

City Council Chamber, City Hall, Tuesday, December 13, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 13, 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; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Mr. Xavier Herrera Citizens Assistance Office; Ms. Marty Stein, Agenda Director, Mr. Jose Soto, Assistant Agenda Director present.

At 1:44 p.m. Mayor White called on Council Member Edwards to begin the presentations; and Council Member Edwards invited those present with the Bravo Awards to the podium and presented a Bravo Award to Officer Lawrence Chamberlain of the Police Department, Captain Russell Harris of the Fire Department and Ms. Ercilia Lopez of Health and Human Services Department recognizing their extraordinary service to the city and community; for going beyond their job descriptions, sometimes under adverse or even dangerous conditions. Council Member Wiseman absent.

Council Member Edwards invited those present with the High School for the Performing Arts to the podium and stated that she was proud to recognize a school of District D, all could be proud as for the past 35 years High School for the Performing Arts had been perfect and graduates were accepted to some of the most prestigious schools in the world; and Mayor White presented a Proclamation to them proclaiming December 13, 2005, as "High School for the Performing and Visual Arts Day" in Houston, Texas.

A spokesperson for the group stated that they were able to stay in service because of all the support from the Alumni, Mayor, Council, students, etc., they were proud to be a part of the art scene as well as the education scene.

Council Member Berry stated that today there was a very unique young man who was an inspiration to all and invited Mr. Steven Smith to the podium. Council Member Berry stated that three years ago when he was four years old he decided to raise money for the Salvation Army to give to those less fortunate and now this had blossomed into a huge project; that the Salvation Army believed him to be the youngest philanthropist to aid their organization and showed the difference even the youngest person could make; and they presented him with presents his office and Council Member Holm's office had bought to help; and Mayor White presented Steven with a Proclamation proclaiming December 13, 2005, as "Steven Smith Day" in Houston, Texas. Steven thanked all for the recognition; and upon questions by Council Member Holm, stated that he had raised money for three years; and this year began collecting since Halloween; that he had raised about 54 toys and \$920.00; and if anyone wanted to help they could send toys, a check or canned goods to the Salvation Army.

Council Member Alvarado invited Director Lawson, Houston Public Library and others to the podium and stated that she was pleased to present a check from the City of Houston's birthday party to the board of directors for the Library Department; that hopefully it would go toward renovations of the central library; and presented a \$165,000.00 check; and Director Lawson thanked them and stated that it would be used for the renovation of the Central Library, the Flagship facility.

At 2:12 p.m. Mayor Pro Tem Alvarado called the meeting to order and called on Council Member Ellis who led all in prayer and pledge. Mayor White absent. Mayor Pro Tem Alvarado presiding.

At 2:13 p.m. the City Secretary called the roll. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Council Members Khan and Sekula-Gibbs moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor White, Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION ADOPTED.

Mayor Pro Tem Alvarado stated that there were many public speakers and she would remind all that today was the public session and Council Members had five minutes collectively to speak per speaker. Mayor White, Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Kelly McNeil, 16825 Northchase, Houston, Texas 77060 (281-875-7813) appeared and stated that she was a property manager with Heinz and chair of the legislative committee with the Building Owners and Managers Association (BOMA) and present asking for Council's support on amending Chapter 33 of the City of Houston Code of Ordinances to include notification to building owners in the event someone requested a copy of the building plans and specifications; that information in the wrong hands could put all in danger and since 9/11 they would like it considered; that Public Works was confident they could handle the process and it would be available to those who wanted to participate for a \$50.00 fee. Mayor White, Council Members Khan, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Quan, Ms. McNeil stated that it would be voluntary participation among building owners; and Council Member Quan stated that he wanted to make sure privacy rights were respected; and upon further questions, Ms. McNeil stated that their legislative committee worked with the safety committee along with Public Works. Council Member Garcia absent.

Upon questions by Council Member Edwards, Ms. McNeil stated that this would notify the building owner anytime plans were requested which was a part of the city; that someone could still get plans if they went to the architectural firm or building owner, but not through public access; and Council Member Edwards stated that she appreciated what they were trying to accomplish, but she was not sure they would get it done, especially if it was volunteer; and though she understood what they were trying to do Tim McVey did not have plans and people who flew planes into the building did not have them so she was not sure what this would accomplish. Council Member Garcia absent.

Council Member Khan moved that the rules be suspended for the purpose of hearing Mr. Fred Bhandara and Mr. Alamdar Hamdani out of order and add Pastor Nicolle Sanders to the list of speakers, seconded by Council Member Ellis. Council Members Edwards and Lawrence voting no. Balance of Council Members voting aye. Council Members Galloway and Garcia absent. MOTION 2005-1191 ADOPTED.

Mr. Bart Womack, 1617 Fannie, Houston, Texas 77023 (832-236-5671) appeared and stated that he was present to speak on the \$400,000.00 appropriated funding which was to go to Houston Media Source to continue operating; that as a first amendment activist he applauded Mayor White's dedication to Houston Media Source and his expenditure of political capital in keeping them running he could not applaud or approve his attempt to take the money and channel it to specific cultural institutions in the city; that he applauded the Mayor's vision in trying to get more cultural arts programming on Houston Media Source, but there were other ways to do it. Council Members Lawrence, Alvarado and Garcia absent.

Council Member Berry stated that a number of Council Members agreed with the direction the Mayor had taken and he hoped he continued to stay involved. Council Members Lawrence, Alvarado and Garcia absent.

Mayor White stated that on a point of personal privilege today they were honored to have present managers from airports in China and asked them to stand to be recognized. Council Members Alvarado and Garcia absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that the Harris County AFLCIO stood in firm opposition to the proposed resolution offered by Council Member Ellis and supported by some Council Members; that they were in support of the current Police Department policy on immigration and they supported Mayor White's continued support of the policy; that police were to protect and serve all and could not if some were afraid to report to them; and on tax payer provided services and denying undocumented immigrants access to them they all paid taxes and were entitled to all services. Council Members Alvarado and Garcia absent.

Upon questions by Council Member Ellis, Mr. Shaw stated that they were in favor of the policy as it now stood. Council Member Garcia absent.

Upon questions by Council Member Edwards, Mr. Shaw stated that personally he would disagree that all be required to carry papers determining if they were citizens. Council Member Garcia absent.

Sister Jane Abell, 6501 Almeda Road, Houston, Texas 77021 (713-747-3310) appeared and stated that she was present in support of the current police policy which prevented local police from enforcing federal immigration law; that it was possible reversal of the policy could risk racial or ethnic discrimination; that also access of basic social services regardless of immigration status should be continued, if it were not while all were at risk the children and women could be particularly vulnerable. Council Member Garcia absent.

Ms. Sissy Farenthold, 2929 Buffalo Speedway, Houston, Texas 77098 (713-621-5608) appeared and stated that she would urge Council to continue Rule 500-05 of the Houston Police Department; that she had not seen it, but felt it preferable at this time. Council Member Garcia absent.

Council Member Quan stated that the status of the rule said the city would cooperate with immigration if requested to do so; that they were not against the immigration service and would honor requests, but not simply because people were a different color or because they committed a traffic violation of a minor type they would not make inquiry into their immigration status; and Ms. Farenthold stated that she did not think Houston ever had sanctuary; and Council Member Quan stated that he concurred. Council Member Garcia absent.

Mr. Fred Bhandara, 6060 Richmond Avenue #380, Houston, Texas 77057 (713-952-5555) appeared and stated that he was owner of the Catalina Apartments and was present to speak about crimes; that they were experiencing uncontrollable and rising crime, in the past few weeks had aggravated assaults, attempted murder, vehicle violations, exchange of gun fire, aggravated robberies and had pictures of vandals masturbating in the children's playground area; that they tried to get information to compare post Katrina but were not allowed to get it; that they hired more security and since Katrina evacuees came the crimes were bolder and more violent and they desperately needed more police assistance. Council Members Goldberg and Garcia absent.

Mayor White stated that within the last 10 days he authorized a change within the police budget to allow an extra \$3,000,000.00 in overtime and part of that would be devoted to the Westside and he needed a status report by the end of the week in deployment of those squads; that secondly, the Administrator of FEMA committed to him on November 5, 2005, to come up with a formula so they could supplement public safety resources and he expected to see the gentleman this week and it was unacceptable..., at the time their direction was to incur overtime but use straight time, which really made a lot of sense when trying to save taxpayers money, but he did hear him and they were getting on it. Council Members Goldberg, Holm, Garcia and Ellis absent.

Council Member Khan stated that during Katrina and guests started coming into Houston there was a realization the two facilities being used could not house everyone and his office contacted Mr. Bhandara and requested that he make units available and without any questions or promises of payment he opened all his units; that when he went out Mr. Bhandara was himself working and helping and he thanked him for being a great citizen of this city and he would like Mr. Wilson to visit with him; and upon questions, Mr. Bhandara stated that crime was part of the neighborhood and even stepping up security in the apartments they could not stop crime at the front door; that one thing they wanted was to have the pay phones removed from their front to stop the drug dealings, but they did need focus and they had stepped up to help; and Council Member Khan stated that he understood crime had gone from bad to worse. Council Members Goldberg, Holm, Garcia and Ellis absent.

Mayor White stated that he was canceling some vacation to drive with officers around there and was asking the police representative present to take into account special services provided by the apartment complex, it was a serious situation and they would get on top of it. Council Members Goldberg, Holm, Garcia and Ellis absent.

Pastor Nicolle Sanders, who was previously added to the speakers list, appeared and stated that she had been working with the Catalina Apartment complex for almost four years now and her concern was with the attitude and response of police officers while over the past months crime had increased; that she too called the station to try and get what was necessary as they tried to do what they could. Council Members Goldberg and Garcia absent.

Council Member Lawrence stated that she felt they would be very pleased with their new captain, Captain Gurshner, and suggested they go speak with him about the Blue Star Program. Council Members Goldberg and Garcia absent.

Upon questions by Council Member Sekula-Gibbs, Mayor White stated that he authorized more money into the police budget without cutting services, but facts were there were serious problems on the west side and they requested FEMA establish a formula based on the national average or city average of classified officers per thousand for a period of time, but they could not rely on what was being said and needed a contract. Council Members Galloway, Goldberg, Edwards, Garcia and Ellis absent.

Mr. Alamdar Hamdani, 4834 McDermed, Houston, Texas 77035 (713-850-1579) appeared and stated that he was present opposing the proposal by Council Member Ellis; that his family had immigrated and on July 4, 2004, he raised his hand and took an oath and he was doing what he felt to be an American thing and opposing the ordinance; that he was also president of the South Asian American Bar Association and vice president of the North American South Asian Bar Association and was the first Muslim and first South Asian board member of the ACLU of Texas and he saw law enforcement tackle immigration and what troubled him was the proposed ordinance would give an open door to those not trained to ask questions; that also what was troubling and violated the U. S. Constitution was the part which prohibited city services to non citizens as it provided equal protection to all. Council Members Galloway, Goldberg and Holm absent.

Upon questions by Council Member Khan, Mr. Hamdani stated that what was unfortunate was when eyes looked at him differently and if the proposal passed instead of justice he felt you would get confusion and loss. Council Members Galloway, Goldberg, Holm and Berry absent.

Upon questions by Council Member Quan, Mr. Hamdani stated that police should catch criminals and being an illegal immigrant was not a criminal but a civil violation and best left to FBI and those trained; that the ACLU brought a lawsuit against the Department of Justice to get memorandums on the issue of police enforcing immigration laws and were embarrassed that at one point they had encouraged the kind of profiling involved that the proposed ordinance did seek to do; and Council Member Quan asked what happened in Katy, Texas and Arizona where

they had similar laws of setting up road blocks and checking immigration documents and arresting those they suspected of being undocumented; and Mr. Hamdani stated that what happened was you had a violation of equal protection where individuals because of the color of their skin or because of a bumper sticker could be pulled over and the courts ruled against them for violating their civil liberties. Council Members Galloway, Goldberg and Berry absent.

Upon questions by Council Member Edwards, Mr. Hamdani stated that they must be vigilant in abilities to keep away illegal immigrants, but also they should not be in the position of policing what the federal government did; that businesses every day were fined and challenged for hiring illegal immigrants and that was what the federal government did best, going after the individuals at the Department of Labor and he would be happy to follow-up with numbers for her. Council Members Galloway, Goldberg and Berry absent.

Ms. Mayra Figueroa, 6601 Hillcroft, Houston, Texas 77081 (713-271-9703) appeared and stated that she was part of the citizens police academy classes and joined because she wanted to understand what HPD was doing and she felt Council Member Ellis's proposed resolution would encourage racial profiling and undermine their ability to serve the community while making immigrants more vulnerable to abuse; and thanked HPD and City of Houston for a great job. Council Members Galloway, Goldberg and Berry absent.

Dr. Hardy Loe, 1844 Kipling, Houston, Texas 77098 (713-524-2682) appeared, presented information and stated that he was a public health physician and present in opposition to the proposal by Council Member Ellis; that there was nothing in it stating services would not be provided, but it was clear if anyone had to say they did not have a legal basis for living in this country it was a powerful deterrent for seeking the services or having them delivered and the denial of immunizations or detection or treatment for communicable diseases such as HIV, Tuberculosis, etc., threatened the health of those ill and those around them in society; that the Houston Chronicle had an 18 month study on the undocumented Houston Hispanic community and it characterized them as productive and as major contributors to local, state and federal taxes as well as to the economy. Council Members Galloway, Goldberg and Berry absent.

Council Member Sekula-Gibbs thanked Mr. Loe for his long career in public health and stated that she respected his work and the importance of providing public health whether you had papers or not; that it came out to balancing resources and the strain imposed on the healthcare system; and upon questions, Mr. Loe stated that he was impressed with the Chronicle's rendition of how it was paid for indirectly; that on the spot it was a drain, but the article said in the 1990s around \$190,000,000,000.00 went into social security and those people would never collect or claim it and while it did not go directly to the Harris County Hospital District it did represent a significant economic contribution to this country; and the offspring of people who were not documented seemed to have been legally decided and was not a matter of opinion, but his view was most contributed to society and trying to deal with it on this level would only produce chaos. Council Members Galloway, Goldberg, Khan, Holm, Garcia, Green and Berry absent.

Mr. Willis Taborn, 6139 Belarbor, Houston, Texas 77033 (713-733-1193) appeared and stated that he wanted to thank the Mayor and Council for doing a fine job for all living in Houston; that he had a judgment against one of the Mayor's top people in the office of Affirmative Action and had talked to Council Member Edwards's staff and Council Member Wiseman's staff and each time the individual would call and promise to pay but never did, so he hoped this would apply enough pressure to make them do the right thing. Council Members Galloway, Goldberg, Khan, Holm, Garcia and Green absent.

Upon questions by Mayor White, Mr. Taborn stated that he had a civil judgment against a city employee for a loan made; and Mayor White stated that they did not want city employees picked on or treated differently, but he was concerned if people had judgments pending and taxes not paid and they were in positions of public responsibility, it was an issue; and asked that

he pass the information on and he would get some guidance. Council Members Galloway, Goldberg, Khan, Holm and Garcia absent.

Mr. Joe Rubio, 2900 Louisiana, Houston, Texas 77006 (713-874-6657) appeared, presented information and stated that he brought a letter from the Mayor's Advisory Committee on Immigrant and Refugee Affairs (MACIRA) and they endorsed Mayor White's position to maintain and enforce the Houston Police Department's general order 500-05 which defined and restricted the role of police officers and the enforcement of immigration law; and encouraged the Mayor and Council to focus their influence on convincing the local congressional delegation to embrace and promote realistic and comprehensive immigration law reform to include securing borders, a broad-based legalization program, reform of family-based immigration system to allow family members to reunite, reform employment-based immigration system for work and restoration of due process protections. Council Members Lawrence, Galloway, Goldberg, Holm and Garcia absent.

Council Member Alvarado thanked Mr. Rubio for coming and sharing his and the committees thoughts and stated that she agreed with his comments; that immigration laws were complex and the only one at the Council table qualified to speak on them was Council Member Quan as he was an immigration lawyer and immigration officers went under weeks of intense training and it would be time and resources diverted from communities to train officers; that the resolution was not before Council and hopefully it would not be something voted on as it should be voted on in Congress. Council Members Lawrence, Galloway, Goldberg and Garcia absent.

Council Member Quan stated that he also applauded Mr. Rubio's work; and upon questions, Mr. Rubio stated that many people did not trust police and it may go back to not trusting or cooperating with them. Council Members Lawrence, Galloway, Goldberg and Garcia absent.

Mr. Joe Vail, 6223 Autumn Forest Drive, Houston, Texas 77092 (713-743-0897) appeared and stated that much had been said by others, but he was speaking against the resolution of Council Member Ellis and was in support of Mayor White's position; that he was an immigration lawyer and former immigration judge with the Department of justice and now taught immigration law and on the enforcement part of the law people would not come forward to report crime, most of the immigrant population was terrified of the INS, now DHs, and a lot of that population was mixed families, it was a common profile to have parents who were here 9 to 10 years illegally with 2 to 3 children here legally or to have one spouse here legally and one illegally; that he did remember the Katy raid as mentioned by Council Member Quan and among those arrested 20 to 30 had legal papers and one was a decorated veteran of Viet Nam. Council Members Lawrence, Galloway, Goldberg and Alvarado absent.

Council Member Quan thanked Mr. Vail for coming and upon questions, Mr. Vail stated that standards on determining if someone was legal or illegal could not be based on appearance, accent or color of skin or the way an individual dressed and there had to be a whole series of factors and even experienced investigators would tell you this was serious. Council Members Lawrence, Galloway, Goldberg and Alvarado absent.

Mayor White stated that he thanked citizens who came to support the policy, but Council Member Edwards raised an important issue concerning employers and they did have an Affirmative Action and Compliance Department who for good reason checked to see that prevailing wages were being paid as provided by city ordinances; and he would like lawyers to help him on what should those in the Affirmative Action and Compliance Program check to see if employers were complying with city provisions when using public funds for taxpayer projects; and Mr. Vail stated that there were regulations, forms and documents in which employers were to maintain and open to DHS investigation. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia and Berry absent.

Mr. Lawrence Rushton, 7315 Brompton #221-B, Houston, Texas 77025 (832-283-1040) appeared and stated that he was also present in opposition to Council Member Ellis's proposal to employ police officers as agents to enforce immigration laws; that he frequently worked with victims of domestic abuse and a couple of weeks ago a client called him as her husband threatened to call police on her as she had no document and was requesting child support for her three U. S. citizen children; that he was able to say she had nothing to worry about as Houston officers would not turn her over to immigration and he hoped he could tell her that in the future; that Council Member Ellis's resolution would destroy this city's social harmony and the economic vitality. Council Members Lawrence, Galloway, Goldberg, Holm and Berry absent.

Upon questions by Council Member Edwards, Mr. Rushton stated that the majority of undocumented workers were from Mexico and they would be racially profiled and targeted; that there were undocumented workers from other places and if businesses hired them they were fined and lost access to some federal contracts and there were potential criminal penalties. Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Green and Berry absent.

Ms. Adela Olesen, 20539 Burwood Circle, Katy, Texas 77449 (281-745-7304) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Green and Berry absent.

Mr. Jose Gil, 5710 Beechnut, Houston, Texas 77075 (713-772-2603) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Green and Berry absent.

Mr. Cristobol Hinojosa, 810 McDaniel, Houston, Texas 77032 (713-742-5458) appeared and stated that he thanked Council for listening and he wanted the police department to be as it was now; that they were doing a good job, but it seemed some Council Members wanted to play politics and did not care about what happened to the people; that there were not enough officers now and there was an increase in crime and yet some Council Members wanted them to act as immigration officers; that the American Constitution said, "justice for all" and with Council Member Ellis's position he was violating that Constitution; and Council Members were elected to serve the people and that was all the people; and undocumented workers did not steal jobs here and they knew it. Council Members Galloway, Holm, Ellis, Green and Berry absent.

Council Member Sekula-Gibbs thanked Mr. Hinojosa for coming and stated that currently they were about 700 officers down from the need and the Police Union said they currently had 1.19 officers for 1,000 people when most cities this size operated with 2.3 officers; that they did want Houston officers to fight crime; and upon questions, Mr. Hinojosa stated that undocumented people were not terrorists or criminals they came to make a better way of life and they also never received benefits many others received here and they put into the economy of this country and principles of this country was to build a country with justice for all; and Council Member Sekula-Gibbs stated that all of us were immigrants ancestrally at one point or another. Council Members Lawrence, Galloway, Holm, Ellis, Green and Berry absent.

Council Member Garcia stated that he wanted to point out that Mr. Hinojosa and Mr. Alvarez and others worked both sides of the issues coming to Council and talking to their communities and elected officials and he thanked them for their works. Council Members Lawrence, Galloway, Holm, Ellis, Green and Berry absent.

Ms. Emily Patterson, 610 W. Clay, Houston, Texas 77019 (281-468-9136) appeared and stated that she was a criminal defense attorney and member of the Mayor's Advisory Committee on Immigrant and Refugee Affairs (MACIRA) and was present to express her support for HPD general order 500-05 and her opposition to Council Member Ellis resolution; that the resolution served no purpose to the community and for the most part immigration laws were not criminal but civil laws and the police department should not need to deal with them;

that police already arrested criminals and if you were an undocumented immigrant and convicted of a crime in this country there was no sanctuary and additionally police were not equipped to enforce those laws as they were complicated and it could produce racial profiling; and a she did not know if the statistics were still true, but a couple of years ago most undocumented immigrants were visa over stayers and not what most people assumed, those who crossed the southern border; and she believed those born here should remain U. S. citizens it was always the law and she saw no reason it should not be; that in France the rioting was among many born there and not given rights of a full citizen even though they were considered citizens. Council Members Lawrence, Galloway, Edwards, Holm, Ellis, Green and Berry absent.

Upon questions by Council Member Quan, Ms. Patterson stated that another attorney she worked with had an immigration placed on someone, but she had not and there was no safe place, she never found the police not to cooperate. Council Members Lawrence, Galloway, Edwards, Holm, Ellis, Green and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Patterson stated that if she remembered correctly the railroad murderer, Rescendez, he was turned over and the foul-up happened with immigration services and it was the responsibility of Home Land Security and Bureau of Immigration and Customs Enforcement to address such issues, but certainly people did slip through cracks. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Steve Flores, 4254 Tasselwood Lane, Houston, Texas 77014 (281-586-9025) appeared and stated that he was against Council Member Ellis resolution and mainly because of what his Dad once went through, he had come back from WWII and here in Houston was lined up against the wall and made to prove he was a citizen and that was because of the color of skin; and he urged a no vote. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that as she stated earlier it was not on the Agenda so far and hopefully would never make its way for a Council vote. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Garcia stated that he had heard previous discussion, but the two of them grew up in the same tough neighborhood and they did not know who was prone to commit crime, but his example of his Dad being singled out was because of his skin; that all agreed something needed to be done about borders, but in Houston police and fire needed to keep all safe regardless. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Edwards, Mr. Flores stated that he did not think General Sam Houston would have been asked for papers when he came; and Council Member Edwards stated that she understood people's fears but in dealing with realities if people had immigration laws and that time everyone would not be sitting here today; and upon further questions, Mr. Flores stated that many employers deliberately hired illegal's so they could pay them less than prevailing wage; and Council Member Edwards stated that basically there was an underground slave economy in this system which ran and operated with impunity. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Minister Randall Mitchell, 4490 North Cleveland Highway 321 #2006, Dayton, Texas 77535 (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. James Burnett, 5602 Lufkin, Houston, Texas 77026 (713-673-1007) appeared and stated that he owned a company called Ultra Tech Industries and was trying to start in Houston; that when an officer pulled someone over they were not sure if the insurance card was paid up or even legitimate and the only system that would let them know would take minutes; that he needed assistance from the city on getting information and would like to know where to begin. Mayor White, Council Members Lawrence, Galloway, Goldberg, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Burnett stated that he was having a program written for computers and was having a hard time finding out what type of city the city ran; and Council Member Quan stated that he should get certified through Affirmative Action and then ask them for information; that Legal was advising he could file for an information request and that was another way; that he could look at contracts set out and that would let him know what was being used so he would start with Ms. Velma Laws department, Contract Compliance. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Sudaphon Kinney, 225 Aldine Bender #708, Houston, Texas 77060 (281-448-4190) appeared and stated that she was present to speak on her son; that on November 14th she went to the post office and a Vietnamese lady said she wanted information on her son's package, she walked out and went back again and she thought they tried to open it. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Mayor Pro Tem Alvarado, Ms. Kinney stated that she did not know the lady, her son was trying to serve the country; and Mayor Pro Tem Alvarado stated that she would ask someone from Citizens Assistance to get her information. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (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. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Alice Jones, 3722 Simsbrook, Houston, Texas 77045 (713-413-2327) appeared and stated that she had a complaint on the City of Houston, Housing and Community Development; that in 2002 they started her roof and the first contractor messed up and they got rid of him; that another came out and finished and she would guess it was still not fixed properly because it smelled of mold and she had been complaining and working with Mr. Wayne Martin in HUD and others, but the work was finished in 2004 and the city did no final roof inspection; and she tried to speak with Council Member Edwards. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she knew her office spoke with her but she did not know she wanted an appointment; and moved to suspend the rules to hear from Mr. Wilson at this time. Mayor Pro Tem Alvarado stated there was no quorum but they could hear from him on consensus. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she would like him to speak regarding the roof; and Mr. Wilson stated that they had agreed to repair three things, her case was closed by HUD when he came to the City of Houston, but she had a complaint and he wanted to do the right thing so they went out and they could not communicate with her; that they would make appointments and she would not be there or she would have to leave; that they had agreed to do something, but he explained she did have a smell in her house but there was no circulation, no ventilation at all; that after the roof was done she had a portion of her house closed off and he believed she needed a vent on the porch to circulate air, but he had difficulty in communicating with her; that they were reluctant to go back regarding mold because they felt it was not their problem, the contractor came after the city and closed off the porch and that was what caused the smell. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Monica Palacios, 902 E. Hendrick, Houston, Texas 77011 (713-921-1457) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Dorothy Olmos, 102 Funston, Houston, Texas 77012 (713-921-1457) appeared and stated that she was present on behalf of Ms. Palacios and stated that she had pictures to show Council as Ms. Palacios grandmother's home was dilapidated and they were trying to get home repairs for her. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Ms. Olmos stated that she was in dire need and needed assistance; and Mayor White stated that he knew Mr. Wilson was assisting another citizen, but he needed to hear this also; that funding had not been frozen for two weeks and they would get her the information; and Ms. Olmos stated that sewage had been backing up in her house and caused her to be stressed and she had a heart attack earlier in the morning. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that her staff did not say funds were frozen, but that the family was on a list though she was not sure where she was on the list, but Mr. Wilson or someone else could help say where she was and if they could expedite it she would encourage that. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Oliver Stevenson, 7103 Peerles, Houston, Texas 77021 (832-877-0647) appeared and stated that he was present representing senior citizens and children of South Union which was a subdivision near the Astrodome; that they had no city services when it came to community centers and in 2003 they had a big problem with a child molester so they took it upon themselves and not tolerate that nothing was there, they went to some folks who owned a building and they leased it to them and that allowed them to start their community center on 100% volunteers and had an after school program in 2003 and they now had dance, martial arts, computer and today he was begging each Council Member as a citizen to help them save their center. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she remembered going out there with people to see how the city could help them qualify for CDBG grants; and upon questions, Mr. Stevenson stated that they were so busy trying to keep the program afloat that they could not follow-up; and Council Member Edwards stated that she had assumed it was rolling along and would check and see where it had dropped off; and Mr. Stevenson stated that the current owners of the property were getting up in age and were going to sell the property and they had over 75 seniors and over 65 children who came; and Council Member Edwards stated that it had been

proven to her, but someone did need to take point on this and pull it together for them, but someone would call him and see how they could help get funds as it was needed. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Alvarado, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Mr. Stevenson stated that the asking price was \$199,999.00 and Mayor White stated that they would support Council Member Edwards on this and senior executives from the Housing and Community Development Department were present and they would work together. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Quan stated that there were many great needs and the sooner he was in the line the better before all decisions were made on how the money would be spent. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Juan Alvarez, 402 Busch, Houston, Texas 77060 (832-282-6997) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Dean Becker, 11215 Oak Spring, Houston, Texas 77043 (281-752-9196) appeared, presented information and stated that he was reporter for the Drug Truth Network and spokesperson for law enforcement against prohibition; that the drug war began on December 17, 1914, with a passage of the Harrison Narcotics Act; that none present were responsible for the changing face of the drug laws, allowing for ever increasing penalties and including incarceration, loss of voting rights, inability to acquire student loans, government housing or food stamps, but the morals of the drug war were handed down from politician to politician and Council's lack of focus was responsible for the fact Houston, Harris County did lead the world in incarceration of their own people with empty bags, empty pipe, etc., it did not matter as you would be forced to jail, trial and accept probation, etc., reforms were underway to change the focus of the drug war and this time would be looked back on much as they look back on slavery with disgust and horror. Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Ebube Otunye, 8104 Southwest Freeway, Houston, Texas 77074 (713-271-1777) appeared and stated that about seven months ago he and his brothers opened a business in southwest Houston and within this time they had been robbed four times, almost run out of business; that police response was not good, Sunday was the fourth time and it took police 2-1/2 hours to respond and when they showed up there was no real interest in collecting evidence. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Wiseman, Mr. Otunye stated that they had a tool rental; and Council Member Wiseman stated that she was not sure whose district this was, but as a courtesy she would like the HPD representative to visit with him, regardless of what part of town he was in 2-1/2 hours for response was too long. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that someone with HPD would visit with him at this time. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. John Mezick, 1811 Ruiz, Houston, Texas 77002 (713-283-9518) appeared and stated that it was a disgrace that Council Members did not stay for the entire meeting; that they worked for the taxpayers and he came before stating abortion was murder and it happened daily; that for six months the Mayor had ducked him and he was requesting an appointment with Mayor Pro Tem Alvarado; and wished all a Merry Christmas. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that the Mayor had stepped out and was coming back, but he could call her office if he wanted to schedule a meeting. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. John Juanopulos, 2207 Eastex Freeway, Houston, Texas 77026, (713-227-5207) appeared and stated that he was present as he owned a paint and body shop business at 2207 Eastex Freeway and had been there since 1994 and his water bill had always been between \$18.00 to \$29.00 and now he had a bill for \$422.00 and said he used 82,000 gallons of water and that was a large amount for one month; that he tried to work with many and was never even told he could have a hearing until after he wrote Marvin Zindler; that today there was a hearing and he was told the same thing, it was 82,000 gallons of water, it was extremely high and all he was told was pay it or his water would be turned off. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated she was not his Council Member, but had that situation occur in her district and with an unexplained high bill they could do a one time adjustment; and Mr. Juanopulos stated that he was told he could not do that; and Council Member Wiseman stated that she was told commercial accounts could not do that, but asked someone to sit with him and investigate. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that Mr. Norman would meet with him at this time. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Emily Nghiem, 1007 Ruthven, Houston, Texas 77019 (713-867-5998) appeared, presented information and stated that she wanted to thank the Mayor and Council for the way the Katrina disaster was handled and she volunteered with the Freedmen's Town fourth Ward Community and they were very eager to work with the City and create housing for the displaced families; that some had criminal backgrounds and needed special services; that Council Member Alvarado had been at meetings and seen the trouble with trying to communicate between the community and government about joint programs and she would like to take what had been learned and try and come up with solutions to address the larger problem now being faced; and also invited all to a marker dedication Monday, December 19, 2005, at 11:00 a.m. at the Freedmen's Town National Historic District. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that they did have her information. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was a crime victim; and continued expressing his personal

opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was President and God; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 4:51 p.m. City Council recessed until 9:00 a.m., Wednesday, December 14, 2005. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, December 14, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, December 14, 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, Ronald C. Green, Shelley Sekula-Gibbs, M.D. 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 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:31 a.m. Mayor White reconvened the meeting of the City Council and stated that the first order of business was the Mayor's Report.

MAYOR'S REPORT - Project Houston Hope Update

Mayor White stated that one of the reasons why they had places that were abandoned and not paying taxes and crack houses running down their neighborhoods was that even if they got the land in foreclosure then there were some laws that said that somebody could come in within four years and say they did not send a notice to them and then they could not get the private sector folks because they had a cloud on the title, that the LARA Committee and Lineberger firm reached some agreement with Stewart Title to give good title, that it would be coming up on the Council agenda pretty soon and it was a business like solution of just dealing with the problem of economic waste, that they were trying to make it so that the properties could move and they would not have to wait forever; that the next issue was deed restrictions on the properties that they had acquired through the LARA process, that they were 197 properties and they all wanted to have deed restrictions on new development; that they also ought to deal with the situation where they did not want somebody getting public assistance or down payment assistance to do affordable housing and then turn around and flip the house and pocket the money, that yes a person should be able to build some equity but also they ought to have something since the public taxpayers were part of the investor in it, to replenish the fountain of people who got down payment assistance and that ought to be embodied within the deed restrictions, and finally if anybody heard anything about the deed restrictions in the LARA lots that encompassed some things like affordability or the limits on the purchase price, unless they heard it from him the information was incorrect, that Mr. Wilson and Mr. Tinnermon knew, that if it differed from what he said then somebody was out on their own, that they had to do it right and consistent with the community and what they wanted. Council Members Galloway, Wiseman, Khan and Garcia absent.

Upon questions by Council Member Edwards, Mayor White stated that it was a difficult issue to deal with, that he needed help and guidance on it and Mr. Tinnermon had been involved in it and Mr. Hall, that if people showed up at a sale and it was long term tax delinquent and next to their lot and

they would take care of it, then they had plenty to do without having to compete with that person for that lot and that sale, that it took a lot and there were at least two mistakes where people did not have the policies but they had gotten better, that they were not just going to give something for free. Council Members Goldberg, Khan, Holm, Garcia and Berry absent.

CONSENT AGENDA NUMBERS 1 through 44

MISCELLANEOUS - NUMBERS 2 and 8

2. RECOMMENDATION from Director Planning & Development Department for approval of Fiscal Year 2006 Budget for **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY (TIRZ NO. 20) - DISTRICT F - KHAN** - was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg, Khan, Holm, Garcia and Berry absent. MOTION 2005-1192 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering to expend funds for traffic signal operations and maintenance on the Metro Light Rail Traffic Signal System pursuant to the Operations and Maintenance Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** - \$178,500.00 General Fund - **DISTRICTS C - GOLDBERG; D - EDWARDS and I - ALVARADO** - was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg, Khan, Holm, Garcia and Berry absent. MOTION 2005-1193 ADOPTED.

PROPERTY - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels A97-200, A97-204, A97-204A and A97-205, owned by ARCO Pipeline Company, for the **HERMAN BROWN PARK TRAIL-PHASE II**, CIP N-0420-15A-2 - **DISTRICT E - WISEMAN** - was presented, moved by Council Member Alvarado, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Khan, Holm, Garcia and Berry absent. MOTION 2005-1194 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 19

12. **MD HELICOPTERS, INC** for MD Helicopter Professional Training Services for Police Department \$123,200.00 - Police Special Services Fund - was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Khan and Garcia absent. MOTION 2005-1195 ADOPTED.
16. **W. W. GRAINGER, INC** for Spending authority to Purchase Maintenance, Repair and Operating Supplies from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$3,847,385.74 General, Enterprise and Other Funds - was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Khan and Garcia absent. MOTION 2005-1196 ADOPTED.
17. **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$1,182,781.00, **UNDERGROUND, INC d.b.a. UNDERGROUND MARKETING** - \$188,854.50, **LONE STAR TRUCK CENTER** - \$190,390.00 and **VECTOR MANUFACTURING, INC** - \$361,630.00 for Medium and Heavy Duty Cabs & Chassis and Truck Bodies, and a Trailer-Mounted Sewer Cleaner for Various Departments \$1,923,655.50 - Enterprise and Equipment Acquisition Funds - was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Khan and Garcia absent. MOTION 2005-1197 ADOPTED.

18. **BISON BUILDING MATERIALS, LTD.** - \$940,285.74 and **BIG Z LUMBER COMPANY** - \$464,561.30 for Lumber for Various Departments - General and Enterprise Funds - was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Khan and Garcia absent. MOTION 2005-1198 ADOPTED.
19. **TEXAS ELECTRIC INSULATED CABLE CORPORATION** for Computers, Monitors, Laptops and Services through the City's Master Agreement with DIR for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Various Departments \$1,927,155.00 - Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Khan and Garcia absent. MOTION 2005-1199 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 20 through 44

23. ORDINANCE consenting to the addition of 6.1048 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district - was presented. All voting aye. Nays none. ORDINANCE 2005-1348 ADOPTED.
24. ORDINANCE finding no special benefit to the abutting owner of property described as Tracts 15E, 15E-2, and 15G out of the J. M. Bartlett Survey, Abstract No. 152, and authorizing the release of certain assessment liens and apparent liens created by Ordinance No. 87-675, passed May 6, 1987, for the initiation of a paving project for the permanent improvement of a portion of South Gessner Road in the City of Houston, Texas - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. ORDINANCE 2005-1349 ADOPTED.
27. ORDINANCE approving and authorizing an Indemnity and Maintenance Agreement between the City and **SOUTHWEST HOUSTON REDEVELOPMENT AUTHORITY** for Right-of-way Improvements on Bellaire Blvd. from US59 to Beltway 8 and on Fondren Road from US59 to Westpark - **DISTRICTS F - KHAN and G - HOLM** - was presented. All voting aye. Nays none. ORDINANCE 2005-1350 ADOPTED.
28. ORDINANCE approving and authorizing acceptance of grant from the Department of **HOMELAND SECURITY**, Office of Domestic Preparedness for funding through Title XVII of the Fire Prevention and Control Act of a Fire Ground Survivability Program; authorizing the appropriation of matching funds from the Houston Fire Department's FY06 Budget; authorizing the Chief, Houston Fire Department to accept such grant funds and to act as the City's representative in all matters pertaining to the program - \$1,965,320.00 - Grant and Equipment Acquisition Funds - was presented. All voting aye. Nays none. ORDINANCE 2005-1351 ADOPTED.
29. ORDINANCE approving and authorizing contract between the City and **PEOPLE WITH AIDS COALITION HOUSTON, INC** for HIV/STD Services for the Houston Department of Health and Human Services; providing a maximum contract amount - 1 Year with 3 one-year renewal terms \$132,132.00 - General Fund - was presented. All voting aye. Nays none. ORDINANCE 2005-1352 ADOPTED.
35. ORDINANCE approving and authorizing Amendment No. 1 to the contract with **4B TECHNOLOGY GROUP L.L.C.**, for Information Technology and Telecommunications Infrastructure Field Inspection Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2005-1353 ADOPTED.
36. ORDINANCE approving and authorizing first amendment to the Interlocal Agreement

between the City and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Construction on Brittmoore Road from Old Katy Road to Hammerly Blvd., GFS N-0596-01-2 - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. ORDINANCE 2005-1354 ADOPTED.

38. ORDINANCE appropriating \$93,652.88 out of Drainage Improvements Commercial Paper Series F Fund and \$1,101,481.10 from the Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Metro Downtown/Midtown Transit Street Program GFS S-0443-04-3, R-0537-05-3, R-0537-08-3, M-0671-09-3, & M-0671-10-3 (SB9037-02), under Transportation Improvement Agreement with Metropolitan Transit Authority (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2005-1355 ADOPTED.
39. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **BFI WASTE SYSTEMS OF NORTH AMERICA**, passed June 16, 1998, Ord. No. 98-053, Contract No. 39164 for Waste Disposal Services for the Solid Waste Department - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
40. ORDINANCE appropriating \$253,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for the Design of Forensic Services of Elevated Parking Garage Structure located at 4200 Leeland Street, Houston, Texas, GFS S-0955-02-2 (WA10878); 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. ORDINANCE 2005-1356 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. Motion to Suspend the Council Rules for the purpose of rescheduling presentation of the Monthly Financial and Operations Report from January 4, 2006 to January 11, 2006 - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-1200 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2006 Operations and Maintenance Budget for the **LAKE HOUSTON FACILITIES PROJECT** operated by the **COASTAL WATER AUTHORITY** - \$2,720,624.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1201 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the 2006 Operations and Maintenance Budget for the **TRINITY RIVER WATER CONVEYANCE PROJECT** operated by the **COASTAL WATER AUTHORITY** - \$14,953,209.00 Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-1202 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for

payment of \$136,462.11 to the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for 2006 Water System Fees - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1203 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for payment of Subscriber Fees for **WATER ENVIRONMENT RESEARCH FOUNDATION (WERF)** - 1 Year \$87,191.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-1204 ADOPTED.
7. RECOMMENDATION from Director Finance & Administration for membership renewal in the United States Conference of Mayors - \$41,702.00 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1205 ADOPTED.

PURCHASING AND TABULATION OF BIDS

10. ORDINANCE appropriating \$36,893.27 out of General Improvement Consolidated Construction Fund for Construction of a Reception Desk at City Hall for Building Services Department, CIP D-0113 - was presented.

Council Member Goldberg stated that a memo was passed around in order to give credit to the proper person who actually funded it, Mr. William Hill, who was present in the audience, and asked that Mr. Hill stand and be recognized, and Council Member Quan stated that he also wanted to thank Mr. Hill for all of his years of support for the City and his generosity in helping make Houston a better City, and Mayor White stated that they appreciated it.

A vote was called on Item No. 10. All voting aye. Nays none. ORDINANCE 2005-1357 ADOPTED.

- 10a. **FOUR SEASONS DEVELOPMENT COMPANY, INC** for Construction of a Reception Desk at City Hall for Building Services Department - \$35,136.45 and contingencies for a total amount not to exceed \$36,893.27 - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1206 ADOPTED.
11. **AMEND MOTION #2004-333, 3/31/04, TO INCREASE** spending authority from \$230,375.00 to \$287,968.75 for Arts, Crafts and Games Contract for Parks & Recreation Departments, awarded to **S&S WORLDWIDE** - \$57,593.75 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1207 ADOPTED.
13. **SHI-GOVERNMENT SOLUTIONS, INC** for Maintenance and Support Agreement for Novell Software through the City's Master Agreement with DIR for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Police Department \$296,404.49 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1208 ADOPTED.
14. **PUBLIC SAFETY CONSULTANTS, INC** for Professional Services through the City's Master Agreement with the Texas Procurement Center for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Police Department - \$170,400.00 Equipment Acquisition Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2005-1209 ADOPTED.

15. **DLT SOLUTIONS, INC** for Oracle Software Licenses through the City's Master Agreement with DIR for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Department of Public Works & Engineering - \$157,657.50 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-1210 ADOPTED.

RESOLUTIONS AND ORDINANCES

20. RESOLUTION approving and adopting a revised Investment Policy for the City of Houston - was presented.

Council Member Quan stated that the item came before Fiscal Affairs and at that time they had made a motion to delete Item No. 1 of the recommendation and keeping the other three, they were advised that the Controller and F&A had no problem with that and moved to remove Item No. 1 of the listing of revisions which was "The Minimum U. S. Treasury Allocation is increased from 0% to 15%", seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2005-1211 ADOPTED.

A vote was called on Item No. 20 as amended. All voting aye. Nays none. RESOLUTION 2005-0024 ADOPTED AS AMENDED.

21. ORDINANCE **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to notification to Building Owners - was presented and tagged by Council Members Edwards and Quan.

After discussion by Council Members, Council Member Quan stated that some of the questions that he had were how was notice to be given, how did they designate the right person to receive it and was there a time frame in which that notice was to be given, that he wanted the Legal Department to check on those listed as E and F, that he knew they were clauses that somewhat protected the City. Council Member Goldberg absent.

After further discussion and questions by Council Member, Ms. Michele Austin, Legal Department, stated that whether the plans were copywrited or not depended on the nature of the plans, particular buildings required architects or engineers in order to build the buildings and if those plans were sealed then they were copywrited and could not be copied, and Mayor White asked how often did people make copies of plans for commercial buildings and asked that someone get that information to Council Member Berry, that it was per notification so each person that registered it was for each registration, that it was \$50 per lot. Council Members Galloway and Goldberg absent.

Council Member Alvarado stated that at some point the Department or somebody would come back and give them exactly what the process was going to be because she understood that through the ordinance they were just giving Public Works the authority to come up with the process, so that information, at the appropriate time would be appreciated. Council Members Galloway and Goldberg absent.

Upon questions by Council Member Edwards, Ms. Austin stated that they did not notify the person accessing the plans that they were going to notify the building owner, it was not part of the process. Council Members Galloway and Goldberg absent.

Mayor White stated that Item No. 21 was tagged. Council Members Galloway and Goldberg absent.

22. ORDINANCE amending City of Houston Ordinance No. 2003-1034 relating to Special Event Temporary Information Signs - was presented. All voting aye. Nays none. Council

Members Galloway and Goldberg absent. ORDINANCE 2005-1358 ADOPTED.

25. ORDINANCE authorizing the sale of 12.27 acres of land (8901 Boone Road; Parcel SY6-037) out of H. A. Cobb Survey, A-210, Houston, Harris County, Texas, and Improvements thereon, to the Harris County Hospital District for use as a site for a Health Clinic; approving purchase and sale agreement with Harris County Hospital District - **DISTRICT F - KHAN** - was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. ORDINANCE 2005-1359 ADOPTED.
26. ORDINANCE repealing Ordinance Nos. 2004-971, 96-1210, 97-402, 2005-418, 2005-421, 2005-413 and 2005-422, rescinding authority set out therein to sell certain parcels to particular individuals for various reasons; declaring Parcel Numbers S95-055, S95-048, S97-028, S83-058, S71-049, S71-050 and S71-051 to be surplus property, and approving authorizing the sale of said parcels by sealed bid sale, subject to the City's Billboard Restrictions, all easements, all public utilities, and the applicable covenants, conditions and restrictions - **DISTRICTS D - EDWARDS; F - KHAN and I - ALVARADO** - was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. ORDINANCE 2005-1360 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON AREA WOMEN'S CENTER** to pay all the interest and royalty from the John Battaglia Trust Account from January 1, 2006 to December 31, 2009 - was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. ORDINANCE 2005-1361 ADOPTED.
31. ORDINANCE appropriating \$500,000.00 out of TIRZ Affordable Housing Fund (Fund 872) to fund City's Homebuyer Assistance Program ("HAP") pursuant to first amended and restated Administrative Guidelines adopted under Ordinance No. 2005-1189 - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2005-1362 ADOPTED.
- 31-1. ORDINANCE appropriating \$500,000.00 out of TIRZ Affordable Housing Fund (Fund 872) and approving and authorizing Reimbursement Agreement between the City of Houston, the Land Assemblage Redevelopment Authority ("LARA") and Stewart Title to facilitate the issuance of title insurance policies to qualified purchasers of affordable housing developed under certain of the City's Land Acquisition Programs - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2005-1363 ADOPTED.
32. ORDINANCE approving and authorizing City of Houston to enter into contracts with each of two (2) Non-profit organizations [**3D ACADEMY, INC** and **ST. JAMES SCHOOL**] to administer an After School Achievement Program ("ASAP") - \$90,000.00 - General and Grant Funds **DISTRICTS B - GALLOWAY and D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2005-1364 ADOPTED.
33. ORDINANCE approving and authorizing City of Houston to enter into first contract amendment with **HOUSTON INDEPENDENT SCHOOL DISTRICT** to Delete one school site, add eight school sites and to provide additional \$358,897.00 to administer an After School Achievement Program General and Grant Funds - **DISTRICTS B - GALLOWAY; C - GOLDBERG; D - EDWARDS and I - ALVARADO** - was presented. Council Member Goldberg absent.

After discussion by Council Members, Council Member Lawrence requested a copy of all the schools that the City participated in, and Mayor White stated that it was going to be done by some criteria of need and cost effectiveness. Council Member Goldberg absent.

A vote was called on Item No. 33. All voting aye. Nays none. ORDINANCE 2005-1365 ADOPTED.

34. ORDINANCE amending Ordinance No. 2005-0959 to add a Fee Schedule to the previously approved agreement for Farrier Services between the City of Houston and **BOLTON'S FARRIER SERVICES** (approved by Ordinance No. 2005-0959) – was presented. All voting aye. Nays none. ORDINANCE 2005-1366 ADOPTED.
37. ORDINANCE approving and authorizing contract between the City of Houston and **FEMA LAW ASSOCIATES, PLLC**, for Professional Legal Services relating to Disaster Preparedness and Disaster Relief; providing a maximum contract amount - \$75,000.00 - Property and Casualty Fund – was presented.

Upon questions by Council Member Sekula-Gibbs, Mr. Michel stated that the law firm had been working with the City and in fact had worked with the City before, the purpose for hiring the law firm was to take a more aggressive stance to make sure they received the money that they believed they were entitled to from FEMA, not only through the administrative process right now but for any subsequent audit that may look at whether the expenditures were proper, the firm was essentially one person, Mr. Ernie Abbot, who had significant regulatory experience, he was the General Counsel for FEMA from 1997 to 2001 and since then had focused on helping entities in their dealings with FEMA.. Council Member Garcia absent.

After further discussion a vote was called on Item No. 37. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2005-1367 ADOPTED.

41. ORDINANCE appropriating \$555,823.35 out of Parks Consolidated Construction Fund, awarding construction contract to **CARRERA CONSTRUCTION, INC** for Construction of Willow Park, GFS F-504C-09-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; providing funding for engineering and testing services, construction management and contingencies relating to the construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2005-1368 ADOPTED.

Council Member Goldberg stated that he wanted to thank Mayor White for putting Item No. 41 on the agenda, that it was a park in his district, that it was good to see that they were finally going to get the repairs that they needed. Council Member Garcia absent.

42. ORDINANCE appropriating \$2,431,500.00 out of Drainage Improvements Commercial Paper Series F Fund, awarding construction contract to **R J CONSTRUCTION COMPANY, INC** for Drainage Improvements at Grade Separations, GFS M-0241-02-3 (SM5048-01); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund - **DISTRICTS D - EDWARDS; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2005-1369 ADOPTED.
43. ORDINANCE appropriating \$152,748.88 out of Water & Sewer System Consolidated Construction Fund; \$939,497.36 out of Series E Commercial Paper Metro Projects Fund; and \$250,000.00 from the Community Development Block Grant Fund; awarding construction contract to **ACM CONTRACTORS, INC** for Benson St. Reconstruction from Lyons Ave, to Noble St., GFS N-0782-01-3 (SB9189); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines;

providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund; the Community Development Block Grant Fund, and the Series E Commercial Paper Metro Projects Fund - **DISTRICT B – GALLOWAY** – was presented. Council Member Garcia absent.

Council Member Galloway stated that she wanted to thank Mayor White for putting the item on the agenda, that it was long overdue and knew the people in the Fifth Ward community were going to be very excited. Council Member Garcia absent.

A vote was called on Item No. 43. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2005-1368 ADOPTED.

44. ORDINANCE appropriating \$2,146,370.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Line Replacement in Nance Area Subdivision, GFS S-0035-C9-3 (WA10791); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**– was presented. Council Member Garcia absent.

Council Member Galloway stated that she had some concerns on the item, that it was a project where they were going to be putting in water lines but it states 2 inches and she thought their standard was at least 6 inches, so she would tag the item until she could get further information. Council Member Garcia absent. (Note: Council Member Galloway released her tag later in the meeting.)

Mayor White stated that Council Member Galloway had tagged Item No. 44 and asked that they get the information to the Council Member Galloway. Council Member Ellis absent.

NON CONSENT AGENDA - NUMBER 45

MISCELLANEOUS

45. MOTION to suspend the rules for the purpose of setting December 20, 2005 as the date to receive nominations and to confirm the appointment of the individual nominated to Position 4 on the **REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (ST. GEORGE PLACE)** – was presented, moved by Council Member Alvarado, seconded by Council Member Goldberg. All voting aye. Nays none. Council Members Lawrence and Ellis absent. MOTION 2005-1212 ADOPTED.

MATTERS HELD - NUMBERS 46 through 51B

46. ORDINANCE approving and authorizing first amendment to Lease Development and Grant Agreement for the Hobby Center for the Performing Arts between the City and the **HOUSTON MUSIC HALL FOUNDATION – (This was Item 27 on Agenda of December 7, 2005, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. Council Members Lawrence, Ellis and Quan absent.

Council Member Sekula-Gibbs offered a written motion to amend Item No. 46 as follows: "The Houston Music Hall Foundation will conduct a needs assessment regarding services for the handicapped and the hearing impaired. Based on the needs assessment, the foundation will make a good faith effort to contract with a company or individual that offers these services.", tagged by Council Member Alvarado.

Council Member Sekula-Gibbs moved to postpone Item No. 46 for one week, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Lawrence and Quan absent. MOTION 2005-1213 ADOPTED.

47. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY, TEXAS**, to continue to allow the Houston Airport System to access the SmartZone Regional Radio System - \$1,500,000.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I – ALVARADO** – **(This was Item 34 on Agenda of December 7, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. ORDINANCE 2005-1371 ADOPTED.
48. ORDINANCE approving and authorizing Agreement for Professional Services by and between the City of Houston, Texas and the **GREATER HOUSTON PARTNERSHIP** - 8 Months \$493,333.33 - Enterprise Fund – **(This was Item 35 on Agenda of December 7, 2005, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented. All voting aye. Nays none. ORDINANCE 2005-1372 ADOPTED.
49. ORDINANCE appropriating \$678,108.00 out of Airport System Consolidated 2004 AMT Construction Fund, \$57,220,529.00 out of the Airport System Consolidated 2004 AMT Construction Fund, and \$799,322.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to construction manager at Risk Contract 57306 by and between the City of Houston and **CLARK CONSTRUCTION GROUP-TEXAS, LP** for Phase I construction of the Terminal and Central Concourse Expansion at William P. Hobby Airport, CIP A-0131, A-0141 and A-0422, Project 417F; providing funding for engineering testing services, and for contingencies and the Civic Art Program relating to construction of facilities financed by such funds - **DISTRICT I – ALVARADO** – **(This was Item 37 on Agenda of December 7, 2005, TAGGED BY COUNCIL MEMBERS QUAN, GREEN, GARCIA and KHAN)** - was presented. Council Member Goldberg absent.

After discussion by Council Members, Council Member Edwards asked if there was a group or committee who could look at best practices, that she thought there were some cities who had semi successful programs that they could look at, and Mayor White stated that was an excellent idea; and Council Member Garcia stated that he wanted to find out if there was ever any ability to determine how they could assess points to Houston based firms, whether MWBEs or primes, and Mayor White stated that they would get a report on it.

After further discussion by Council Members, Council Member Khan asked how would they address it to make sure they did meet MWBE goals in spite of having a bonding requirement, and Mayor White stated that was a very good point and he thought there were people who would help him work through it.

A vote was called on Item No. 49. All voting aye. Nays none. Council Member Edwards absent. ORDINANCE 2005-1373 ADOPTED.

50. ORDINANCE approving and authorizing Project Management Services Agreement between the City of Houston and **HOWELL MIMS ASSOCIATES, L.L.C.**; providing a maximum contract amount - 1 year - \$100,000.00 - Building Inspection and CDBG Funds – **(This was Item 51 on Agenda of December 7, 2005, POSTPONED BY MOTION #2005-1185)** – was presented. Council Member Edwards absent.

Council Member Quan stated that their concerns were institutional knowledge, they wanted to have people within the City who could do the projects without having to always look outside consultants, that Mr. Walsh advised them that he believed the work could be completed by April 2006, at which time he would look to have somebody in house to hire on a full time basis so that they would not have to replicate the services whenever a need arose. Council

Member Alvarado absent.

Council Member Holm stated that her concern had been how do they build the capacity within to sustain and continue to grow when Mayor White or key staffers were not there, and with the commitment that by April Mr. Howell could finish the projects he was working on but more importantly the commitment from department heads from Public Works and Housing, with Mr. Walsh's help, would have some one in place that would continue to grow and understood the direction and how they did performance. Council Members Garcia and Alvarado absent.

A vote was called on Item No. 50. All voting aye. Nays none. Council Members Garcia and Alvarado absent. ORDINANCE 2005-1374 ADOPTED.

51. WRITTEN Motion by Council Member Lawrence to amend Item 51B, Section 1 by amending the last sentence of Paragraph II(B)(7) of Exhibit G to read as follows: "Subject to the review procedures set forth in Paragraph II(c), programs containing any Adult, Sexually Explicit, or Indecent material will play only between 12:01 a.m. and 5:59 a.m. Monday through Friday and between 1:01 a.m. and 5:59 a.m. on Saturday and Sunday and shall contain appropriate viewer advisories or warnings." – was presented. Council Member Garcia absent.

After discussion by Council Members a vote was called on Item No. 51. Council Members Wiseman and Sekula-Gibbs voting no, balance voting aye. Council Member Quan absent. MOTION 2005-1214 ADOPTED.

- 51a. WRITTEN Motion by Council Member Goldberg to amend Item 51B below and shown as Exhibit "A" attached - was presented. Council Members Wiseman and Sekula-Gibbs voting no, balance voting aye. Council Member Quan absent. MOTION 2005-1215 ADOPTED.

Note: For Exhibit "A" see Motion 2005-1215 on file in the office of the City Secretary.

- 51b. ORDINANCE approving and authorizing Contract for Programming Services between the City of Houston and **HOUSTON MEDIASOURCE** for Public Access Channel – **(This was Item 54 on Agenda of December 7, 2005, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented as amended. Council Member Quan absent.

After discussion a vote was called on Item No. 51b. Council Members Wiseman, Sekula-Gibbs, Ellis and Berry voting no, balance voting aye. ORDINANCE 2005-1375 ADOPTED AS AMENDED.

Council Member Galloway stated that she would release her tag on Item No. 44.

44. ORDINANCE appropriating \$2,146,370.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Line Replacement in Nance Area Subdivision, GFS S-0035-C9-3 (WA10791); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY**– was again before Council.

Council Member Galloway stated that she did get the information, on the 2 inch it was just for the connector and out of almost 25,000 linear feet it only had 20 linear feet and those were just the connectors for the old to the new, they were going to be installing 2 inch water lines, that she wanted to thank the administration for the item.

A vote was called on Item No. 44. All voting aye. Nays none. ORDINANCE 2005-1376

ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Mayor White stated that he may not be able to attend next week's Council session as he would be on vacation, that he would miss having the people who were third term Council Members around the table.

Council Member Lawrence stated that she would miss the Council Members, that there were going to be new Council Members but the one's on Council would not be replaced and would be truly missed, and congratulations to the new Council Members and to those who ran against them. Council Member Khan absent.

Council Member Lawrence stated that on December 15, 2005 at 6:00 p.m. in Spring Branch at the Wal-Mart they would put on a Posada and laser show and everybody was invited. Council Member Khan absent.

Council Member Garcia stated that he wanted to thank his colleagues at the table who were going on to greener pastures or well deserved rest, that he wanted to thank them for their leadership at the Council table. Council Members Wiseman and Khan absent

Council Member Garcia asked for a moment of silence in remembrance of Council Member Quan's father, that their prayers and condolences were with the Quan family. Council Members Wiseman and Khan absent

Council Member Garcia stated that the Houston Police Department was losing a really good guy in Mr. Ignacio Aranda, who was retiring from the Houston Police Department, that he wanted to thank him for his service to the City of Houston. Council Members Wiseman, Khan and Green absent.

Council Member Holm stated that she wanted to wish Mayor White and Members of Council a Merry Christmas, happy holidays and best wishes for the coming year. Council Members Wiseman, Khan and Green absent.

Council Member Alvarado stated that she wanted to thank the people who were very helpful in putting together their District I Kids Christmas Party, particularly Gracie in her office, who did a marvelous job in putting everything together, they had about 400 kids and parents, that she wanted to thank Council Member Green and Council Member Elect Peter Brown and other Council offices who were present and participated as well, that she wanted to thank all of the companies that participated and Ms. Dawn Ullrich and all the fine folks at Convention and Entertainment facilities. Council Members Wiseman, Khan and Green absent.

Council Member Alvarado stated that she wanted to join her colleagues in offering her condolences to Council Member Quan and his family. Council Members Wiseman, Khan and Green absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate members of the Houston Press Club for their Annual Gridiron Show which was held at Zilka Hall last Saturday. Council Members Wiseman, Alvarado and Green absent.

Council Member Sekula-Gibbs stated that she wanted to wish everyone a Merry Christmas and happy holidays, and for all of the Council Members who she may not see next week she wanted to thank them for all of their hard work and leadership. Council Members Wiseman, Alvarado and Green absent.

Council Member Khan stated that he wanted to express his condolences to the Quan

family, that Mr. Bill Quan passed away last Sunday, that he had the honor and privilege of knowing Mr. Bill Quan for many years, that the funeral services would be on Saturday at 11:00 a.m. at Houston Chinese Church on Main outside the 610 Loop, that there would be a luncheon following at the Kim Son Restaurant at 2001 Jefferson at 2:00 p.m., and requested a moment of silence for Mr. Quan. Council Members Wiseman, Alvarado and Green absent.

Council Member Quan stated that he wanted to thank all the Council Members for their service to the City, that he had really enjoyed working with each of them and appreciate their sincere and hard work on behalf of their citizens. Council Members Wiseman, Alvarado and Green absent.

Council Member Quan stated that they would have a meeting of the Housing Committee tomorrow at 10:00 a.m. and would have a number of important items and really needed attendance there to discuss them. Council Members Wiseman, Alvarado and Green absent.

Council Member Quan stated that he wanted to acknowledge the work of Ms. Pat Garlinghouse who did tremendous work for the City of Houston and did not think they should diminish the value of that work over her time at Houston MediaSource. Council Members Wiseman, Alvarado and Green absent.

Council Member Quan stated that last week he had a chance to go out with the Anti Gang Task Force to play a softball game against the Moody Park neighborhood team, it was a thrilling game. Council Members Wiseman and Green absent.

Council Member Quan stated that he wanted to thank all of those who had expressed their condolences to his family, that it had been a tough time. Council Members Wiseman and Green absent.

Council Member Galloway stated that she wanted to thank all of her colleagues for their support during her term on Council, as well as Mayor White, she really enjoyed working for and with the Mayor because he had a vision that had really shown that he really cared about Houston, especially District B. Council Members Wiseman and Green absent.

Council Member Galloway stated that she wanted Council Member Quan to know that their hearts went out to him and his family. Council Members Wiseman and Green absent.

Council Member Ellis stated that he also wanted to offer condolences to Council Member Quan and his family on the passing of his father. Council Members Wiseman and Green absent.

Council Member Ellis stated that for the last two years Mayor White had far exceeded his expectations of what a Mayor in the City of Houston should do for everybody in the City of Houston. Council Members Galloway, Wiseman and Green absent.

Council Member Goldberg stated that last week two twelve year old girls were killed and two boys were critically injured on the 8500 block of the Gulf Freeway when their car ran out of gas and a car ran into them, that he remembered hearing about that every month in the City and they did not have that any more, that the Mayor took a lot of fire for SafeClear and he stuck with it and he thought it saved a lot of lives, so he should have the personal satisfaction of know that there were countless lives that he might have save. Council Members Wiseman, Green and Berry absent.

Council Member Goldberg stated that he wanted to thank Mayor White for making the last two years two of his best years serving on Council. Council Members Galloway, Wiseman and Berry absent.

Council Member Green stated that he wanted to congratulate and thank the Council Members who were leaving Council next week, that it had been a tremendous honor to work with them, they had shown great guidance. Council Members Galloway, Wiseman and Berry absent.

Council Member Green stated that he wanted to give Council Member Quan condolences to him and his family. Council Members Galloway, Wiseman and Berry absent.

Council Member Edwards stated that she wanted to thank the Council for voting for Item No. 30, that funded a good part of what the Houston Area Women's Center did, that she wanted to applaud the Houston Area Women's Center for over 30 years of work. Council Members Galloway, Wiseman and Berry absent.

Council Member Edwards stated that she wanted more information on the NBA All Star Game and what the City was going to be doing, and also the Essence Festival, that she had a lot of people call about what and how and was it going to be the same as it was in New Orleans because they had a lot of vendors, so if she could get some information regarding that she would appreciate it, that a lot of vendors were calling to ask if they were going to be able to vend in Houston. Council Members Galloway, Goldberg, Wiseman, Holm and Berry absent.

Council Member Edwards stated that former Council Member Carroll Robinson, with TSU School of Public Policy and along with the community in the Wheeler Avenue area of District D had formed a task force that was working with pushing the Metro piece forward and they had come together and gotten an awesome plan, they submitted the plan to Metro, along with Mr. Wilson's insight and support they thought they had a plan that they could move and could be in congruence with the rest that was going on in the City. Council Members Galloway, Goldberg, Wiseman, Holm and Berry absent.

Council Member Edwards stated that she wanted to join Council Member Quan in commending Ms. Garlinghouse for her work, that she also applauded the board. Council Members Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Edwards stated that last night she saw Council Member Garcia talking about the City of Houston bringing in police officers from other cities, that she had some concerns about that, she did not know anything about it and would like to know what was going on because they had some very serious issues, that she was trying to convene a meeting with the Police Department and people in the Sunnyside area because of the gang escalation that was going on, that she would like to request a comprehensive briefing from the Police Chief on what was happening. Council Members Galloway, Goldberg, Wiseman, Holm, Ellis and Berry absent.

There being no further business before Council, the City Council adjourned at 11:37 a.m. Council Members Galloway, Wiseman, Holm, Ellis and Berry absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary