if someone ran the light they would receive a ticket and they hoped that would help; that there were children walking there and the intersection did need to be protected. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia thanked the group for coming and stated there was a future for them in public service. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Julie Irvin, 5624 Darling, Houston, Texas 77007 (832-541-5557) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Demariee Anderson, 3313 Garden Brook Drive, Dallas, Texas 75234 (713-269-9443) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Ron Winans, 11711 Brittmoore Park Drive, Houston, Texas 77041 (713-460-2181) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Andrea Winans, 16810 Barker Spring Road #215, Houston, Texas 77084 (832-275-9694) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry 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, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Sterlingn Shepherd, P. O. Box 25415, Houston, Texas 77265 (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Victor Seales, 8700 Broadway #1129, Houston, Texas 77061 (713-653-2209) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Joe Farrell, 2010 Turner, Houston, Texas 77093 (713-697-5771) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Georgia Hender, 8007 Belgard, Houston, Texas 77033 (713-734-1696) appeared and stated that she worked with the civic club in her area and was present with neighborhood concerns; that they had problems getting police service if they called no one showed up or if they did come it was 45 minutes to an hour wait; that at the PIP meetings they were given information and then when they tried to use it they were told PIP did not know what they were saying; that she was in the Bellfort Park area off Mykawa Road; that she also felt officers were not treated right, they needed a partner to ride with them, the firemen had help. Council

Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he would appreciate having the response time checked. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia thanked Ms. Henderson for coming and stated that she was right, when he went into the department almost all had a partner and it looked good to see a lot of cars out, but it was always good to count on a partner. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Sammie Jones, 8700 Gustine, Houston, Texas 77031 (713-988-1273) appeared and stated that he was having civil rights issues and had brought a sample of water which his ill sister had been drinking; that he came before about the quality of water and someone came out and tested and said it was alright, but today he had a coffeepot filter showing a white substance he obtained from the water; that there was also a net over Houston and he could not get D.C.; that he was being followed by city vehicles; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that Mr. Norman was present and would speak to him about the water. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Edward James, 8000 Cooke Road #105, Houston, Texas 77072 (281-642-4510) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Jamil Crowley, P. O. Box 15205, Humble, Texas 77347 (281-446-9799) appeared and stated that his wife should be the next speak, but had to leave to pick up their child from school; that he was present as 14 years ago he was convicted of a felony and since had served 6 years probation and since 1997 went to the U of H and received his bachelor degree in accounting and worked for a local CPA firm over the last 10 years and left in August; that he passed his CPA exam but was not allowed to get his license and after he left his job his fears for staying there longer than he felt he should were confirmed and though many called him when the issue came up he was not hired; that this did not just effect the person but the children and many people went through this because they were tagged "convicted felon", but they were not, they were not committing criminal activities, what they were was "restored citizens" and something needed to be done, he did all he was asked to do, he was clean 15 years and got a degree and he and his and many other families suffered; and he was asking the Mayor and Council to establish a committee to look at how the environment could be made better for restored citizens. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White thanked Mr. Crowley for coming; and stated that on a personal note he did think about this, it was a very difficult issue; that he heard what he was saying, but felt he was almost at the limits of what he knew how to do and he was trying to learn and grow. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia thanked Mr. Crowley for coming and stated that having been on the law enforcement side of things he was right, many people had restored themselves; that he was proud of the work Mr. Cantu's office had been doing with this specifically and other

corporate people were willing to take chances and give people a second opportunity and he and others were advocating they do better at this, too often people came back after such an experience and found too many doors closed rather than second opportunities, but the city was trying to do work for others to have courage and give second chances and they needed corporate people; and Mr. Crowley stated that he would be calling Council Members to see if they could set up a meeting and do something on the issue. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mrs. Antoinette Crowley, P. O. Box 15205, Humble, Texas 77347 (281-446-9799) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Carmilita Crowley, P. O. Box 15205, Humble, Texas 77347 (281-446-9799) was present but relinquished her time. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Paula Harrison, 8000 W. Tidwell #920, Houston, Texas 77040 (713-413-4101) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (281-236-7518) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Jackie Jordan, 5105 Airline Drive #6313, Houston, Texas 77022 (713-694-5993) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Fayad Mizam, 6030 Knotty Oaks, Spring, Texas 77373 (713-303-2495) appeared and stated that he was present with sewer problems; that he was told if the problem was on his property it was his responsibility and if not it was the subdivision's responsibility and after five years he had a problem that was not his fault; that roots of trees from other properties attacked his lines and he had spent hundreds of dollars on it, but now the subdivision fixed it and want to charge him; that he did not know why he should pay for it; that his other subject was property tax, every year it goes up 10% and the house is getting older and he could not afford it. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that he needed to go and protest his taxes; and upon questions, Mr. Mizam stated that this was the first time he knew he could; and Council Member Sekula-Gibbs stated that he could do this on his own and she would encourage him to file a protest; and Mr. Norman was present with Public Works and maybe he could help give him an answer regarding the sewer. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was being computer sexually raped; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was God; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Joseph Omo Omari, 2820 Palm #2B, Houston, Texas 77004 (832-767-0870) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

At 4:54 p.m. City Council recessed until 9:00 a.m., Wednesday, November 16, 2005. Council Member Edwards out of the city on city business. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, November 16, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, November 16, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Financial Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present.

At 8:20 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:26 a.m. Mayor White reconvened the meeting of the City Council and stated that he would give a brief Mayor's Report. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

MAYOR'S REPORT

Mayor White stated that he would begin with a brief Mayor's Report on three short topics that he thought would be of importance and that he had gotten questions from Council Members about, and he would style it as the good, the bad and the ugly; that he would begin with the good, that they talked about people risking their lives and making great sacrifices to protect them, that he wanted to thank members of HPD and especially their collaboration with FBI agents who had stepped up the protection of citizens against some of the gangs that were out there, that they had all gotten a copy of a letter from him to the agents 10 days ago where with an HPD investigation and FBI response, they had citizens serving in law enforcement who placed themselves in harms way to protect them and their neighborhood, faced with the fire of AK47, that he respected tremendously the sacrifices made by people in the US Military, that there were domestic terrorists in the form of gangs that preyed on the neighborhoods, that were highly armed, that they really appreciated the work of the FBI and the priority given to the FBI and they should be in a position to make some announcements on grants, he hoped, within the next week, that they had been working with Members of Congress on. Council Member Wiseman absent.

Mayor White stated that the Municipal Pension Board, for weeks and weeks, had refused a reasonable request that their Chief Pension Executive not receive a municipal pension or not be eligible, that they would think that Mr. David Long would protect the people on that pension board, if somebody did not want to receive or would not receive a municipal pension, that would be a reasonable request, but he thought it was because he or others on the board must fear having a highly trained actuary on the board, that they had stonewalled the request and replied that they would not agree, that he said the board would not agree, so when they had the committee they ought to investigate what those folks were to see whether that was true or not,

that they would not agree that they could have as a City employee somebody who did not receive the pension benefits whose job was to look after the pension fund to avoid a conflict of interest, that there would be a committee, that they had worked hard to increase the financial soundness of the pension fund for the benefit of employees, to make it affordable and sustainable in the long run, that some members of the Council were criticized by those, who for understandable reasons, questioned the motives or thought they were just trying to cut corners or short municipal employees, that was not what they did, but they were not going to let their dedication to looking at the long run interests of the City and the employees and were not going to forget the work that was done and for those people who were term limited Council Members he wanted to pledge to them that they were not going to let people feather their own nest at the benefit of City employees and prevent real reform, that maybe they would reconsider and change their mind, that had a consequence because it would be his intention to appoint the individual designated by F&A, to serve on the board on behalf of the City, that Mr. Mason was one of the most experienced actuaries in the State, serving at a deep discount for market value in part because of public service. Council Member Wiseman absent.

Mayor White stated that the third topic, the ugly, they had a lot of hard working people who he really respected a lot who were local FEMA officials who were working long hours with the people in the Joint Hurricane Housing Task Force and knew what the situation was on the ground, that they greatly appreciated the expedited treatment of their project worksheet by FEMA covering their housing costs under the program as currently constituted, that they did not have any disagreements concerning costs or expense, which was the principal topic of disagreements with people in government, that yesterday he learned for the first time, after numerous meetings, including meetings with the head of FEMA, in City Hall, for hours on end within the last ten days, but nobody happened to mention to him or local FEMA employees that they would have something in a new policy saying effective immediately the acceptable term of any new or extended lease executed between now and December 1, 2005, that was a fourteen day period of time, would be limited to three months, unless longer terms were specifically approved, that it was somebody up in FEMA who did not have anything to do with the local conditions, that he would tell them what FEMA wrote to them in their field office two months ago, on September 9, 2005 FEMA officials told them and their officials in writing that reimbursable costs would include the lease of properties, including apartments and hotels, for a period of up to twelve months, in writing, they started with six months and it was extended to twelve months so they could have a balance between the supply and demand of apartments, that meanwhile they had said to do everything possible, which they were doing, to get 19,000 people out of hotels and into apartments in the next two weeks, that FEMA had done a lot of good things and meetings that they had were cordial, that he was sure that the decision would be changed, that they were going to make progress, they had been able to overcome some obstacles with FEMA, but if FEMA gave local people local control to do what was right based on the market conditions then they would be able to treat their customers a lot better and more fairly. Council Member Wiseman absent.

Council Member Ellis stated that he wanted to comment about the bad issue that the Mayor was talking about and just so there was not any confusion, they would not allow the Mayor's appointee to become a City employee without being on the Municipal Pension Board, and Mayor White stated that they asked that he be excluded, and Council Member Ellis stated that would tell him one thing that they were not negotiating in good faith initially in the Meet and Confer contract and he would encourage them to do it, that if for some reason that was what they were doing was holding over one employee who was also a police officer, who they were trying to make whole, that he slipped through the cracks when they did the Meet and Confer last time and had some negotiations and transitions, he was Airport Police and had talked to the Pension Review Committee, Mr. Danny Kaye, that the reason they had opened the Meet and Confer back up was to allow him to get his benefits, and they seemed to be using that as a negotiation tool, which he thought was terrible, and Mayor White stated that they also imposed a condition, they wanted to change some of the governance, and Council Member Ellis stated that the governance was determined back in the last Meet and Confer Contract and those were

exclusive, and Mayor White asked Mr. Hall what they were asking.

Mr. Hall stated that they had refused to agree with the two administrative changes that were frankly very minimal and ministerial in reality, that Council negotiated, as part of the Meet and Confer settlement, that the four elected folks would appoint one member to the pension board who was not a participant, they wanted to change it to say they could appoint another participant in the fund, obviously it would affect the balance that the Council created in that agreement, and Council Member Ellis stated that one of the things that the board members always told them was that they had to look after the good of the employees of their membership and using one individual who was a member of their pension system to leverage that against the City, he thought, was unfair, that if they got to a position where they would wind up being stonewalled could they make the Mayor's appointee a member of the Police Department instead of going into their pension system and then they could do a Meet and Confer process with them, that there were ways to get around it, and Mayor White stated that they would have something that they could vote on that would be posted on Friday, that it turned out that he did sign a letter using one of their expert slots on the Municipal Pension Board, but would like to get him transferred over to the Treasurer slot on the board so they would have a City representative who was not a beneficiary and who was an expert and actuary which everybody agreed was a good thing.

Council Member Holm stated that it still baffled her and a lot of people that the City of Houston had a pension system for their employees, they wanted a good system for their employees and yet the administration of that system were the ones who found themselves the bitter enemy of the funder of the system, so until they released a little bit and stopped fighting the battle and realize that they were all supposed to be in it together.

Council Member Alvarado moved to suspend the rules to consider Item Numbers 51, 52, 52a, 52b, 49, 58, 59, 50, 50a and 50b out of order, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2005-1084 ADOPTED.

51. RECOMMENDATION from City Attorney for allocation of an additional \$200,000.00 to contract with **BAKER BOTTS, LLP**, for Litigation Support Services - Police Special Services Fund – **(This was Item 6-1 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Members Wiseman and Sekula-Gibbs voting no, balance voting aye. MOTION 2005-1085 ADOPTED.

52. WRITTEN Motion by Council Member Sekula-Gibbs to amend Item 52b below as follows: The SafeClear Program shall be open to all wrecker service operators who can demonstrate the ability to provide the services and comply with the requirements required under the agreements, whether operating alone or as a partnership or joint venture – **(TAGGED BY COUNCIL MEMBERS ALVARADO, WISEMAN and KHAN)** - was presented, and tagged by Council Member Quan. (Note: Item No. 52 was posted as amending 52b and should have indicated Item 52a.)

52a. ORDINANCE **AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Towing of Vehicles from freeways, containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability – **(This was Item 27 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS)** – was presented.

Council Member Berry stated that he had submitted in writing some amendments, that the term "tow" apparently had never been defined anywhere, even in the State statute, so the term "tow" was defined, and if they would note it said that it required an auto wrecker, apparently there were cases of people getting in a vehicle and driving it away, in a non consent manner and that obviously did not count as a tow; and point number two, both the vehicle and a trailer, if

applicable, had to go to the same license storage facility, they could not take them to two different places, that had not been cleared up before, unless authorized by a law enforcement officer, and the reason for that was if there was cattle or mail or something that had a special need that was in the trailer an officer could make the decision; that in point three the only change was the second to last line, "no tow hereunder shall exceed a maximum distance of 20 miles unless the tow destination is located within the zone", if they remembered they had the limit of 20 miles and somebody could have taken a tow within a zone and then charged extra, so what they were trying to do was prevent gouging there so that if it was within the same zone it did not matter, it was intended to keep the cost down and prevent any gouging.

RE: Agenda Item No. 52a (11/16/05)

"I move to amend Agenda Item 52a as follows:

1. In Section 2, which amends Section 8-101 of the Code of Ordinances, Houston, Texas, by adding thereto, in the appropriate order, a new definition that reads as follows:

Tow means the removal from public or private property of a vehicle, including a trailer towed by the vehicle, by means of an auto wrecker only.

2. In Section 6, which amends Section 8-123 of the Code of Ordinances, Houston, Texas, by adding thereto a new Subsection (g) that reads as follows:

(g) The towing of a vehicle and a trailer being towed by the vehicle shall constitute two separate tows and require the removal of both the vehicle and the trailer to the same licensed storage facility, unless otherwise authorized by a law enforcement officer

3. In Section 7, which amends Section 8-126 of the Code of Ordinances, Houston, Texas, by amending Item (1) of Subsection (e) thereof to read as follows:

(1) Each auto wrecker shall be allowed to perform police-authorized tows in only one 'zone,' which for purposes of the agreements shall mean one of the five service areas that are described and depicted in Exhibits A and B to Ordinance 84-560. Consistent with the foregoing requirement, the agreement shall include the following clause:

Operator shall choose one specific zone for each auto wrecker that is to be utilized by the Operator to perform police-authorized tows. Operator shall not allow an auto wrecker to tow any vehicle outside of the approved zone, except when authorized by the police department. No tow hereunder shall exceed a maximum distance of 20 miles unless the tow destination is located within the zone. Violation of this provision is grounds for revocation of this Agreement." – tagged by Council Members Quan, Wiseman and Sekula-Gibbs.

Council Member Quan stated that he would tag Item No. 52a.

52b. ORDINANCE approving and authorizing third amended and restated SafeClear Freeway Tow Agreements with Towing Company Operators and authorizing the Chief of Police to enter into contracts between the City of Houston and **ALLIED COLLISION CENTER, CANNINO WEST, INC, CORPORATE AUTO SERVICES, INC, FIESTA WRECKER SERVICE, KTL ENTERPRISES, INC, MILAM STREET AUTO STORAGE, INC, NATIONAL AUTO COLLISION, INC, NORTH HOUSTON MOTORS, INC, T&T MOTORS, UNIFIED AUTO WORKS and WESTSIDE WRECKER SERVICE, INC,** for SafeClear Freeway Towing and Emergency Road Service – (This was Item 27A on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS) – was presented, and tagged by Council Member Quan.

49. REVIEW of the record and make determination of the appeal filed by Teresa Argueta on the decision of the General Appeals Board for denial of an extension of a Manufactured Home Hardship Permit at 7911 Brays, Houston, Texas 77012 - **DISTRICT I – ALVARADO** – (This was Item 34 on Agenda of October 12, 2005, POSTPONED BY MOTION #2005-989) – was presented.

Council Member Alvarado moved to grant the appeal for an extension of a Manufactured

Home Hardship Permit at 7911 Brays, Houston, Texas 77012, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1086 ADOPTED.

58. ORDINANCE awarding construction contract to **APACHE SERVICES, INC** for Construction of the New Shape Community Center, GFS Y-P013-02-3; setting a deadline for the bidder's 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 construction testing, project management and air monitoring during abatement, construction management and contingencies relating to construction of facilities financed by Community Development Block Grant Funds - \$909,500.00 **DISTRICT I- ALVARADO – (This was Item 61 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. All voting aye. Nays none. ORDINANCE 2005-1239 ADOPTED.
59. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kerry A. Gilbert and Christy B. Smidt of Kerry R. Gilbert & Associates, on behalf of EAB Family Partnership, LTD (Gene Burrus, general partner), for abandonment and sale of Signet Street, from Daugherty Street to Dorsett Street, in exchange for the conveyance to the City of a full-width storm sewer easement, located within Port Houston, North Side Buffalo Bayou, Parcels SY5-071, SY6-002, LY6-001 and LY6-002 - **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICT I - ALVARADO – (This was Item 72 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER ALVARADO)** – was presented.

Council Member Alvarado named Ms. Patricia Keys and Mr. George Coleman, Jr. as appraisers and Mr. Gary Meyer as alternate appraiser and moved adoption of the recommendation, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1087 ADOPTED.

Council Member Sekula-Gibbs stated that on Item No. 58 she wished the record to reflect that she was present but had not heard the call on Item No. 58 and had she heard the call would have voted “no” on the item.

50. MOTION by Council Member Quan/Seconded by Council Member Khan to Amend Item 50b below, to restore the \$500,000.00 to Economic Development and two \$250,000.00 demonstration programs on down payment assistance to assist Houstonians and delete the \$1,000,000.00 allocation for Rita and Katrina Evacuees – **(This was Item 49 on Agenda of October 26, 2005, POSTPONED BY MOTION #2005-1033)** - was presented. All voting aye. Nays none. MOTION 2005-1088 ADOPTED. (Note: Item No, 50 was posted as amending 50b and should have indicated Item 50a.)
- 50a. ORDINANCE amending City of Houston Ordinance No. 2005-607, passed on May 11, 2005, which approved and authorized submission of the 2005 Consolidated Plan and the Grant Applications for the 31st Year Community Development Block Grant (“CDBG”) and the Home Investment Partnerships Grant, among others – **(This was Item 49A on Agenda of October 26, 2005, POSTPONED BY MOTION #2005-1033)** – was presented. All voting aye. Nays none. ORDINANCE 2005-1240 ADOPTED AS AMENDED.
- 50b. ORDINANCE approving and authorizing contract between the City of Houston and the **EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC** to provide \$266,869.00 in Community Development Block Grant Funds for the Administration and Operation of the H.E.A.R.T. Demonstration Program, which is a program that will provide job training and placement for developmentally disabled low and moderate income individual adults – **(This was Item 49B on Agenda of October 26, 2005, POSTPONED BY MOTION #2005-1033)** - was presented. All voting aye. Nays none. ORDINANCE 2005-1241

ADOPTED.

CONSENT AGENDA NUMBERS 1 through 46

DAMAGES - NUMBER 2

2. RECOMMENDATION from City Attorney for settlement of lawsuit styled **DEBORAH G. PERVIN** v. City of Houston and Quinton Thomas Jones, Jr.; in the County Civil Court at Law No. Three (3) of Harris County, Texas; Cause No. 794,400 - \$137,500.00 - Property and Casualty Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-1089 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 6 through 13

6. **HAZARD ASSESSMENT LEADERS, INC d/b/a HAL, INC** for spending authority to address the Emergency purchase of Mold Remediation Services at Fire Station No. 83 for Building Services Department - \$30,000.00 - General Improvements Consolidated Construction Fund - was presented, moved by Council Member Alvarado, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1090 ADOPTED.
7. **BL TECHNOLOGY, INC** for CCTV Security Systems - Card Access Control Systems at the 69th Street Wastewater Plant for the Building Services Department - \$580,901.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1091 ADOPTED.
8. **PHILPOTT MOTORS, LTD.** for Two Command Center Vehicles and a Video Recording Van through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative - \$1,300,805.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1092 ADOPTED.
11. **QUALITY HYDRANT COMPANY** - \$448,773.00 and **HUGHES WATER AND SEWER, LTD.** - \$33,272.00 for Fire Hydrant Repair Parts, Part II for Department of Public Works & Engineering Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1093 ADOPTED.
12. **OCE' NORTH AMERICA, INC** for spending authority to Lease Three Wide-Format Scanners/Copiers from the Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering \$543,161.40 - Enterprise and Other Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1094 ADOPTED.
13. **TURTLE AND HUGHES, INC** for Miscellaneous Wire and Cable for Various Departments \$528,297.36 - General and Enterprise Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1095 ADOPTED.

ORDINANCES - NUMBERS 14 through 46

16. ORDINANCE consenting to the addition of 5.278 acres of land to **CHARTERWOOD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1242 ADOPTED.

17. ORDINANCE consenting to the addition of 61.53 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1243 ADOPTED.
18. ORDINANCE consenting to the addition of 2.245 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1244 ADOPTED.
19. ORDINANCE consenting to the addition of 40.04 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 53 OF HARRIS COUNTY, TEXAS**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1245 ADOPTED.
20. ORDINANCE consenting to the addition of 9.98 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1246 ADOPTED.
21. ORDINANCE consenting to the addition of 2.758 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 185**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1247 ADOPTED.
22. ORDINANCE consenting to the addition of 45.2839 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 281**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1248 ADOPTED.
23. ORDINANCE consenting to the addition of 26.703 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1249 ADOPTED.
24. ORDINANCE consenting to the addition of 25.524 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 84**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1250 ADOPTED.
25. ORDINANCE issuing permit to **EQUISTAR CHEMICALS, LP**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued **DISTRICTS B - GALLOWAY; E - WISEMAN and I – ALVARADO** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Quan absent.
26. ORDINANCE amending City of Houston Ordinance No. 2003-1258 relating to the Designation of Tax Increment Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy/Near Northside Zone) (“Zone”) concerning the Development of the Project Plan and Reinvestment Zone Financing Plan for the Zone - **DISTRICT H – GARCIA** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Quan absent.
30. ORDINANCE appropriating \$3,904,000.00 out of Airports Improvement Fund and

approving and authorizing contract for Professional Architectural and Engineering Services between the City of Houston and **TEXAS ENERGY ENGINEERS, INC D/B/A CCRD PARTNERS** for Central Plant and Primary Distribution System Upgrade and Expansion and Terminal and Controls Systems Upgrade at George Bush Intercontinental Airport/Houston (Project No. 621; CIP A-0091) **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1251 ADOPTED.

31. ORDINANCE appropriating \$77,483.70 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Utility Design under the Downtown/Midtown Transit Street Program for Preston Street from Smith Street to Chenevert Street (S-0443-34-3 and R-0537-33-3) under Transportation Improvement Agreement with the Metropolitan Transit Authority of Harris County (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1252 ADOPTED.
32. ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE CORPS OF RETIRED EXECUTIVES ASSOCIATION**, to provide \$60,000.00 in Community Development Block Grant Funds for Public Services Activity providing technical assistance to first-time entrepreneurs in Houston - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1253 ADOPTED.
36. ORDINANCE approving and authorizing thirteenth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide an extension of such contract and additional funding in the amount of \$1,458,743.00 (\$943,604.00 in Emergency Shelter Grants Program Funds and \$515,139.00 in Community Development Block Grant Funds) for Administration of an Emergency Shelter Grants Program – had been pulled from the Agenda by the Administration, and was not considered. Council Member Quan absent.
39. ORDINANCE appropriating \$9,171.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **RONNIE SELF** for Construction of Water Lines to serve development on Saint Emanuel Street, CIP S-0802-36-3 - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1254 ADOPTED.
43. ORDINANCE appropriating \$637,216.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Ley Road Paving Improvements from Mesa Drive to Grade Separation at HB & TRR, CIP N-0689-01-2 (SB9179) under Professional Engineering Services Contract with **SCIENTECH ENGINEERS, INC** (approved by Ordinance No. 2004-0675); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1255 ADOPTED.
44. ORDINANCE No. 2005-1181, passed second reading November 9, 2005
ORDINANCE granting to **DISCOUNT WASTE**, a Texas Sole Proprietorship, the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1181 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION from Director Department of Public Works & Engineering to approve refund to **HERMANN HOSPITAL ESTATE**, 6411 Fannin for Water & Sewer Account - \$57,333.38 Enterprise Water & Sewer Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1096 ADOPTED.

ACCEPT WORK

3. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$11,049,307.00 and acceptance of work on contract with **SPAWGLASS CONSTRUCTION CORPORATION** for ISEP Terminal D remodeling and Upgrades/Vertical Circulation Upgrades in APM Stations at George Bush Intercontinental Airport/Houston (IAH) Project No. 500G, CIP A-0483 and A-0354 - 03.65% under the original contract amount - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Quan absent.

Council Member Galloway stated that she wanted to note that the contractor well exceed their goal on MWBE participation as well as finishing 3.65 under the original contractor amount, that they did outstanding and wanted to applaud them. Council Member Quan absent.

A vote was called on Item No. 3. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1096 ADOPTED.

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$252,557.92 and acceptance of work on contract with **SUMCO, INC** for Aron Ledet Park, GFS F-504B-19-3 - 03.51% over the original contract amount - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Quan absent.

Council Member Galloway stated that she wanted to note that she wanted to thank the Ledet Family for donating the land for the park. Council Member Quan absent.

A vote was called on Item No. 4. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1097 ADOPTED

PURCHASING AND TABULATION OF BIDS

5. **VINDICATOR TECHNOLOGIES, INC/HONEYWELL** for Surveillance Systems from the State of Texas Building and Procurement Commission's contract through the State of Texas Cooperative Purchasing Program for the Houston Airport System - \$3,511,371.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Quan absent.

Council Member Berry stated that he wanted to note that the funds for the project were grant funds and hoped they would continue to aggressively seek those funds because it was hard to self finance those projects, and secondly the item came before the TIA Committee and they got a pretty thorough vetting of it and he would like to thank the Airport group for that, it was very helpful. Council Member Quan absent.

Council Member Garcia stated that he wanted to commend Mr. Mancuso for his work on the item, that he talked to him at length about it, that it was going to be good for the Aviation

Department, but his only question was that he did not see anywhere in the backup that there was any type of MWBE goal attached to the item and was there any opportunity for it or were there any particular rules that applied to the item.

Council Member Garcia moved to postpone Item No. 5 until the end of the agenda, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1099 ADOPTED.

9. **RCC CONSULTANTS, INC** for Consulting Services through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Mayor's Office of Public Safety and Homeland Security - \$331,743.72 - Grant Fund - was presented. Council Member Quan absent.

Council Member Garcia stated that he wanted to thank the administration for moving on the item, that it was one of his budget amendments and he wanted to make sure that the particular report that they would be getting would also provide recommendations on funding, how to fund their radio system, because in the RCA it was going to cost them somewhere in the vicinity of \$150 million to get the police and firefighters radio systems up to par, and Mayor White stated that it would be report to Council, that the numbers were very high on the stuff and that was also one of the reasons they would be discussing it, that he did not want to spend any more money than they needed. Council Member Quan absent.

Council Member Sekula-Gibbs stated that she was interested in the project and would like to support what Council Member Garcia was saying, that she too was surprised when the experts in the field inform her that it was going to cost over \$100 million, possibly \$150 million, to make their systems compatible, that it seemed unbelievably high, that she thought they should question the rationale behind that and make sure that with advances in technology that there were not ways to reduce that cost. Council Member Quan absent.

A vote was called on Item No. 9. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1100 ADOPTED.

10. **PENCCO, INC** for Chemical, Liquid Ferrous Iron Solution Contract for Department of Public Works & Engineering - \$3,580,672.46 - Enterprise Fund – was presented, and tagged by Council Member Khan. Council Member Quan absent.

Council Member Galloway stated that she would add her tag to the item, that she had some questions that pertained to the MWBE goals that were set and how they came about, that she was also noticing the bayou and wanted some information on that also. Council Member Quan absent.

Council Member Green requested that his tag be added to Item No. 10 also. Council Member Quan absent.

ORDINANCES

14. **ORDINANCE AMENDING ARTICLE IX OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parades – was presented, and tagged by Council Member Wiseman. Council Member Quan absent.

Council Member Goldberg stated that he wanted to make an amendment and asked if Council Member Wiseman would release her tag so he could make the amendment, and Council Member Wiseman stated that she would release her item, but would tag both items. Council Member Quan absent.

Council Member Goldberg stated that it was just one amendment, that they had met with

several groups and it was their major concern, that right now the Parade Ordinance allowed 25 intersections to be tied up for a parade, that would remain the same, it did not change, but what they had said was if they wanted to tie up more than 10 they would have to pay for it, the city would give them 10 for free, but more than 10 would be \$1,000 per intersection, that they understood their concern so his amendment would raise it from 10 to 15 intersections, and after 15 intersections the parade would have to pay \$1,000 per intersection, that was the only amendment he wanted to make at this time, seconded by Council Member Ellis. Council Member Quan absent.

INSERT AMENDMENT.

Council Member Wiseman stated that she would tag Council Member Goldberg's written motion to amend Item No. 14. Council Member Quan absent.

Upon questions by Council Member Garcia, Council Member Goldberg stated that it used to be that they had to provide insurance on the day they applied, which was one year in advance for most parades, that most parades did not have insurance a year before, they had to pay for it and get it, but what they were saying was that they could apply and their application was considered complete, even though they had shown them the insurance, but as long as they showed them the insurance 30 days before the day of the event they were okay, so in that respect it was conditional until 30 days before and they showed the insurance, if they did not have the insurance 30 days before they were out so in essence their application would be denied, that he would be glad to meet with Council Member Garcia to discuss it. Council Member Quan absent.

Upon questions by Council Member Berry, Council Member Goldberg stated that the ordinance would take effect January 1, 2006, and that meant that it really would not affect any parades that had already been applied for, if they had already applied for their parade they could not make the ordinance retroactive, so any parades they could apply for them a year in advance, so technically all parades a year from now were not going to change, that it would take effect in 2006 so essentially it would affect every parade in 2007. Council Member Quan absent.

After further discussion Council Member Wiseman stated that she would tag Council Member Goldberg's amendment and Item No. 14. Council Member Quan absent.

15. ORDINANCE canvassing the returns of the City of Houston General Election held on November 8, 2005; making various findings and provisions related to the subject; declaring the Official Results of the General Election – was presented. Council Member Quan absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Anna Russell, City Secretary, stated that she was not sure about the mail ballots, she knew that the County was analyzing and adding to the vote, the provisional ballots that were received until late in the evening and gave them a return, that she assumed they had been since it was a final.

Council Member Sekula-Gibbs moved to postpone Item No. 15 until the end of the agenda, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1101 ADOPTED.

27. ORDINANCE approving and authorizing contract between the City, the **HOUSTON MUNICIPAL ART FOUNDATION**, and **S.A.T., INC** for Professional Conservation and Restoration Services for the Treatment of the Mahatma Gandhi Sculpture; allocating \$5,500 from the Parks Civic Art Appropriation Project #F-0510, (CIP# F-0510) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1256 ADOPTED.

28. ORDINANCE approving and authorizing contract between the City and **S.A.T., INC** for Professional Conservation and Restoration Services for the Treatment of the Artworks Points of View, Four Gargoyle Heads, and Enameled Photographic Plaques, allocating \$62,500 from the Parks Civic Art Appropriation, Project #F-0510, CIP F-0510 - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1257 ADOPTED.
29. ORDINANCE appropriating \$1,000,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 3 to contract between the City of Houston and **OTHON, INC** for Professional Construction Management Services in connection with certain construction projects of the Houston Airport System (Project No. 572A; CIP A-0429) – was presented, and tagged by Council Member Galloway. (Note: Council Member Galloway released her tag later in the meeting.) Council Member Quan absent.
33. ORDINANCE approving and authorizing interlocal agreement between the City and the **HARRIS COUNTY HOSPITAL DISTRICT** to Facilitate Continuity of Care and Optimize Health Services at La Nueva Casa De Amigos Health Center; providing a maximum contract amount - 5 Years \$1,000,000.00 - General Fund - **DISTRICT H – GARCIA** – was presented, and tagged by Council Member Sekula-Gibbs. Council Member Quan absent.
34. ORDINANCE approving and authorizing lease agreement between the **UNIVERSITY OF HOUSTON**, as tenant, and the City of Houston, as landlord, for the purpose of having the University of Houston College of Optometry offer Primary Eye Care Services at the La Nueva Casa De Amigos Health Center - **DISTRICT H – GARCIA** – was presented, and tagged by Council Member Sekula-Gibbs.

After discussion by Council Members, Council Member Sekula-Gibbs stated that she had questions regarding the contract with the University of Houston. Council Member Quan absent.

Council Member Goldberg stated that they had the Second Grade Class from Colter Elementary in the audience along with their teachers and asked that they stand and be recognized. Council Member Quan absent.

Council Member Garcia moved to suspend the rules to consider Item No. 5 at this time, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1102 ADOPTED.

5. **VINDICATOR TECHNOLOGIES, INC/HONEYWELL** for Surveillance Systems from the State of Texas Building and Procurement Commission's contract through the State of Texas Cooperative Purchasing Program for the Houston Airport System - \$3,511,371.00 - Grant Fund – was again before Council, previously moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Quan absent. MOTION 2005-1103 ADOPTED.

Council Member Galloway stated that she would release her tag on Item No. 29 and moved to consider Item No. 29 at this time, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1104 ADOPTED.

29. ORDINANCE appropriating \$1,000,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 3 to contract between the City of Houston and **OTHON, INC** for Professional Construction Management Services in connection with certain construction projects of the Houston Airport System (Project No. 572A; CIP A-0429) – was again before Council. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2005-1258 ADOPTED.

35. ORDINANCE approving and authorizing thirteenth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to extend the contract and provide additional funding in the amount of \$754,271.00 from the Community Development Block Grant Program for Administration of a Child Care Program – was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2005-1259 ADOPTED.
37. ORDINANCE approving and authorizing fourteenth contract amendment between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to extend the contract and provide additional funding in the amount of \$649,539.00 from the Community Development Block Grant Program for Administration of a Juvenile Delinquency Prevention Program – was presented. All voting aye. Nays none. Council Members Goldberg and Quan absent. ORDINANCE 2005-1260 ADOPTED.
38. ORDINANCE appropriating \$262,719.00 out of Public Library Consolidated Construction Fund as an additional appropriation and approving and authorizing Change Order Number 24 to contract (Contract Number C51012) between the City of Houston and **JOHNSON CONTROLS, INC** for Energy Management and Maintenance Services for the Library Department, CIP E-0159-01-3 **DISTRICT I - ALVARADO** – was presented, and tagged by Council Member Green. Council Members Goldberg and Quan absent.
40. ORDINANCE awarding construction contract to **BIG STATE EXCAVATION, INC** for Construction of Water, Sanitary Sewer Systems to serve Village of Oak Forest Subdivision; approving and authorizing an assignment of the construction contract to **THIS NEW HOUSE LLC**, CIP S-0800-G8-3 and R-0800-G8-3 (DPC-093) - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1261 ADOPTED.
41. ORDINANCE appropriating \$735,650.00 out of Drainage Improvement Commercial Paper Series F Fund and approving and authorizing Professional Construction Management and Inspection Services contract between the City of Houston and **ATSER, LP** for Construction Management and Inspection Services associated with Kirby Drive Storm Sewer Project - Segment 2, Dorrington Street to Swift Boulevard, CIP M-0771-02-3 (SM5044-02) - **DISTRICT C – GOLDBERG** – was presented. Council Member Quan absent.

Council Member Goldberg stated that Item No. 41 was for construction management on a contractor that they just voted on last week, that he had some problems and tagged the item, that on a neighborhood street reconstruction project, the driveways were completed, the contractor, for some reason, he thought it was not done right the first time, tore out the driveways and put in new driveways, that there was only one problem, they would tear out the driveway with the car still parked there and the owner not even knowing about it, they poured in a new driveway with the owner gone and then the owner would drive up on the driveway and would not realize it was soft fresh concrete, no notice, no warning, no nothing, all over the neighborhood and they awarded the contract last week to the contractor, that they called Public Works and had not really gotten an answer, that they were going to have to do the driveways again, that before it was officially awarded to the contractor he would like to get some questions answered and maybe they needed to think about awarding the contract to that project, that he did not have a problem with the construction management, as a matter of fact he thought they did it in house for the City, but it was the same project, and Mayor White stated that they would follow up. Council Member Quan absent.

A vote was called on Item No. 41. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1262 ADOPTED.

42. ORDINANCE appropriating \$14,000.00 out of Public Health Consolidated Construction

Fund for payment to **ARROW SERVICES, INC** for Environmental Services and \$187,422.00 out of Public Health Consolidated Construction Fund as an additional appropriation under contract with **CHARTER ROOFING COMPANY, INC** for Roof Repair Services for the Department of Health and Human Services, CIP H-0018 - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Members Sekula-Gibbs and Green. Council Member Quan absent.

45. ORDINANCE No. 2005-1197, passed second reading November 9, 2005
ORDINANCE granting to **J. D. MANUFACTURING, INC dba ARROW WASTE**, a Texas Corporation, the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1197 ADOPTED THIRD AND FINAL READING IN FULL.
46. ORDINANCE No. 2005-1198, passed second reading November 9, 2005
ORDINANCE granting to **DINA INDUSTRIES, INC**, a Texas Corporation, the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1198 ADOPTED THIRD AND FINAL READING IN FULL.

NON CONSENT AGENDA - NUMBERS 47 and 48

PROPERTY

47. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jennifer McStay, on behalf of the Museum of Fine Arts Houston (Gwendolyn Goffe, associate director), for abandonment and sale of Bartlett Street, from Montrose Boulevard to Roseland Street, in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, located within the N. P. Turner Addition, Parcels SY6-010 and LY6-011 - **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICT C – GOLDBERG** – was presented.

Council Member Goldberg named Mr. Robert Hutchings and Mr. Thomas Edmonds, Jr. as appraisers and as alternate appraiser, Mr. Albert Allen, and moved adoption of the recommendation, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1105 ADOPTED.

48. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Rudy Bruhns of Joseph Chernow and Rudy Bruhns Greater Houston Transportation Company (d.b.a. Yellow Cab), on behalf of Victoria Harter and the Phyllis Spisak Family Educational Trust, John J. Harter, Trustee, for abandonment and sale of Terry Street, from Orr Street to Hays Street, in exchange for the conveyance to the City of a full-width utility easement, located within Hamblin's Extension of Ryon Addition, Parcels SY6-024 and VY6-008 - **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICT H – GARCIA** - was presented. Council Member Quan absent.

Council Member Garcia named Mr. Frank Flores and Mr. John Fox as appraisers and as alternate appraiser, Mr. Patrick O'Conner, and moved adoption of the recommendation, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1106 ADOPTED.

MATTERS HELD - NUMBERS 53 through 60

53. ORDINANCE altering maximum prima facie speed limits in certain school zones in the City of Houston; making various findings and containing other provisions relating to the subject; declaring certain conduct to be unlawful and providing a penalty; providing for severability; containing a repealer; containing a savings clause – **(This was Item 30 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER KHAN)** – was presented. Council Member Quan absent.

Council Member Khan moved to divide the question to consider the Bellaire Blvd. separately, which was listed on Table 2, page 1, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1107 ADOPTED.

A vote was called on Item No. 53, excluding Bellaire Blvd. segments. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1263 ADOPTED.

Council Member Khan moved to postpone the section on Bellaire Blvd. for two weeks so they could have input from the community, the schools effected by it and the Public Works Department, seconded by Council Member Ellis. Council Member Quan absent.

Council Member Lawrence stated that as they talked to Public Works she would like to get some information about high schools where they put school zones up at and HISD as they looked at the question. Council Member Quan absent.

A vote was called on Council Member Khan's motion. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1108 ADOPTED.

54. ORDINANCE appropriating \$177,496.73 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Construction of Light Rail Transit System along Main Street and Fannin Street between Reliant Park and Downtown Houston, (N-0650-21-3 and N-0671-05-3) (SB9253), under construction contract with **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** (approved by Ordinance No. 00-1028); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; D - EDWARDS and I – ALVARADO** – **(This was Item 40 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. Council Member Quan absent.

Council Member Goldberg stated that he had tagged the item last week and had hoped that Metro would get back with him to answer some questions and they had not yet, but it was unrelated to Item No. 54 so he was not going to delay it but thought Metro needed to be more responsive to concerns of Council or at least let the Council Members know that they were looking for answers, and Mayor White requested that Ms. Stein and Mr. Soto would make sure that they got a follow up on it, that they would follow up on it. Council Member Quan absent.

A vote was called on item No. 54. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1264 ADOPTED.

55. ORDINANCE approving and authorizing contract between the City of Houston and **HEALTHCARE FOR THE HOMELESS-HOUSTON** to provide \$120,000.00 in Community Development Block Grant Funds for the Administration and Operation of Project Access, which offers Transportation Services to Homeless Individuals and Families seeking Health Care and Supportive Services – **(This was Item 46 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER EDWARDS)** – was presented. All voting aye. Nays none. Council Member Quan absent. ORDINANCE 2005-1265 ADOPTED.

56. ORDINANCE approving and adopting an Updated Ongoing Service and Assessment Plan for and on behalf of the Sharpstown Public Improvement District covering the period 2006 through 2010 pursuant to Chapter 372 of the Texas Local Government Code – **(This was Item 51 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER KHAN)** – was presented. Council Member Quan absent.

Mayor White asked the City Attorney if the item conformed with all of the changes that they had discussed and Ms. Stein stated that it did, and Mr. Michel stated that he believed that it did, and Mayor White stated that they were going into more supervision of the TRIZ and did not have the institutional capabilities to answer some basic questions about the TIRZ, if they found out that some things that they agreed were to be changed and were not changed, that there would be fair notice to the TIRZ and the Public Improvement District, that it was on the Municipal Channel and tape, then they would go back and change the budgets to the extent they legally could, but he did not have any reason to believe it was inconsistent. Council Member Quan absent.

Council Member Garcia stated that he appreciated all of the work Mayor White had put into the TIRZ along with Chairman Ellis, that he had been very focused to try and get some revenue that was on the table back for public safety, and asked if they would get some kind of report or analysis by virtue of the work done, what kind of redirection of revenues they had been able to create by virtue of the Mayor's work and that of the Chairman, on what they had been able to put back into the coffers for public safety, and Mayor White stated that on this they did allocate an amount for public safety under the Sharpstown TIRZ and Mr. Michel stated that yes they did but did not know what it was exactly but would find out, and Mayor White stated that they needed a report back and that there were at least three TIRZ that he knew where there was an allocation for public safety purposes, this one, Downtown Market Square and he believed East Downtown, all of which had special public safety needs and where it would reflect the priorities of those communities, that they needed to make sure that the language in the documents and the Police budget and F&A were reflecting those decisions which were made, that he would ask for a report back to him because it was new territory for the Director of F&A about what had been done to close the loop between what they decided to do and what they drafted and then Police budget. Council Member Quan absent.

Council Member Ellis stated that he did not read through everything with regard to their budget but did know historically it was created with the premise that they would hire additional police officers and pay for it through that public improvement district. Council Member Quan absent.

After further discussion Council Member Khan moved to postpone Item No. 56 for one week, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-1109 ADOPTED.

- 56a. ORDINANCE approving the Fiscal Year 2006 Budget for the Sharpstown Economic Development Authority on behalf of the Sharpstown Public Improvement District pursuant to Ordinance No. 2002-1077; appropriating \$324,000.00 out of Fund 928 (Sharpstown Public Improvement District Fund) for payment to the Sharpstown Economic Development Authority for expenditures consistent therewith - **DISTRICT F - KHAN** – **(This was Item 51A on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER KHAN)** – was presented. Council Member Quan absent.

Council Member Khan moved to postpone Item No. 56a for one week, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Quan and Berry absent. MOTION 2005-1110 ADOPTED.

57. ORDINANCE awarding contract to **ARAMARK CORRECTIONAL SERVICES, INC** for Jail Food Services for Police Department; providing a maximum contract amount - 3 Years

with two one-year options - \$3,239,075.00 - General Fund – **(This was Item 55 on Agenda of November 9, 2005, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. Council Members Quan and Berry absent.

Council Member Green moved to postpone Item No. 57 for one week, seconded by Council Member Galloway. All voting aye. Nays none. Council Members Quan and Berry absent. MOTION 2005-1111 ADOPTED.

60. ORDINANCE approving and authorizing contract between the City and **SMART CITY NETWORKS, L.P.** for Telecommunications Services at the George R. Brown Convention Center Revenue - **DISTRICT I - ALVARADO** – **(This was Item 80 on Agenda of November 9, 2005, POSTPONED BY MOTION #2005-1079)** – was presented. Council Members Galloway, Quan and Berry absent.

Council Member Ellis moved to postpone Item No. 60 for one week, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Galloway, Quan and Berry absent. MOTION 2005-1112 ADOPTED.

Item received during meeting.

25. ORDINANCE issuing permit to **EQUISTAR CHEMICALS, LP**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued **DISTRICTS B - GALLOWAY; E - WISEMAN and I – ALVARADO** – was presented, and tagged by Council Member Alvarado. Council Members Galloway, Quan and Berry absent.

Item postpone to end of agenda.

15. ORDINANCE canvassing the returns of the City of Houston General Election held on November 8, 2005; making various findings and provisions related to the subject; declaring the Official Results of the General Election – was again before Council. Council Members Galloway, Quan and Berry absent.

Council Member Sekula-Gibbs stated that Mr. Cheatham was able to provide answers to the questions that she had and he had stated that the mail ballots must arrive within five days of the election and that would have been Sunday, so all of the eligible mail ballots had been received, so she accepted the calling of Item No. 15. Council Members Galloway, Quan and Berry absent.

A vote was called on Item No. 15. All voting aye. Nays none. Council Members Galloway, Quan and Berry absent. ORDINANCE 2005-1266 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Wiseman stated that she wanted to give kudos to a Neighborhood Protection Inspector for going above and beyond the call of duty, Mr. Michael La Chappell, that he assisted an elderly and disabled resident of District E on November 3, 2005, that for the past several months her office had reported an overgrown easement behind the constituent's home and Inspector La Chappell took action and got together hand lawn mowers to provide the constituent an immediate resolution, they did it by cutting the easement behind her home within hours of the last request her office made to the various departments so she did want to give Mr. La Chappell her deepest gratitude, the constituent reported that she felt safer now and good see beyond her fence line. Council Members Galloway, Holm, Ellis, Quan and Berry absent.

Council Member Wiseman stated that she wanted to bring up a matter about some

overgrown weeds along Beamer ditch that was City property and she had some photos that would show very clearly the overgrown weeds, that her office had been trying to get it resolved for the constituents in the area, and would ask the administrations assistance in addressing the issue. Council Members Holm, Ellis, Quan and Berry absent.

Council Member Wiseman stated that she wanted to give her hearty congratulations to Mr. Fred Hayes, who was named the Texas High School Principal of the Year, that he was Principal at Clear Creek High School, that the award was presented by the Texas Association of Secondary School Principals. Council Members Holm, Ellis, Quan and Berry absent.

Council Member Galloway stated that she wanted to thank Mr. Stephen Williams, Building Services and Mr. Joe Turner for putting together the ground breaking ceremony for the Northeast Multi Purpose Center last week, they had a nice turnout and she was excited that the project was now coming to light, that the community had been waiting on the project and the multi purpose center for the entire six years that she had been on Council. Council Members Goldberg, Holm, Ellis, Quan and Berry absent.

Council Member Galloway stated that she wanted to thank Mr. Mike Marcotte for taking time to go to a constituent's home who had been dealing with a situation of her driveway where the City had torn it up and never replaced it and it had been going on for approximately six months, that he went to the constituent's home, saw what the problem was and now they were going to take care of it, that she wanted to thank him for getting involved and overseeing and making sure it got taken care of. Council Members Goldberg, Holm, Ellis, Quan and Berry absent.

Council Member Green stated that he wanted to congratulate all of the work that had been done by the Convention and Visitors Bureau as they go out and try to secure new and different conventions and festivals in the City, that unfortunately with all of the devastation in New Orleans many of those conventions had to have somewhere to go so certainly Houston stepped up to the plate to welcome visitors and he was especially excited about the 2006 Essence Music Festival, that it was a huge festival that went on for several days at a time and would bring in major notoriety to the City and it would also bring in a lot of visitors which would flow into hotel rooms. Council Members Galloway, Goldberg, Holm, Ellis, Quan and Berry absent.

Council Member Green stated that on Saturday the Houston Area Urban League Young Professionals Division would have a community service project at the Houston Food Bank at 3811 Eastex Freeway from 8:00 a.m. to 11:00 a.m. and volunteers were needed to sort and categorize food items for distribution, that if they would like to volunteer they could call 713-547-8609. Council Members Galloway, Goldberg, Holm, Quan and Berry absent.

Council Member Edwards stated that on Item No. 58 there was still a correction, it was not in District D, it was District I, and she wanted to thank Council Member Alvarado for her leadership in that area and for allowing their office to work with her full and completely on that issue, that she wanted to thank her colleagues for passing that item today. Council Members Galloway, Goldberg, Holm, Quan absent.

Council Member Edwards stated that she wanted to congratulate Mr. Jordy Tollet and Ms. Dawn Ullrich in their efforts not only in the Essence Festival but for the Bayou Classic that would be coming to Houston and all the things that were happening, that it was going to be an exciting year for the City and she was looking forward to the challenges and the opportunities; that she was really concerned about what would happen to the Katrina evacuees and hoped that the Mayor's positioning with FEMA would hold true and everything would work out okay, that she was going to step out on faith on that, that she really would like to have a clear analysis of what was going on, that she read in the paper about how Katrina evacuees that were in Dallas, El Paso, San Antonio or Atlanta were moving to Houston because they got a better deal, that she had no way of know how to validate that information, so if anyone in the Mayor's office could

help her with that she would appreciate it. Council Members Galloway, Goldberg, Holm, Ellis, Quan and Green absent.

Council Member Edwards stated that as a district Council Member they worked very hard and passionately with their constituents regarding issues in their district and knew when Council Member Ellis had an issue regarding contractors that had back taxes, it was well known and he talked about it and said he was going to be checking every contract and they knew what the deal was, if there were any people who had issues with items on the agenda, especially issues that were long standing in a district, if they would contact their office they would be more than happy to work with them to give them any information that was necessary, that she would really appreciate it for the District D office, when the agenda came out if they had a problem with anything that was listed as a District D item they were there and were willing to answer any questions. Council Members Galloway, Goldberg, Holm, Quan and Green absent.

Council Member Lawrence stated that Ms. Kathleen Ownby was in the audience and they were looking forward to the Sparks Park dedication in District A on Friday, that the parks were wonderful and they had a calendar today that was being passed out and she knew the kids in all the different Sparks Parks would be looking forward to the various parks that continued to open throughout different school systems. Council Members Galloway, Goldberg, Holm, Quan and Green absent.

Council Member Lawrence stated that she wanted to thank the Public Works and Engineering Department, Legal Department and the Planning Department that worked with their office on the Southford Street issue, that back in 1995 Mr. Mike O'Brien, Houston Homeowners Association, tried to get Chapter 42 changed, notification, that Jennifer and Marleen were moving forward in Planning to get those changes, they had gone to committees and talked about the notification and the problems with Chapter 42 right now but Robert De Shirley and Gary Shots really stepped up and they made some progress there to help those existing neighborhoods out in the quality of life, that she was looking forward to that happening to make some further changes that were needed in Chapter 42. Council Members Galloway, Goldberg, Wiseman, Holm, Quan and Green absent.

Council Member Lawrence stated that they had a tremendous amount of eight liners, gambling situations in District A and vice was cut to the bones and there were not enough officers there to do all the things, that they were able to get the State's Controller's office and a particular officer, Duke Atkins, involved in their district to help out, that in about 6 hours they wrote some 330 some odd tickets, that the eight liner places that they had closed down those customers had gone to another one this weekend and created another problem, that it was becoming a big problem and they had met with F&A and talked about redoing some of the permitting, that a lot of it needed to be looked at because she thought it was going to continue to become a larger problem than what it was now. Council Members Galloway, Goldberg, Wiseman, Holm, Quan and Green absent.

Council Member Garcia stated that as to the eight liners, they had been working on trying to improve some inspection and enforcement of those and North Command just seized 75 eight liner machines in his district as well, that it was an issue and the folks over in the east side had also been complaining about those situations as well. Council Members Galloway, Goldberg, Holm, Quan and Green absent.

Council Member Garcia stated that he wanted to thank all those involved with the Lyons Avenue Health Clinic, that it was going to open and they were going to have a nice celebration this evening, that the clinic served both District I and District H and served a very special role during their efforts during Hurricane Rita and Katrina, that he was proud of Mr. Williams and the work that he had been doing. Council Members Galloway, Goldberg, Wiseman, Holm, Quan and Green absent.

Council Member Garcia stated that tomorrow they would be holding the Near Northside Healthy Community Partnership, it was the initiative that he had been mentioning that his office and the Health Department put in place about a week into Mr. Williams arrival in Houston, that it had been a very time intensive project because they took health care seriously in their district and had been working very closely with those agencies in their district creating a great deal of community input in their district and understanding the priorities to improve health care delivery in their district and Mr. Williams had been working hand in hand with him and his staff and the non profits that did health care delivery in his district. Council Members Galloway, Goldberg, Wiseman, Holm, Quan and Green absent.

Council Member Garcia stated that other colleagues at the table had come to him whenever they had questions about respective issues and had sought his input and insight about what had been going on on projects that affected his district and if someone had a question they could call him. Council Members Galloway, Goldberg, Wiseman, Holm, Quan and Green absent.

Council Member Garcia stated that tonight there was another exciting event, Mexico versus Bulgaria, an exhibition match at Reliant Stadium, so for the soccer fans it was going to be an exciting time, that the last time they had an exhibition match they had about 40,000 people at the soccer game in the middle week, so soccer was destined for Houston, that it was great that they continued to have the world class events in Houston and demonstrated how destined soccer was for Houston. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Garcia stated that on Sunday it was the Texans versus the Kansas City Chiefs. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Alvarado stated that they would celebrate Spark Park Week and she had participated on several of the ceremonies and wanted to thank Kathleen Ownby who was in the audience, that she and her staff really did a good job of pulling it all together with the schools, private sector and the County, that she wanted to recognize former Council Member Eleanor Tinsley, who started the Spark Parks over 20 years ago and they now had 180 Spark Parks in the City. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Alvarado stated that they received so much attention during Katrina and Fox News had an article, and the Convention and Entertainment Facility Department put it out and they quoted that the George R. Brown Convention Center was so clean that they could eat off the floor and the service appeared to be top notch, that she wanted to congratulate the staff at C&E for that. Council Members Galloway, Wiseman, Quan and Green absent.

Council Member Alvarado stated that she wanted to thank the Blue Cross Blue Shield Care Van, as they recognized that they had a high number of children that were not immunized in their communities, they partnered with them and brought the immunization clinics to the churches, recognizing that some folks in her district may not feel comfortable going to public clinics, but would feel comfortable going to churches, that they immunized several hundred kids at 5 churches in their district and it went very well, better than expected, and they were going to continue and expand the immunization clinics through the district. Council Members Galloway, Wiseman, Quan, Green and Berry absent.

Council Member Alvarado stated that as District Council Members they all worked on the very most grass root level, going to their civic clubs and very intoned with what the issues were and welcome input from all of their colleagues, but she thought there had always been kind of a general agreement at the table that when there was an issue that they had and it was in somebody's Council district, common courtesy, notification, warning, she thought was the very least that they asked for, especially if it was a project that had been in the works for a couple of years, as they saw today with Shape Community Center and as Council Member Garcia pointed

out with his projects regarding the health clinics in his district, that they all welcomed input and suggestions but at the very least common courtesy was to notify District Council Members when they had an issue in their districts, they were all more than willing to respond, answer and accommodate, that was all they asked for because at the end of the day they were all working toward the same goal and that was to make life better for the people that they all represented. Council Members Galloway, Wiseman, Quan, Green and Berry absent.

Council Member Holm stated that Ms. Whitney Bowls who had been a part of District G for three years and a committed public servant and a committed part of their team had accepted a new challenge and was no longer with their staff and Ms. Nancy Brewer, who had been long on the Council floor and had served previously as Chief of Staff for other Council Members would be the Chief of Staff for District G. Council Members Galloway, Wiseman, Quan and Green absent.

Council Member Sekula-Gibbs stated that she tagged the Shape item last week because the item came to Council suddenly and appeared on an agenda that did not allow it time to go through the typical community and neighbors meeting that they would have and did not allow her time to really review the actual awarding of almost \$1 million and it was inappropriate to ask At Large Council Members to just turn a blind eye to matters that had high budget item numbers and did not have sufficient backup, that it was a serious matter and she asked for information and what she got was resistance on the part of the District Council and she did not understand that, and she still thought it was unusual to have such resistance, that she repeatedly asked questions of the department regarding why the Shape budget grew, actually more than doubled, since the item was initiated, she asked questions about why the community match disappeared, it was basically waived away, there was a lack of information and she thought that constituted the reason that the item was bouncing around for over 10 years, that did not make it look more credible, it made it look less credible, unanswered questions about unpaid taxes and ongoing financial difficulties were serious and they deserved evaluation on the part of the District as well as At Large Council Members, that she believed in a transparent process and believed that it had not been a sufficiently transparent process, the item was not in the consolidated plan and was not reviewed by the Neighborhood and Redevelopment Committee. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate the Deer Park Volleyball Team, women's volleyball, they beat the Clear Creek Women's Volleyball Team in the Region AAA Finals last Saturday and were moving on into their tournament on Friday facing Arlington Marlin and she wished them the very best. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Sekula-Gibbs stated that complimenting what had already been said about major league soccer, they did have an opportunity thanks to the enthusiasm of the community in supporting major league soccer of actually bringing a major league soccer team to Houston and it had been advanced by the work of the Sports Authority. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Sekula-Gibbs stated that everyone who drives knew that they had to have car insurance and unfortunately there were still people who did not participate fully in the program of buying car insurance, there was a law that was rolling out that was instituted by Senator Todd Staples, Palestine, that it would be establishing a registry that would track the insurance coverage for people who drove in the State of Texas and was an attempt to reduce the one in four drivers who did not have liability insurance currently. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Sekula-Gibbs stated that she had an item that she would like to have the City Legal Department support an evaluation on, that for the last many months the Clear Lake Community had expressed serious concerns about the status of the Clear Lake Golf Course

and residents wanted to maintain the green space at the golf course with it's attended mitigation on flooding while the owner of the property had expressed the desire to develop the property, however deed restrictions were in place that prevented such development until the year 2021, that on November 10, 2005 the Clear Lake City Water Authority passed a resolution, that she would give a copy to City Legal, that had stated that they were taking steps and directing their staff and consultants to establish detention facilities that would be necessary for mitigation of flooding and it could include acquisition of sufficient lands by eminent domain, that the reason that it was of interest for them as a City was that some of the land that they may be looking at to place detention in was not only the golf course but also land near Ellington Field, so she would like to take the opportunity to ask City Legal to evaluate the resolution that was passed and to work with the community in their efforts to mitigate flooding and do it with some expeditiously because she understood that the golf course had recently been closed. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Mayor White stated that they had worked with Council Member Wiseman and civic groups and had gotten assurances from the holder of that and they would take a look at it, and Mr. Michel stated that he would coordinate with Public Works. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Khan stated that he wanted to congratulate Officer Sidiqui, who was in Europe, he was invited by the State Department to go to Europe and meet with other law enforcement officers. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Council Member Khan stated that he wanted to congratulate Alief Hastings High School for winning the last football game of the season and returning to the playoffs. Council Members Galloway, Wiseman, Holm, Garcia, Quan and Green absent.

Council Member Khan stated that as to the school zone he had a suggestion that whenever they changed the speed limit in and around the school zones they should let the school know the changes that were coming. Council Members Galloway, Wiseman, Holm, Garcia, Quan and Green absent.

Council Member Khan stated that he wanted to thank Mr. Michel for being present at the townhall meeting called by Representative Hubert Woo regarding the landfill where there was a development coming for about 700 plus houses. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Quan and Green absent.

Council Member Khan stated that regarding Carnival Nightclub, in the Housing Committee meeting yesterday there was a presentation made by the developer, that they called it a concert hall instead of a nightclub, and he told them yesterday that with the exception of the nightclub he was in full support of the development. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he wanted to make sure some of them were briefed on the issue so they could take a look at what all their alternatives were on it within the next two weeks. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that Ms. Tamara Jones was now working for the Mayor of Atlanta, and she wanted to announce that Ms. Karen Heller of their office was being promoted to Chief of Staff of District D. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that Mr. Gary Norman, Public Works, did a wonderful job, they did not hear their complaint or Mr. Marcotte did not hear their complaints because they took them directly to Gary and he got them resolved, and he wanted to say thank you; that he

continued to think that Ms. Marleen Gafrick was probably the best appointment that the Mayor had made because she was a real pleasure to work with; that Mr. Bobby Oakes never bends the law or never does anything he was not supposed to do but even if he was having to tell someone no he explains why the rule was, that he did a very nice job and kept a lot of heat off of the Council Members. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Goldberg stated that the reimbursements that they got from FEMA were all for Hurricane Katrina, but they did have expenses for Hurricane Rita and wanted to know if Mayor White could address if FEMA was going to reimburse the City for Hurricane Rita, and Mayor White stated that Ms. Stein would make sure they got a report about the Rita Project Worksheets and they would share that with Council Members.

There being no further business before Council, the City Council adjourned at 11:19 a.m. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary