

City Council Chamber, City Hall, Tuesday, January 31, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, January 31, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present. Council Member Addie Wiseman absent due to being ill

At 2:09 p.m. Mayor Pro Tem Alvarado called the meeting to order and called on Council Member Garcia to begin presentations. Council Member Garcia stated that he wanted to recognize individuals who were community stars because of their great work with the Houston Crackdown Office and their efforts in educating on dangers and consequences of using or abusing legal or illegal substances and invited Mr. Larry Keast and Mr. Stan Gerlich and those with them to the podium. Council Member Garcia further stated that Mr. Keast represented Venturetech Group and a non profit America in Recovery and Mr. Gerlich represented Forward Edge, Inc. and he wanted to recognize and thank them for all their great work. Council Member Berry absent.

Council Member Garcia stated many exciting things were happening in Houston and part of it was the new Houston Soccer Team; and invited Mr. Oliver Luck, President of Houston MLS 1836 to the podium. Council Member Garcia further stated that team T-shirts were presented to Council Members and thanks to Mr. Luck's work as chair of the Houston Sports Authority they were now completing the circle of sports with Houston's own soccer team; and presented him a Certificate of Recognition for his efforts in bringing a major league soccer Team the "1836" to Houston; and Mr. Luck stated that he appreciated all the work Council Member Garcia did to help land the franchise and thanked other Council Members for their support over the years; that they hoped to be a great community citizen like the other professional sports franchises here, there were great role models with the other teams and they hoped to be considered in that group; that they were excited and it was also a great economic element to the city. Council Member Berry absent.

Council Members congratulated Mr. Luck and stated that he had worked hard to bring a major league soccer team to Houston and he would be missed on the Sports Authority, but was congratulated on his new job; and he and the team were wished the best of luck. Council Member Berry absent.

Council Member Edwards stated that Robertson Stadium was in District D and she would like to speak with him; that she was excited for this opportunity, but her concern was parking, she would not think the stadium would hold the fans for long and would like to speak to him on mitigating parking problems; and Mr. Luck stated that he hoped they would have the problem of the stadium being to small and would contact her office. Council Member Berry absent.

Mayor White stated that Mr. Luck did something remarkable at the Sports Authority; that soccer was the missing link and he pulled the rabbit out of the hat and did something remarkable; that he (Mayor White) did make a commitment to the owner personally that at every opportunity they could, those who were in the public eye, would tell people to buy the tickets, to promote soccer. Council Member Berry absent.

Council Member Sekula-Gibbs stated that it was her pleasure to welcome representatives of the League of Women Voters who were presenting Council Members with copies of the latest City of Houston handbook as well as the Harris County handbook and the writer of the books Mr. Mike McCormick and invited all to the podium. Council Member Sekula-Gibbs further stated that the book was written in an easy to understand way to understand the mechanism of the City of Houston; that they were a nonpartisan organization of which she was a member; and invited the president, Ms. Barbara Schwartz to speak. Ms. Schwartz stated that they were very

proud of their two handbooks and she thanked Houston Endowment for publishing it and Mr. McCormick for writing and Ms. Lapel for helping with information; that the books were being placed in HISD schools and they were contacting other schools within the Houston area as they felt it was a great contribution to students in their government classes. Council Member Berry absent.

Council Members thanked and congratulated them and stated they looked forward to reading the voters guide and knew many relied on their guide; that their work was awesome. Council Member Berry absent.

Ms. Schwartz stated that she would like her vice president to say a few words and Ms. Lula Blake, stated that they were strong supporters of all Council Members and they also accepted men in their organization and along with other Council Members Council Members Green and Brown were members; that they were striving to get more members and would enjoy having all their support. Council Member Edwards absent.

At 2:32 p.m. Council Member Lawrence invited Rev. Doug Richnow of St. John's Divine Episcopal Church to lead all in prayer and Council Member Lawrence led all in the pledge.

At 2:34 p.m. the City Secretary called the roll. Council Member Wiseman absent due to being ill.

Council Members Khan and Holm moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Wiseman absent due to being ill. MOTION ADOPTED.

Council Member Garcia moved that Mr. Louis Palomo and Ms. Sandra Farris be substituted by two students, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Green absent. MOTION 2006-0088 ADOPTED

At 2:36 p.m. the City Secretary began calling the public speakers. Council Member Green absent.

Mr. Ronnie Raspberry, 2704 Sutherland, Houston, Texas 77023 (713-926-4433) appeared and stated that he was with the Houston Gulf Coast Building Trades Council and present to speak on Agenda Item 21, an ordinance amending and abolishing certain trade classifications and definitions relating to prevailing wages; that he wanted to recommend the passage of the ordinance, it was passed by the county exactly as it was before the Council and they, the AGC and ABC contracting groups were represented and he represented the union groups, had worked on it all summer; that it was a result of the most extensive and expensive prevailing wage survey ever done and every contractor had opportunity to participate with educational seminars and at no expense to the City of Houston and representatives with the AGC were present today to answer any questions. Council Members Garcia and Green absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Raspberry stated that Mr. Bud Miller, a compliance officer, realized carpet layers were left out of the ordinance and he would like this ordinance passed as soon as possible, but have something added in so a committee of the industry could be able to go back as needed and add whatever necessary to address problems such as this one with the carpet layers; and Council Member Sekula-Gibbs complimented them for working with the industry and agencies and thanked them for working with the unions; and stated a fair wage for a fair days work was what it was about; that she would also like to work with him and his colleagues in finding solutions for reversing the trend where employers were dropping insurance for the workers; and Mr. Raspberry stated that he would be glad to do so. Council Members Garcia and Green absent.

Council Member Alvarado stated that this was a very simple, civil process where groups came together and by adopting this ordinance the city would be staying consistent with what the county passed and staying consistent with the Department of Labor wages definition, classifications and ratio and she applauded everyone's efforts. Council Members Garcia and Green absent.

Upon questions by Council Member Berry, Mr. Raspberry stated that the AGC was at the table and as far as he knew everyone was comfortable with the ending ordinance; that it went through the county and there was no criticism. Council Members Garcia and Green absent.

Council Member Brown stated that he wanted to recognize his friends, Mr. Raspberry and those at AGC, it was a great job they did and he hoped they could work on standardizing the wage rates to simplify bureaucratic problems in departments; and Mayor White stated that it was a good observation and he too thanked Mr. Raspberry, chairman Garcia and Mr. Michael Moore for their work; that they were increasing the budget next year on compliance so companies who did comply with the law were not penalized and the spots on compliance would be increased; that laborers were going up too; and as Council Member Sekula-Gibbs said they would be looking at health benefits for employees, he looked at it on the janitorial contracts and the like and to be a leader they could not stick their heads in the sand on such an important health issue. Council Members Lawrence, Garcia, Green and Berry absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that he wanted to thank all parties for their involvement in putting the ordinance together and the wages which would be adopted here would help insure workers in the construction sector who worked on City of Houston jobs had health care as a part of the wages and also provided was apprenticeship programs to ensure training programs. Council Members Lawrence, Garcia, Green and Berry absent.

Council Members Edwards and Khan thanked Mr. Shaw for his leadership and all stakeholders for working together. Council Members Lawrence, Garcia, Green and Berry absent.

Ms. Suzanne Koch, 6615 Westchester, Houston, Texas 77005 (713-664-4121) appeared and stated that she was involved in a traffic accident January 13 on the Southwest Freeway near Wesleyan and Buffalo Speedway with a 19 year old male who did not have permission to drive the vehicle and where there was no insurance on the vehicle and they were proud of the fact that they did not have it and that even though they were at fault may get money from her insurance; that many she talked with had the same experiences and Council Member Berry recently talked about uninsured motorist and she was suggesting Council come up with another alternative penalty such as in Dallas they towed and impounded the vehicles with no proof of insurance, Louisiana would not allow drivers with no insurance to benefit from any insurance. Council Members Clutterbuck, Alvarado, Green and Berry absent.

Mayor White stated that she had a good idea and was something he would ask chairman Berry to do, to look at what other markets did to provide incentives so the cost was not shifted to various motorists; that they were working on making automobile insurance more affordable and would support efforts such as she discussed. Council Members Clutterbuck, Alvarado and Green absent.

Council Member Sekula-Gibbs stated the bigger the pool of uninsured the more expensive for the pool of drivers who carried insurance and she was glad Ms. Koch brought this up and it was not unreasonable to impound vehicles or arrests people, but thought it was a legislative issue and should not be done just within the city because people came in from all over and it should be within all of Texas. Council Members Lawrence, Clutterbuck, Alvarado, Green and Berry absent.

Council Member Berry stated that they were moving forward on the research phase of this; that Council Member Holm pushed what Seattle and other cities had done which was to impound your car if there was no insurance even at a traffic stop; that it was a common problem and 11 cities supported such. Council Members Lawrence, Clutterbuck, Alvarado and Green absent.

Council Member Khan stated that he hoped they were all okay from the accident; and that Mayor White was correct as this needed to be addressed in a way from many different fronts, he would also like his insurance lower and there may be merit in impounding the car which had no insurance even for traffic violations; and Mayor White stated that if colleagues participated in the committee he wanted best practices looked at but also did not want to violate the law of unintended consequences so if a car was impounded and their child had to drop out of school because of no way to get there...; that they had to do it in a way to accomplish the goal wanted and not have to constantly be correcting whatever was decided. Council Members Clutterbuck, Alvarado, Sekula-Gibbs and Green absent.

Council Member Holm stated that the issue needed to be addressed on the merit alone of following the law and having the insurance and credentials required for driving an automobile in the street. Council Members Clutterbuck, Alvarado, Sekula-Gibbs and Green absent.

Mr. Louis Palomo, 14781 Memorial Drive #334, Houston, Texas 77079 (713-398-5321) relinquished his time to his student Mr. Joshua Trevino who appeared, presented information and stated that he was proud to be a ninth grader in the Leadership Academy at Sam Houston High School in the Be S.M.A.R.T. (Successful, Motivated, Active and Responsible Teens); that their school was located north of 610 between IH-45 and IH-59 with 3,000 students; there was a need for a walking path, a safe place for children to play and teens to have a venture to talk to friends, they needed a SPARK Park; and urged support of their efforts in securing a SPARK Park for their school by the Mayor and Council and encouraged them to visit the school and see the exciting things happening there. Council Members Alvarado, Sekula-Gibbs and Green absent.

Ms. Sandra Farris, 14781 Memorial Drive #334, Houston, Texas 77079 (713-398-5321) relinquished her time to her student Miss Crystal Sanchez who appeared, presented information and stated that she was a ninth grader in the Leadership Academy at Sam Houston High School in the Be S.M.A.R.T. (Successful, Motivated, Active and Responsible Teens Program); that 25% of their class work involved community service and they were now working on a Peace Tree project, they were designing a garden for the campus with a peace tree as the focal point and wanted all to bring a bag of soil from their yard to place around the tree which would symbolize unity and reflect the need for people to build a community based on peace and hope with the dedication being Friday, April 20, 2006, and all were invited; that they were also placing pavers around the garden engraved with names of supporters of the school and invited the Mayor and Council to support the first pavers with available forms to do so having been presented. Council Members Sekula-Gibbs and Green absent.

Council Member Garcia thanked Mr. Trevino and Miss Sanchez and the rest of the students present for coming and stated that he was proud of them for coming and being a part of the be Successful, be Motivated, be Active and be Responsible Team as that was what it was all about; that he understood a visit was already done for the SPARK Park and would like to know what else he could do to make this a reality; that he also wanted to be a part of the peace tree effort; and thanked his friend, Ms. Sandra Farris for all she had done throughout the community. Council Member Green absent.

Mayor White stated that he had not bragged enough on a citizen, Mr. Steve Harter, who worked with Ms. Linda Clark to have a SPARK Park...; that they were really increasing the number of SPARK Parks, sometimes someone would come up after he gave a speech and he would say if God had blessed them give back to this city and Mr. Harter was one who gave back

to this city, he stepped up; that the board was deciding in March and this was in their favor. Council Members Johnson and Green absent.

Council Member Garcia stated that during Hurricane Rita their principal stepped up and did a bang-up job as setting up the school for a shelter and provided a safe haven; and they could be proud being a part of Sam Houston High School. Council Members Johnson and Green absent.

Mr. Carle Jordan, 3607 Mulberry, Houston, Texas 77006 (713-524-3635) appeared and stated that he previously borrowed two tapes from the library and they were lost through a burglary so he went to Hollywood Video and purchased them as replacements, but the Library said it was their policy to not accept replacements or donations, nothing except what was loaned and the penalty fees for being late; that he received a bill for \$64.00 and the tapes cost \$15.00 together and there was no way he would pay their bill so he came today to get the policy changed; that he believed many did not use the library any longer because they owed fees; that his grandson lost a book and they bought it for \$6.20 but they would not accept it because he owed \$50.00 so he wanted the policy revised for someone to replace and pay late fees, but not such exorbitant fees. Mayor White, Council Members Johnson, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Edwards, Mr. Jordan stated that the fine stopped at \$64.00; that he was asking Council to change the Library policy and if someone lost something they could replace it and pay the late fees. Council Members Johnson, Garcia and Berry absent.

Upon questions by Council Member Khan, Mr. Jordan stated that what the Library was charging far exceeded the value of the tape and he wanted to be able to pay replacement value plus late fees. Council Members Johnson, Edwards, Garcia and Berry absent.

Dr. Stephanie Hrabar, 5005 Georgi, Houston, Texas 77092 (713-683-0638) appeared and stated that she had a PHD in Geology and was licensed as a Geo Scientist with a specialization in Geophysics and during the 1990's focused on designing an innovative environmental exploration program to detect underground hazards in the Houston region; that Mayor White's actions strengthened the relationship between the City of Houston and TCEQ with respect to enforcement against air polluters and today she was asking how the city calculated the (ROI) return on investment to measure and lower air pollution risk to protect; how did they review and evaluate the return received on public funding, tax incentives or abatements to every recipient including the medical industry in Houston; that she wanted medical professionals to report public health measures, definitions, incidences and risks based on scientific certainty. Council Member Johnson absent.

Council Member Alvarado stated that she shared her passion for clean air and Mayor White was working hard with limited enforcement to be creative; that her issues related to health risks hopefully would have news soon as the Mayor had enlisted experts from the Texas Medical Center to look at issues and through their Council committee maybe they could make a connection between emissions and health affects on the community; that a town hall meeting was coming up February 13, 2006, at Milby High School from 6:00 p.m. to 8:00 p.m. and they would review the 2004 report from the TCEQ as that was the latest and TCEQ members along with TPC members would be there; that much authority was with the state and the EPA not with the city so they had to be creative, but with this Administration they were taking steps in the right direction. Council Members Johnson, Green and Berry absent.

Upon questions by Dr. Hrabar, Mayor White stated that other speakers were present and he could not get into an extended dialogue with her, but he did know the issues and they were being worked on. Council Members Johnson, Green and Berry absent.

Mr. Larry Keast, 6901 Alabonson, Houston, Texas 77088 (713-895-8700) appeared, presented information and stated that he was presented an award by Council today and this was about America in Recovery, a free website resource he developed; that he had a small company which exported hydraulic drilling machinery to the international oil field; that for about the last 6 years they had hired people recovering from drug and alcohol abuse, ex-offenders to the legal system and old folks and it worked so well they cut cost, increased profit and created a happy work place where everyone was happy to work; that this was a resource where citizens and business owners could reach out, Americainrecovery.org, it was like monster.com, a popular hiring resource, but cost nothing. Council Members Johnson, Green and Berry absent.

Council Member Lawrence thanked Mr. Keast for what he had done, it was wonderful for all communities; that she appreciated what he did in District A. Council Members Johnson, Green and Berry absent.

Council Member Garcia thanked Mr. Keast for his work and stated that Mayor White challenged Houstonians, businesses to reach out and he was living proof of giving back. Council Members Johnson, Green and Berry absent.

Council Member Edwards thanked Mr. Keast for his work and stated that she would like to speak with him further on getting the word out as to what he did and how people could hook up with him; and Mr. Keast stated that he would be glad to speak with her. Council Members Johnson and Green absent.

Ms. Vicki Holzer, 2516 Inwood Drive, Houston, Texas 77019 (832-264-2595) had reserved time to speak but was not present when her name was called. Council Members Johnson and Green absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Johnson and Green absent.

Ms. Rosie Edgar, 5330 Trail Lake Drive, Houston, Texas 77045 (713-433-6260) had reserved time to speak but was not present when her name was called. Council Members Johnson, Clutterbuck and Green absent.

Mr. Stephen Butler, 2674 County Road 148, Alvin, Texas 77511 (281-300-7888) appeared, presented information and stated that he was present to present a product he thought would reduce pollution by 50%, it worked in his car, it also increased fuel mileage by 18 to 35 miles, he received a 50% increase in fuel mileage; that the information he provided would explain it and how it worked, it was brand new in the United States and in 7 weeks they had gone from 2,000 distributors to 6,500 and by next year it was estimated 7,000,000 people would be using it, it cost \$1.50 to treat 15 gallons of fuel and that came out to be about ten cents per gallon. Council Members Clutterbuck and Green absent.

Council Member Sekula-Gibbs thanked Mr. Butler for coming; and upon questions, Mr. Butler stated that he was a stock technician by trade and he happened to come across this by someone he knew; that after putting it in his vehicle he went from 10 MPG to 15 MPG and it claimed to have a 50% reduction and better in emissions of all vehicles; that he had no booth at the car show, but he was a distributor and should be there; and he had a free bottle for whoever would like to try it. Council Members Clutterbuck, Holm and Green absent.

Council Member Brown stated that sounded very interesting; that maybe a city department could try it; and he accepted a bottle from Mr. Butler. Council Members Clutterbuck, Holm and Green absent.

Mr. Curtis Morton, 12426A Ticonderoga, Houston, Texas 77004 (281-459-3964) had reserved time to speak but was not present when his name was called. Council Members

Clutterbuck, Holm and Green absent.

Mr. Randall Kallinen, 1406 Castle Court, Houston, Texas 77006 (713-320-3785) appeared and stated that he was president of the Houston Chapter of the American Civil Liberties Union and present to speak out to Council about the city employees freedom speech, officers freedom of speech; that recently there were chases which ended dangerously and they were matters of public concern and when an individual including a police officer wished to speak out about matters of public concern it was protected free speech under the United States Bill of Rights and it was of interest to all; that he was not saying whether the chase policy was correct or incorrect, but the Supreme Court answered the question to police officers speaking out on matters of public concern; that the ACLU was aware of a lawsuit filed by the particular officer and they would like to advise Council that the policy by the Chief of Police which stated officers must refrain from criticizing the department in a manner which undermined the effectiveness of the department, interfering with discipline or disrespects, the truth presented a chill on his free speech rights. Council Members Clutterbuck, Holm and Green absent.

Council Member Berry stated that more often than not he agreed with him, but he had been struggling with this, it was a paramilitary organization and you did not want officers going off half cocked, he did agree with his comments but on the flip side he did not know if you wanted officers saying some of what he said, particularly that he was embarrassed to be a Houston officer, but he would say without regard to disciplinary procedures in HPD he thought he caused consideration of a deep philosophical question, but there was a difference for fire and police as they were paramilitary organizations; and Mr. Kallinen stated whether police was a paramilitary organization such a definition did not help the analysis, they were still city employees, civilians and citizens and as the Supreme Court pointed out who was in a better position to speak about the matters and the citizens deserved to hear from the officer; that what he heard him say was about public safety; and Council Member Berry stated that he had been considering the issue and would continue to, but he did not see him as a civilian. Mayor White, Council Members Lawrence, Clutterbuck and Holm absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan thanked Mr. Kallinen for all he did in protecting peoples rights; that the Chief had formed a committee to review policies and he was looking forward to the recommendation; that he did not want criminals to get away from police and felt they should speak up when someone's rights to free speech was being violated; and on another issue he would want an environment in this city so any city employee at any given time could get up and say something was being done wrong, he felt it would improve their way of working, so he agreed with him on the free speech issue and wanted to add it was good to have any employee speak up if there was something needing improvement. Council Members Lawrence, Clutterbuck, Holm and Brown absent.

Council Member Garcia stated that when he was in the department there was many times he wanted to speak up and he felt bad about what happened with the particular officer, but when the review of the chase policy began to emerge through reports of the media people thought it was in direct reaction to the officer's comments and in reality the Chief had already began to do it with leadership of the union and just speaking out could hurt something being worked on and he felt there needed to be a protocol. Council Members Lawrence, Clutterbuck, Khan and Holm absent.

Upon questions by Council Member Edwards, Mr. Kallinen stated that he was not saying an officer had the right to say anything about a police policy publicly, but quoting from the supreme court, "Speech on public issues occupies the highest rung of the hierarchy of First Amendment values". Council Members Lawrence, Clutterbuck, Khan and Holm absent.

Ms. Suzanne Poole, P. O. Box 1035, Missouri City, Texas 77859 (281-438-5427) appeared, presented information and stated that there was another accident involving SafeClear, a double fatality in December on I-45 South resulting in the death of two young girls

and now of Mr. Christopher Flowers on 610; that the driver on 45 had SafeClear pass him twice, he was out of gas and sat over 20 minutes before being rear ended by a drunk driver, the I-45 segment holder did not want to wait over an hour to load the accident while they extricated the victim so a non SafeClear wrecker loaded the accident and took it to storage and the accident was still under investigation; that both accidents were unnecessary and showed the program had flaws and changes were needed. Council Members Lawrence, Clutterbuck, Khan and Holm absent.

Council Member Berry stated that the gentleman who passed had nothing to do with SafeClear; and Ms. Poole stated that he was rear ended by a SafeClear driver and she believed the program caused it because they were limiting the number of wreckers at the scene, if four had been available one could have been on the overpass alerting people of the accident including the driver who hit him which was being done before the program; and Council Member Berry stated if she would just come say she did not get a SafeClear contract and was mad about it he could live with it, but to continuously criticize the program as causing deaths when she knew it was not true insulted and demeaned those killed on the freeways, there were deaths daily not related to SafeClear; and Ms. Poole stated that no one wanted to have an accident and there were things that could be done to help; that the whole point of the program was to get people stranded on the shoulder off the freeway and when part of the program drove past a group of teenagers two times who were out of gas there was a problem; and Council Member Berry stated there were always ways to improve programs, but statistics showed it was working. Council Members Lawrence, Clutterbuck, Khan, Holm, Alvarado and Green absent.

Upon questions by Mayor White, Ms. Poole stated that she would sign a letter to the members of the House and Senate saying she and her members would support allowing Council Members to establish rules and regulations on criminal background checks for wrecker drivers; and Mayor White stated that he would get the letter to her tomorrow. Council Members Lawrence, Clutterbuck, Khan, Holm, Alvarado, Brown and Green absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that it would seem if they wanted to establish the same background check guidelines for consent tows off street they would tell the same wrecker drivers they would have access to the SafeClear Program because they were holding them to the standard the SafeClear Program allowed and enforced; and Mayor White stated that he was not going to trade off racing to the scene for having someone have their criminal background checked, but on the same merits whether or not someone stalled out somewhere he thought he knew where the community stood on having criminal backgrounds checked and he would like to have it. Council Members Lawrence, Clutterbuck, Khan, Holm, Alvarado, Brown and Green absent. (NO QUORUM PRESENT)

Upon questions by Council Member Sekula-Gibbs, Ms. Poole stated that the situation of the girls being stranded and killed on 45 South they not only bypassed them once, but twice; and Council Member Sekula-Gibbs stated that she would like to know from Captain Bender if they had that knowledge and what action was taken against the driver; and Mayor White stated that was a reasonable request and she would get the information. Council Members Lawrence, Khan, Holm, Brown and Green absent.

Mr. John Juanopulos, 2207 Eastex Freeway, Houston, Texas 77026 (713-227-5207) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Khan, Holm, Brown and Green absent.

Mr. Jim Bartley, 10424 Rockley, Houston, Texas 77099 (281-561-5557) appeared and stated that providing a place for New Orleans residents after Katrina was the right thing to do and Mayor White and Bob Eckels showed how to do it, but that was then and this was now and they had asked apartment owners like himself to open their doors and they did and most of the time they were unable to do background checks, but now owners were being scapegoats for not

screening tenants and forcing them to hire additional security; that Houston was under siege as seen on the news and the Guardian Angels were not needed, it was the National Guard needed for about 90 days to assist the Police Department; that a good deed was done and now tax payers were paying for it and schools were in shambles; that correctional buses were needed to transport them back to their taxing authority, Houston and Houston's providers had done enough; that New Orleans had a cancer of violence and corruption long before Katrina and now it was in Houston, Texas and it must be eradicated before it took hold here; and he would be the first to volunteer any vacant apartments he had to any National Guard soldier for 90 days all bills paid. Council Members Lawrence, Johnson, Khan, Holm, Brown, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Mr. Bartley stated that he owned 50 units and he had one volunteered for Katrina, but it was destroyed within a month and he kicked him out, it was in the Montrose; and Mayor White stated that he did know the issues and wanted to work with them; and upon further questions, Mr. Bartley stated that he had no evacuees today. Council Members Lawrence, Khan, Holm, Brown, Sekula-Gibbs and Green absent.

Council Member Garcia stated that he would like his address of his units because he wanted to run a check on calls for service; and Mr. Bartley stated that it was 520 Lovett Boulevard; that he owned the property about three years and there probably were other calls there; and Council Member Garcia stated that because 50 homes may exist on one property it was no reason why they should have maybe five times the calls of a neighborhood with 50 homes, it was not fair to the surrounding community, so they were not out to just get apartment owners, but they wanted some to know they did not own the lions share of police and fire services; and Mr. Bartley stated that his point was police were overburdened and they needed extra help, this violence was going to entrench into the citizens and he saw no plans to start moving them back, what happened when the program ended. Council Members Lawrence, Khan, Holm, Brown, Sekula-Gibbs and Green absent.

Mayor White stated that they were working every week on how legally to get someone housed in the state they came from if they were here, committed a crime and were convicted, but as a free society people should be free to choose where they lived; and upon questions, Mr. Bartley stated that some blended into and were productive members of society, but some were very violent and needed to be rousted out and sent back. Council Members Lawrence, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent.

Council Member Edwards stated that she knew they worked with him on crime in the Montrose prior to Katrina so it had been there and it seemed Katrina had become the whipping boy; that in her complex there were 150 people and they had no problems like those being discussed and she would say most were law abiding people from Louisiana though she was sorry for what happened to his unit. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Stephen Hester, Jr., 7000 Regency Square Boulevard #160, Houston, Texas 77036 (713-974-4621) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent.

Ms. Alice Jones, 3722 Simsbrook, Houston, Texas 77045 (713-413-2327) appeared and stated that she was present a couple of weeks ago because of the mold in her home; that she called someone in the Yellow Pages who did a free inspection of her roof and they said there were roof problems and showed them to her; that the one sent by the city stayed on the ground and said nothing was wrong, but he was sent out for a visual inspection and not a final inspection and they were not returning her calls now. Council Members Lawrence, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent.

Council Member Edwards stated this was ongoing and her last words with Mr. Wilson was

that they had not found anything wrong and they had reached the financial limit; Ms. Jones stated that she wanted to show the city what they told her was wrong, one thing was the overhang was too short and the water was going under instead of over the flashing; and Council Member Edwards stated that she wanted a copy of the report from those who inspected; and Ms. Jones stated that they did not give her a copy because it was free and when she asked for the city they said let the city come out and she could show them because since they were not going to do the job they would not give a report; and Council Member Edwards stated that Mr. Wilson said they had already spent \$30,000 on her home and were over their limit, but if there was proof something was wrong it would be fixed, the city's experts said there was no problem and she said her experts said there was and she needed a copy of that report if she wanted her to assist. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent. (NO QUORUM PRESENT)

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was present on prostitution and the crackdown on facilities and he had names of some of those places; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that they were occupying his real estate and projecting what they wanted on television; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Brown and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. John Mezick, 1811 Ruiz, Houston, Texas 77002 (713-283-9518) appeared, presented information and stated that he was present two weeks ago and distributed a METRO report and they were spending more money on advertising when people were being killed in the streets. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

At 4:41 p.m. City Council recessed until 9:00 a.m., Wednesday, February 1, 2006. Council Member Wiseman absent due to being ill. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, February 1, 2006

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, February 1, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Arturo Michel, City Attorney; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director present.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:21 a.m. Mayor White called the meeting to order and stated that they would begin with a report from the City Controller and Director of F&A. Council Members Lawrence, Wiseman, Garcia and Green absent.

## **MAYOR'S REPORT**

**9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION**

**REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

Ms. Annise Parker, City Controller, stated that she would be presenting the Monthly Financial Report for the period ending December 31, 2005 as well as the Quarterly Investment and SWAP Report, that the General Fund would end the fiscal year with a surplus of \$10.6 million and overall they were projecting a net of \$5.3 million increase in revenues and a net decrease in expenditures of \$5.3 million, that there were several factors contributing to the change, that on the revenue side the estimate for Intergovernmental Revenues had increased by \$3.2 million due to receipt of monies from Metro, per an agreement with Metro the transit agency reimburses the City for cost associated with certain road improvement projects, the timing of those reimbursements was unpredictable, that Sales Tax Revenues continued to out perform expectations resulting in an additional \$1.5 million increase in their projection for that revenue category, they should be receiving the latest revenue information for sales taxes for the holiday season, that their interest revenues were up by \$600,000 due to higher than expected interest earnings, that with regard to expenditures they had seen a big change due to the new electricity contract approved by City Council in January 2006, also revised projected consumption levels and lower natural gas prices, their projections for General Government Electricity costs had declined by \$5.6 million, that offsetting that decreased spending was an increase in property insurance premiums of about \$600,000 for a net decrease in expenditures of \$5.3 million and in those insurance premiums there should be more changes along those lines in the coming months, that the new electricity contract was also having a positive impact on the Enterprise Funds with net revenue projections up for the Combined Utility System at \$21.4 million, Aviation at \$6.3 million and C&E by approximately \$1 million; that in terms of the Quarterly Investment Report as of December 31, 2005 the City had approximately \$1.7 billion invested, with 98% of that money invested in what was called the General Investment Pool, the character of that pool was that of a short term bond fund that held investments of very high credit quality, their investment strategy was to match assets and liability for a time period of one year in the future and to exercise discretion for the balance of the remaining funds, giving the flatness of the yield curve, meaning that longer term investments did not necessarily bring them a premium there was little incentive to extend the majority of the pool and as such they had kept the current weighted average majority at a little longer than one year, so they were invested fairly short, a detail listing of all the securities owned by the City appeared at the back of the investment report, as of December 31, 2005 the General Pool was yielding 3.81%, which was up from 3.61% during the prior quarter, the Federal Reserve did raise interest rates again so their belief that it would happen was correct, of the funds that were invested in the General Investment Pool 35% belonged to their Combined Utility System, 34% to Aviation, about 3% by Convention and Entertainment and the remaining 28% were related to General Government Operations, that they had two other very small investment pools that totaled about \$29 million, and those pools existed because they addressed requirements of the IRS, in one case, and insurance company requirement for reserve fund in the other; that as to the Quarterly SWAP Report, along with the separate investment report in the MOFAR, they would see a SWAP report, which followed her letter at the beginning of the MOFAR, they were required to present that to Council on a quarterly basis, there were three SWAPS covered, the first was a \$200 million basis SWAP that was related to their General Obligation Debt, the objective of that SWAP was to reduce their Debt Service Cost in exchange for taking on basis risk, the market value as of December 31, 2005 was negative \$2.6 million, their second SWAP was in the amount of \$653 million for the Combined Utility System and the objective of that SWAP was to obtain a lower fixed rate than they could obtain with conventional bonds by taking on tax risk, market value as of December 31, 2005 was a negative \$46.9 million, their third SWAP, again for the Combined Utility System, was in the amount of \$249 million and was entered into as a hedge against future rising interest rates, the market value as of December 31, 2005 was a

negative \$6.2 million, that a reminder was that the negative values would be if they were to dissolve the SWAP, which they had no intention of doing as it ran its course, and that concluded her report. Council Members Wiseman, Garcia, Alvarado and Lovell absent.

Ms. Judy Gray Johnson, Director, Finance and Administration, stated that as the Controller stated that report covered the first half of the fiscal years, that overall things were looking pretty good, in particular the Sales Tax Revenues, they had five months of actual data, and for those five months they were up 10.4%, compared to the same time period a year ago, that their estimates for the rest of the year were less than that, that the change in revenues from Metro, she would point out that it was simply a change from recognizing a revenue in Fiscal Year 2005 versus 2006, it was not a change in the total amount they were receiving, but timing of the receipts was such that the auditor said it should be a Fiscal Year 2006 recording of the revenue and they had thought it would be 2005 in their last report, that they had reflected the lower electricity cost, which was certainly good news effecting all of their funds, the one offset against that, which she would say was just an estimate and their early warning that they had raised their estimate for property and liability insurance, they had just begun the process to begin getting quotes on the next insurance policies that would begin in April and they had every reason to think they were not going to get the same prices this next year that they had this year by a long shot, so they had already raised their estimates and would see a bigger impact in Fiscal Year 2007 than they were seeing in 2006 because this year it was only covering a small part of the fiscal year, and that concluded her report. Council Member Wiseman absent.

Mayor White stated that the reason for the budget discipline that they had and the time spent on the power contract and all of that, was so they could go into the next two fiscal years with some cash balances in excess of what they must need for credit purposes, that there was good and bad on cash balances, the good was that it strengthened the balance sheet and therefore the credit of the City, the bad was that they were getting less interest than they were paying so it was a fine balance, that they had bills coming due in the next two and three fiscal years on power, pensions and on public safety, particularly the Fire pay increase, that just because they were in good fiscal condition, it was in part by design so that they would have some of the resources they needed to meet the needs in the next two years without lurching from crisis to crisis, that finally they ought to take a look at the liability and property insurance in the way they had been doing on the health benefits which was best practices, etc., that maybe they ought to have a little briefing of what would be the best practice for procuring insurance designed to give them the most bang for the buck. Council Member Wiseman absent.

Upon questions by Council Member Sekula-Gibbs regarding reprogramming some of the cash balance towards police overtime rather than taking funds out of the Street and Bridge Fund, Mayor White stated that the fund she was talking about was not a CIP fund it was a General Fund account and they had other General Fund accounts and basically they had cash balances in different accounts and in their budget they decided how they wanted to spend those cash balances with projects and every project had to come up before City Council with appropriations, that the substance was that they funded an account for emergencies with Katrina relief and were using that account and it would help them to use that account for FEMA reimbursement purposes, that they were not taking money out of a capital project to put into police, that in next year's budget they would be taking down some of their cash surpluses to pay bills; that he had taken the position that local government entities should have as much flexibility to deal with pension issues as they could provided that they had some protection of workers so that the pension funds were not raided, that he went before the Pension Board and the principal people who were fighting City efforts at the State level had been lobbyists retained by the Pension Boards that were contributors to lots of candidates, that those were the principal people who were lobbying for that, that he was not saying it was a bad law firm or anything like that but it was a fact, those were the people who were lobbying for it, that it was news to him that the TML would have anything to do with it.

Council Member Holm stated that she would like to take the opportunity to evaluate all the

budget and the amendments that were put forth to see the effectiveness of them, if they had been implemented and where they stood at this point. Council Member Wiseman absent.

Council Member Khan stated that regarding the effect of Katrina and Rita guests to the City, was there a way to do a study to find out what was the economic impact in Houston because of that, and Mayor White stated that there were positive impacts and some negative, that they were doing some studies but they may need to have some reserve funds allocated from a General Fund account that they set as a public safety and services reserve in the next years budget because they did not know how many people were going to return and did not know how long the calls for service, that yes Ms. Garfrick could give them some information on that. Council Members Lawrence and Berry absent.

Council Member Edwards asked if there was going to be an analysis or process that looked at what was causing all of the issues, that she would like to suggest that through either the Public Safety Committee or somebody that they find out what was going on in the City of Houston and how could they get some partnerships with the schools or what they needed to do. Council Members Lawrence and Berry absent.

Council Member Green stated that regarding the budget amendments, that was one thing that the administration was going through right now to determine which amendments had been implemented and which ones were scheduled to be implemented and hopefully they would get something in writing in the very near future and then maybe discuss it in a Fiscal Affairs meeting. Council Members Lawrence and Berry absent.

Council Member Green moved to accept the Monthly Financial Report and the Quarterly Investment Report, seconded by Council Member Sekula-Gibbs. Council Members Lawrence and Berry absent.

Council Member Garcia stated that he thought they needed to talk about their commitment to the CIP, that he was not comfortable whether or not to have those meetings if the community could not have any reasonable expectations as to what projects would get funded, that they needed to talk about how it worked to develop the appropriations for the input that the community gave them as they went through the CIP, otherwise they should cancel the CIP this year, that it was not a criticism it was that he needed some help on how to make the CIP process much more meaningful to his constituents, and Mayor White stated that they would schedule with Ms. Stein, Ms. Johnson and Mr. Dadoush a committee meeting of the whole, with the new Council, sometime in the next few weeks on CIP. Council Members Lawrence and Berry absent.

Council Member Garcia stated that he wanted to recognize a young visitor named Estevan who was present in the Council Chamber, with his mother Claudia, learning about City government. Council Member Berry absent.

Council Member Lawrence stated that many times when new Council Members come in and the past administration, and it may just be totally policy and did not know if they could pass an ordinance to instill it a little more, a community sees their CIP coming along and build's up money and it gets up to \$12 million, for example, and then two years later it was back down to zero because Council Members had been allowed to move funds and the community did not know it, that she did not know if it was policy or if there was anything they could do to keep money in a CIP if somebody chose to move it, and Mayor White stated that he was trying to do that and one way to try to do it was to ask Council Members to have humility in shifting things around in the CIP in their districts, to please be aware that somebody wanted it there for some reason at some time. Council Members Khan and Berry absent.

After further discussion by Council Members, a vote was called on Council Member Green's motion to accept the Monthly Financial Report and the Quarterly Investment Report. All

voting aye. Nays none. Council Members Brown and Sekula-Gibbs absent. MOTION 2006-0089 ADOPTED.

Council Member Lawrence moved to consider Item No. 3 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Brown and Sekula-Gibbs absent. MOTION 2006-0090 ADOPTED.

Council Member Alvarado moved to consider Item No. 21 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Brown and Sekula-Gibbs absent. MOTION 2006-0091 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of **REVEREND DR. DOUGLAS RICHNOW**, to Position Five of **ACCESS HOUSTON CABLE CORPORATION (now known as HOUSTON MEDIA SOURCE, INC) BOARD OF DIRECTORS**, for an unexpired term ending December 31, 2006 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Sekula-Gibbs voting no, balance voting aye. Council Member Brown absent. MOTION 2006-0092 ADOPTED.

Mayor White stated that he wanted to thank Reverend Richnow for his public service and for helping them to accomplish the purposes for the public on the item. Council Member Brown absent.

21. ORDINANCE amending Ordinance Nos. 2000-1114 and 2001-152 to abolish certain trade classifications and definitions, to establish current minimum prevailing wage rates for workers in building trade classifications with corresponding definitions, allowing apprentices and helpers in such trade classifications in certain ratios for certain specified classifications and establishing the prevailing wage rate for each; amending Ordinance No. 85-2071 to establish current minimum prevailing wage rates for engineering (heavy-highway) construction classifications; adopting such wage rates as the minimum wage rates for such construction crafts and trades on such contracts; providing that these rates shall apply to certain city contracts on or after the effective date; providing for a procedure for establishing new classifications and resurveying others; providing a repealing clause – was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0091 ADOPTED.

Council Member Alvarado stated that she wanted to thank Ms. Velma Laws, Mr. Michael Moore, Mr. Marcotte and Mr. Dadoush for their cooperation on the item, that they had some folks out in the audience from the Building Trades Union, AFL-CIO and the AGC and wanted to thank them for their cooperation and was pleased to see the item had passed. Council Members Lawrence and Brown absent.

Council Member Edwards stated that she wanted to congratulate everyone involved and asked how they were going to put it on the ground, was it going to go through a committee as far as how they got the apprenticeships, how did they make it work. Council Members Lawrence and Brown absent.

Mayor White stated that he thought it was very important, he had talked to Mr. Rasberry yesterday about their need to increase compliance. Council Members Lawrence and Brown absent.

Council Member Alvarado stated that based on Mayor White's comments yesterday and increasing resources going into contract compliance, the things that were in the prevailing wage had to do with the apprenticeship program, which the Building Trades already had in place but the item sort of mandated what the apprenticeship program would be, also the ratios and the classifications, that a lot of the stuff they were already doing, it was just reconfiguring what some of the ratios were and falling in line with the Department of Labor, that she thought they

had the vehicle to get it going but certainly having more resources and more focus on contract compliance was the big piece of it.

Mayor White stated that Mr. Hall who had worked with him and who had seen Ms. Law proposal about two or three weeks ago and he had sent to the Director of F&A some note about the next budget year, was not everything that Ms. Laws had asked for but was significantly more, but maybe what they could do was if there was some reprogramming opportunity to put a couple of those changes into affect before the end of the year, and Mr. Hall stated that directive was a huge step forward and was a constant concern of those who represented workers, that they had not adequately policed that, and he thought that was a valid criticism, they had not had the resources to do that, the Mayor had directed a significant increase and that would probably quadruple the number of folks they had working on it, and Mayor White asked why did they not make a recommendation in two parts, first, what they would do this fiscal year and second, what they would do the next fiscal year, and he had talked to Mr. Rasberry and his group, whenever they hired they wanted references, and they checked some of the references that had been provided.

Council Member Garcia stated that with the departure of Council Member Ellis they had not had any discussion about contract compliance or the compliance of vendors paying property taxes and he thought it needed to be part of the agenda to make sure there was a bullet line or some other system that they could capture this type of contract compliance to prevailing wage, did Council get notified that there was an item on the agenda or was submitting a proposal but property taxes had not been paid, was it systemic.

Mayor White stated that payroll records were filed and he was very interested in the mix between the people who went through file records and people in the field, that they were not just going to talk to a few people on the construction site, if they were going to go out there they would talk to everybody so nobody was targeted, they just changed the wage scale for laborers.

Council Member Lawrence stated that as they were going out to make the inspections, many time they had subcontractors that were hired from lists, like MWBE, and she thought those contractors needed to be also checked on the quality of work they were doing and if they were not, to be taken of the list, that those lists needed to be evaluated and encouraged more MWBE people to get on certain lists and let people know which lists were short, that there were a lot of good people out there that just did not know the process to get on lists.

Council Member Khan asked if there was going to be some type of process where everybody would know how they were going to monitor it and make sure that the contractors were following up.

Mayor White stated that he thought it should be an MWBE and Compliance Committee and maybe there ought to be a hearing, both about the recommendations that Mr. Hall and Ms. Laws had developed.

Council Member Edwards stated that she thought it gave them an awesome opportunity as a City to speak to some issues regarding what she would classify as working poor or working class people to bring them up to speed and health benefits and would like to suggest that Council Member Lovell help them devise some kind of process because she had that experience.

Mayor White stated that he did not want to jump into something where they so narrow the number of people who would bid on City work that they would all wind up paying much and everything they had done on MWBE was beside the point, on the other hand he thought they could make some requirements and take some leadership in the City and thought it was something that they ought to look at, they ought to have a committee hearing on the results of what the contractor survey was, what some of the best practices were, that he would love to do

that.

Council Member Lovell stated that she would be happy to head it up, that the committee they were referring to was the Public Health Committee, that they would have a simple check list of what their performance was, that she had also said that if they were going to have big Public Works projects there was a way to share that economic development with those neighborhoods by putting programs in place and with the new apprentice programs and expansion it was a very good opportunity to move people into apprentice programs and teach them jobs with higher paying wages so they could take it back to their neighborhoods and spend that money in those neighborhoods and share the economic development.

### **CONSENT AGENDA NUMBERS 1 through 46**

#### **ACCEPT WORK** - NUMBERS 8 through 10

8. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,084,762.00 and acceptance of work on contract with **F. W. WALTON, INC** for Roof Replacement for City Hall and City Hall Annex, GFS D-0113-02-3 - 02.04% over the original contract amount - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Alvarado absent. MOTION 2006-0093 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$436,608.50 and acceptance of work on contract with **R & B GROUP, INC** for Coffee Lift Station, GFS R-0267-59-3 (4276-32) - 04.93% under the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Alvarado absent. MOTION 2006-0094 ADOPTED.
10. Omitted

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 and 12

11. **CRINER-DANIELS & ASSOCIATES** for Servers and required hardware for City's ERP System through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code \$1,380,792.00 - Special Non-Recurring Project Fund – had been pulled from the Agenda by the Administration, and was not considered.
12. **AAR, INCORPORATED** for Asbestos Abatement, Demolition and Site Clean-Up Services for Police Department - \$169,300.00 and contingencies for a total amount not to exceed \$177,765.00 Dangerous Building Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Wiseman. All voting aye. Nays none. MOTION 2006-0095 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES** - NUMBERS 22 through 44

22. ORDINANCE establishing the east and west sides of the 1400 block of Ashland Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0092 ADOPTED.
23. ORDINANCE establishing the south side of the 2300 block of Dunstan Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2006-0093 ADOPTED.

24. ORDINANCE establishing the south side of the 1700 block of Vassar Street, and the north and south sides of the 1700 blocks of Banks and Milford Streets within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2006-0094 ADOPTED.
25. ORDINANCE establishing the north and south sides of the 2400 and 2500 block of Wichita Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0095 ADOPTED.
26. ORDINANCE establishing the north and south sides of the 900 block of Pecore Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0096 ADOPTED.
27. ORDINANCE establishing the east and west sides of the 2800 block of Robertson Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0097 ADOPTED.
28. ORDINANCE establishing the north side and south side of the 3300 block of Southmore Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0098 ADOPTED.
29. ORDINANCE consenting to the addition of 10.5627 acres of land to **BRIDGESTONE MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0099 ADOPTED.
30. ORDINANCE consenting to the addition of 1.730 acres of land to **CYPRESS-CREEK UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0100 ADOPTED.
31. ORDINANCE consenting to the addition of 7.5538 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 24**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0101 ADOPTED.
32. ORDINANCE appropriating \$143,170.00 out of Water & Sewer System Consolidated Construction Fund and \$107,351.00 out of Drainage Improvement Commercial Paper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONESTAR, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Five of the Skyview Park Subdivision, CIP S-0800-J7-3, R-0800-J7-3 & M-0800-09-3 **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0102 ADOPTED.
34. ORDINANCE appropriating \$408,445.28 out of Public Library Consolidated Construction Fund as an additional appropriation for Professional Architectural Services, GFS E-0011-01-2, E-0142-01-2, E-0076-01-2 and E-0049-01-2, under contract with **PROZIGN INC. DBA PROZIGN ARCHITECTS** (approved by Ordinance No. 02-0239) - **DISTRICTS H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0103 ADOPTED.
36. ORDINANCE appropriating \$109,500.00 out of Public Health Consolidated Construction

Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **NATEX CORPORATION DBA NATEX CORPORATION ARCHITECTS** for the Renovation of West End Health Center Phase II, GFS H-0068-02-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0104 ADOPTED.

37. ORDINANCE allocating \$450,000.00 and approving and authorizing Miscellaneous Professional Engineering Services Contract between the City of Houston and **PROFESSIONAL SERVICE INDUSTRIES, INC** for Testing Laboratory Services for Street Maintenance Projects – had been pulled from the Agenda by the Administration, and was not considered.
38. ORDINANCE appropriating \$50,600.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **LANDTECH CONSULTANTS, INC** for Design of Lyons Avenue Reconstruction from Zindler Street to Port Street (approved by Ordinance No. 00-1107), GFS N-0719-02-2 (SB9040); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0105 ADOPTED.
40. ORDINANCE appropriating \$350,562.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **OTHON, INC** for Design of Sewer Line Replacement - Sims Bayou Utility Conflict Relocation from Alameda Road to the vicinity of Alameda Sims Wastewater Treatment Plant, GFS R-0521-B2-2 (WW4905); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0106 ADOPTED.
41. ORDINANCE appropriating \$539,282.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CARTER & BURGESS, INC** for Design of Neighborhood Sewer System Improvements, GFS R-2011-51-2 (WW4913); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS A - LAWRENCE; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0107 ADOPTED.
42. ORDINANCE appropriating \$72,096.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **JAYMARK ENGINEERING CORPORATION** for Construction Management and Inspection Services associated with the Rehabilitation of Two Ground Water Storage Tanks, GFS S-0600-B2-3 (10814-02) - **DISTRICTS G - HOLM and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0108 ADOPTED.
43. ORDINANCE appropriating \$3,842,208.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, GFS R-0295-09-3 (WW4257-73); 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 and testing, project management, and contingencies relating to construction of facilities financed by

the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. ORDINANCE 2006-0109 ADOPTED.

44. ORDINANCE appropriating \$894,940.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** for Water Line Replacement in Azaleadell and Carlisle Subdivisions, GFS S-0035-B4-3 (WA10777); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0110 ADOPTED.

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

**MISCELLANEOUS** - NUMBERS 1 through 7

1. REQUEST from Mayor for confirmation of the appointment of **MS. ROSEMARY GARZA**, to Position Three on the **CIVIL SERVICE COMMISSION** for Municipal Employees of the City of Houston and the Police Officer's and Firefighters' Civil Service Commission, for a term expiring June 14, 2008 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0096 ADOPTED.

Council Member Alvarado stated that as they knew she had been pretty adamant about the Civil Service Commission in light of what had taken place at the DNA Crime Lab and the three analysts that made an appeal and the appeal was granted by the Civil Service Commission, that she hoped that as they looked at committees like the Ethics Committee that they could apply the same attitude towards the Civil Service Commission, that she was still waiting for some information about actions that were taken with those three analysts and a list of the members that were on the Civil Service Commission that granted the appeal that weakened the discipline of the three analysts that had a lot to do with the mis happenings and misconduct in the Crime Lab, that she was glad that they were putting new people on the Civil Service Commission, that Ms. Rosemary Garza, whom she knew, was an attorney and she had brief conversations with her about the City's past experience with the commission, so she looked forward to appointing other folks like Ms. Garza to the commission, and Mayor White asked Ms. Stein to get that report from Mr. Vara.

Council Member Garcia stated that he wanted to echo Council Member Alvarado comments, that he had known Ms. Garza for many years and believed that she was of the right caliber to help them lead on the Civil Service Commission, that he also shared with her the same concerns.

2. REQUEST from Mayor for confirmation of the appointment of **MR. CRAIG L. PRESLEY**, to Position Three, to the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS**, for a term to expire December 30, 2007 - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Edwards stated that she did not have a problem with Mr. Presley being appointed to the board, her question was that Sunnyside lots being acquired by LARA she had asked that they have representation and asked if somebody could talk with her about it, and Mayor White stated that he needed to replace somebody on the LARA Board and Council Member Edwards asked if that person could be from Sunnyside and she never got an answer because the LARA Board, as she understood was Third and Fifth Ward and she was told they

had to be residents of those areas, and Mr. Hall stated that the LARA Board had a structure that was pursuant to an agreement with a whole bunch of other governmental entities, that they agreed after consultations with Council Member Edwards and others to create the advisory committees for various neighborhoods that were not represented so they would have input into what would happen in those neighborhoods as they proceeded to acquire the lots, and Council Member Edwards stated that she had never been given the go ahead, and Mr. Hall stated that Mayor White indicated to somebody last week that they would go ahead and start establishing those advisory boards, and Mayor White stated that he wanted to know what happened and why they were not established, that he would talk to Council Member Edwards about it today, that he shared her concerns.

After further discussion by Council Members, a vote was called on Item No. 2. All voting aye. Nays none. MOTION 2006-0097 ADOPTED.

4. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$272,788.00 permit fee to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** to amend the 2005 groundwater permits - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0098 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$847,786.00 permit fee to the **HARRIS-GALVESTON SUBSIDENCE DISTRICT** for Permit Year 2006 aggregated groundwater withdrawal fee and accrual of over-conversion credits - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0099 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$27,710.16 to **LONE STAR GROUNDWATER CONSERVATION DISTRICT** for water user fees for calendar year 2006 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0100 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering to approve refund for Water & Sewer Account for **M.I.P. TEXAS HUNTINGTON PARTNERSHIP** - \$37,845.53 Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0101 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 11 through 17

13. **IES INTERACTIVE TRAINING, INC** for Firearms Training System Upgrade for Houston Police Department - \$55,190.00 - Police Special Services Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0102 ADOPTED.
14. **QUALITY TOWER SERVICES, LTD.** for Repair of a Communication Tower for Police Department \$39,464.00 and contingencies for a total amount not to exceed \$41,437.20 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0103 ADOPTED.
15. **SIRIUS COMPUTER SOLUTIONS, INC** for Spending authority to Purchase Maintenance and Support Services for IBM Software and Hardware from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$925,173.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council

Member Alvarado, and tagged by Council Member Sekula-Gibbs.

16. **INTERNATIONAL BUSINESS MACHINES, INC** for Spending authority to Purchase Maintenance and Support Services for IBM Computer Middleware and DB2 Software from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$950,105.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Sekula-Gibbs.
17. **HOUSTON COMMUNICATIONS, INC (Bid #58)** for Batteries, Gel Cell for Department of Public Works & Engineering - \$151,200.00 minus a commission fee for internet-based reverse auction services for a net award amount not to exceed \$148,176.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Berry.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 18 through 46

18. RESOLUTION approving the action of the City of Houston Industrial Development Corporation for its FBO Revenue Bonds, Series 2006 (AFCO Fixed Base Operations Obligated Group) **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. RESOLUTION 2006-0001 ADOPTED.
19. ORDINANCE approving and authorizing Resolution and submission of a grant application by the Parks & Recreation Department to the Texas Parks and Wildlife Department, authorizing the Mayor to sign the Resolution and committing an In-kind Match to implement the program – was presented. All voting aye. Nays none. ORDINANCE 2006-0111 ADOPTED.
20. ORDINANCE approving and authorizing supplemental agreement No. 2 to Park and Recreation Lease No. DACW64-1-82-60, Cullen Park, Buffalo Bayou and Tributaries Flood Control Project, Addicks Dam, between the Secretary of the Army, as owner, and the City of Houston, as lessee, adding approximately 1,000 acres, to the leased area - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-0112 ADOPTED.
33. ORDINANCE amending Ordinance 2005-0241 to increase the maximum contract amount; providing for an allocation of funds from the Central Service Revolving Fund for Contract between the City of Houston and **FULCRUM POWER SERVICES, L.P.** for Professional Energy Management Services relating to the City's Electricity Contract - \$200,000.00 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Council Member Sekula-Gibbs absent. ORDINANCE 2006-0113 ADOPTED.
35. ORDINANCE appropriating \$617,120.00 out of Parks Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Construction of Westwood Park, GFS F-504C-11-3; 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 - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2006-0114 ADOPTED.
39. ORDINANCE appropriating \$550,000.00 out of Series E Commercial Paper Metro Project Fund No. 49M and approving and authorizing Professional Engineering Services Contract between the City of Houston and **REYNOLDS, SMITH AND HILLS, INC** for Design of Citywide Overlay Project, GFS N-1037-50-2 (OL2250); providing funding for contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro

Project Fund No. 49M – was presented. All voting aye. Nays none. ORDINANCE 2006-0115 ADOPTED.

After discussion by Council Members, Council Member Brown stated that there were some engineers in the City who felt they needed to reconsider the engineering formula for an overlay program so they were not compromising critical areas where drainage was a real problem, and Mayor White asked if the Director of Public Works was not listening to them, that he wanted a briefing of what the cost of scraping it down to pavement, where they factor that into the formula was something that he would like to be briefed on.

45. ORDINANCE No. 2006-58, passed second reading January 25, 2006  
ORDINANCE granting to **WSI WASTE SERVICES OF TEXAS, L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. ORDINANCE 2006-0058 ADOPTED THIRD AND FINAL READING IN FULL.
46. ORDINANCE No. 2006-59, passed second reading January 25, 2006  
ORDINANCE granting to **YC DISPOSAL, A Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING**– was presented.

Council Member Garcia asked what did the process mean for the two items in the discussion of Republic Waste, were there new companies coming into town, and Mr. Michel stated that it was different from a City contract, it was the right to use the streets and roads for purposes of hauling trash.

A vote was called on Item No. 46. All voting aye. Nays none. ORDINANCE 2006-0059 ADOPTED THIRD AND FINAL READING IN FULL.

#### **NON CONSENT AGENDA** - NUMBER 47

#### **MISCELLANEOUS**

47. MOTION to set a date not less than seven days from February 1, 2006 to receive nominations for Positions Four and Six, for terms to expire December 31, 2006 and Positions Five and Seven, for terms to expire December 31, 2007, of the **ETHICS COMMITTEE** - was presented.

After discussion Council Member Holm moved to set February 22, 2006 to receive nominations for Positions Four, Six, Five and Seven of the Ethics Committee, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0104 ADOPTED.

#### **MATTERS HELD** - NUMBERS 48 through 54

48. MOTION By Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **RAPID ENVIRONMENTAL SERVICES, LLC** to Address Emergency Disaster Recovery by providing Potable Water Tanks - \$55,000.00 - General and Enterprise Funds – **(This was Item 21 on Agenda of January 25, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. MOTION 2006-0105 ADOPTED.
49. ORDINANCE adopting a three-year Annexation Plan in accordance with Section 43.052

of the Texas Local Government Code – **(This was Item 27 on Agenda of January 25, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Brown stated that he was going to vote against Item No. 49, that it primarily related to strategic partnership agreements that the City was getting into and he thought that it was time, since there were so many of them and he understood that there were about 50 of them in the pipeline, that they really needed to evaluate the policy in terms of the short term benefits versus the long term affect because in effect what they were creating was a strange vulcanization of the ETJ around the City, that he would like to maybe amend to have a rationalized study of the long and short term affects of strategic partnership agreements and whether there were some alternative economic development tax revenue tools that they could use that would not get them into where they were participating but did not have any control, that he would recommend that they take a hard look at it before they determined what City policy was.

Mayor White stated that he thought the issue of taking an interest and looking into the long term policies and not just going by inertia was a good thing because the ETJ was very important, that second, he did believe that the annexation plan was required to be adopted every year, that it said three year annexation plan but every January they were going to come back to it and Mr. Michel stated that was correct, that it just pushed them three years out in terms of what they do, that he was not sure that there was a requirement that it be passed by a particular date, he thought it worked toward if they did want to take action it pushed them out three years so they could allow a three year plan to expire before they took further action, but they typically updated it annually, and Mayor White asked Mr. Michel to check on that.

Council Member Wiseman stated that with the changes in State law they make a requirement that they had to put forth an annexation plan which involved a three year annexation plan and that was why regardless of what the plan said, as mandated by State law, they had to pass it, so in passing it they were saying what they were not intending to do, and the plan spelled out very clearly that they did not propose to annex any territory for general purposes in the three year period, that it did make the exception that the City would consider the annexation of territory if it was requested by the property owners and that they were allowed to do, that it also stated with respect to the Strategic Partnership Agreement that the City would continue to pursue them with utility districts within the ETJ and was assuming that was the area of contention that was expressed by her colleague Council Member Brown, that she had those same concerns with the SPAs, that it was a difficult call as far as how one addressed it because they were required to pass an annexation plan, they were not required to pass the SPAs, so certainly any action involving SPAs was something of a policy matter that the administration could put forth. Council Member Berry absent.

Mr. Hall stated that they had a specific and definitive answer, and Ms. Margaret Wallace, Planning Department, stated that there was no specific date, however if the City wanted to participate in an annexation at all they must have a three year plan in place, their three year plan expired in late December 2005 because it was approved by City Council in December 2004, so they were approximately three weeks out of having an annexation plan, that the plan expires by its own terms every year, so to even consider a special purpose annexation they had to have a plan that was approved by Council, and Mayor White stated that with that in mind, so they did not limit their options, to remember by ordinance they could do a whole lot of things before the body, that they wanted the option to continue to increase their public safety expenditure and the senior exemption, which had been provided to them by special purpose annexations, and in order to have that option available then they needed to do the plan and if they decided they could come up and change the plan, but they did need to have a plan. Council Member Berry absent.

Council Member Lawrence stated that for those Council Members who would like to learn more about annexation on February 20, 2006 they would be having a Regulations and

Neighborhood Protection and Development meeting in the Council Chambers on annexation and Ms. Wallace would be talking at that time. Council Member Berry absent.

After further discussion by Council Members, Council Member Brown stated that he was not opposing the annexation plan but was questioning the Strategic Partnership Agreement part and wondered whether they could amend the language to say “the City would continue to pursue SPAs within the City’s ETJ subject to further study and recommendations by Council”, and Mayor White stated that he would suggest that Council Member Brown consult with Ms. Gafrick concerning what was in the works, that he learned that they could not do anything without the hearings and then they would vote, that he understood Council Member Brown concern, that they just be on cruise control and look at where they were going in 10 to 12 years, that he would tell them that there were a lot of people in the ETJ that were really wondering why they could not get better police service and things like that, that he got it all the time. Council Member Berry absent.

After further discussion by Council Member Wiseman stated that with respect to having to include the Strategic Partnership Agreement portion of it, and that was the purpose of doing it, could they not amend it to say “accept that it would consider the annexation of territory if required by property owners”, could they not also say “the City would consider SPAs with the utility districts”, then that would give them the flexibility for those of them who understood they had to have an annexation plan, but may not currently be in a position to say they were supporting SPAs, or pursuing SPAs, that was the word, “pursing” versus “would consider”, that to say “pursue” that was where some of them had some disagreements on, would it be possible to change that. Council Members Green and Berry absent.

Mayor White stated that going to Section 2, 3 lines from the bottom it says, “to pursue the possibility of”, and if you wanted to say instead of that and insert in lieu thereof “and consider entering into strategic partnership agreements”; and Council Member Wiseman stated that she was asking if the word pursue was absolutely necessary or just simply changing it to consider then it would still meet the legal requirement; and Mayor White stated that they did not have a problem and if he could suggest to pursue the possibility or in lieu there of say consider; and Council Member Wiseman stated consider it just changing one word then, pursue to consider, and that way it still had the effect of what was intended with out committing everyone present; and Mayor White stated that was okay then to insert the word consider for the word pursue; and Council Member Wiseman moved to amend the annexation plan, Item No. 49, to replace “pursue” with “consider” in the final sentence, “the City would continue to pursue SPAs with utility districts within the City’s ETJ”, would then read, “the City would consider SPAs with utility districts within the City’s ETJ” , seconded by Council Member Brown. Council Members Alvarado and Green absent.

After further discussion a vote was called on Council Member Wiseman’s motion to amend Item No. 49. All voting aye. Nays none. MOTION 2006-0106 ADOPTED.

A vote was called on Item No. 49 as amended. All voting aye. Nays none. ORDINANCE 2006-0116 ADOPTED.

50. ORDINANCE consenting to the creation of **WOODRIDGE MUNICIPAL UTILITY DISTRICT** – **(This was Item 38 on Agenda of January 25, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. ORDINANCE 2006-0117 ADOPTED.
51. ORDINANCE approving and authorizing contract between the City of Houston and **PHOENIX BUSINESS CONSULTING** for Computer Consulting Services relating to the ERP Project \$1,565,313.00 - Special Non-recurring Fund – **(This was Item 44 on Agenda of January 25, 2006, TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and KHAN)** – was presented.

Council Member Khan stated that he wanted to thank Mr. Richard Lewis and Mr. Earl Lambert for visiting with him and giving him a briefing on the issue, that he wanted to share with his colleagues that this was one of the most significant changes coming to the City of Houston, the new computer program, that as they saw in the RCA their current system was aging and the program was very much needed, that he was glad to hear at the briefing that they were on schedule and come June 1, 2006 there would be changes implemented.

Council Member Sekula-Gibbs stated that she had tagged the item because she had concerns about spending another \$1.56 million on a program that originally was to cost over \$22 million for the conversion that Council Member Khan was talking about and the use of SAP for the computer conversion in the City was heavily discussed and she voted against it at the time and she was concerned now to see that not only were they using another company called Phoenix Business Consulting to basically assist SAP for an item that they were already going to charge the City an enormous amount of money for, but she was also concerned and maybe Mr. Lewis and his team could give some clarification because Item Numbers 15 and 16, which were to approve \$925,000 to Sirius Computer Solutions and \$950,000 to IBM for more computer programming that she understood was going to be interfaced with the SAP project, that she may not understand it all completely but it seemed to her that they were seeing a lot of add-ons to the SAP dollar figure, so she would like to know from Mr. Lewis, or who he designates, what was the exact total, that she knew there was a contingency of 6% on the project but it seemed to her that they were bumping up against that already and she would like to know how much more were they going to be adding on to the original \$22 million, which she thought was a package, that it was supposed to be a pretty good system, that everybody was convinced at the time that it was the right solution for the City.

Mayor White stated that he knew Council Member Sekula-Gibbs met with Mr. Lewis at some length yesterday and asked if he explained that it was not an add-on, the reason it was by motion was that it was within the appropriated amount and within the scope of work, did he disagree with her characterization of it as an add-on, and Council Member Sekula-Gibbs stated that Mr. Lewis mentioned a 6% contingency, that she thought they were pushing that already, that they did not discuss Item Numbers 15 and 16, they just discussed Item No. 51, which was the \$1.5 million and Mr. Lewis said that was within the 6% contingency of the \$22 million, but now they were seeing \$1.8 million coming up the very next week, that she tagged the items, that she was curious, were they going to have more next week, that was really what she was asking, and Mayor White stated that it was his understanding that the amount they appropriated, how they were handling the item by motion as opposed to appropriation was that it was within the amount, and Council Member Sekula-Gibbs stated that it had exceeded 6%, and Mayor White stated no, that he thought the expenditure since inception had been \$1.3 million out of the total appropriation of \$22 million, and Council Member Sekula-Gibbs stated that \$4.3 million was more than 6% of \$22 million, and Mayor White asked where the \$4.3 million and Council Member Sekula-Gibbs stated that if they added them all together, \$1.5 million, \$9 million and \$9 million, and Mayor White asked if she was adding Item Numbers 15 and 16 and Council Member Sekula-Gibbs stated that it was Item Numbers 15, 16 and 51, and Mayor White stated that he thought Item Numbers 15 and 16 were on the Water Customer Service Plan and Council Member Sekula-Gibbs stated that they were but she thought they just had to follow the numbers and they would see it was all interlinking with the same program, that just because they got it from a different fund it did not mean it would ultimately cost the taxpayers any less money so that was her concern, and Mayor White asked if Council Member Sekula-Gibbs was saying that Item Numbers 15 and 16 were part of the integration of the HR and some other systems done by SAP and Council Member Sekula-Gibbs stated that was what she was told.

Council Member Khan moved to suspend the rules to hear from Mr. Richard Lewis and Mr. Earl Lambert at this time, seconded by Council Member Green. All voting aye. Nays none. Council Member Wiseman absent. MOTION 2006-0107 ADOPTED.

Mayor White stated that the first question was that there was something about the relationship between Item Numbers 15 and 16 and the SAP, that there was an assertion made that Item Numbers 15 and 16 were related to the amount they appropriated for the SAP, and Mr. Lewis stated that Item Numbers 15 and 16 were Public Works largest departmental application and controlled the water usage, the sewer, wastewater usage, the billing and collection and work orders for that department, the SAP project was an enterprise wide project that all departments used, that he pointed out to the Council Member Sekula-Gibbs yesterday that the SAP project had about a \$15 million appropriation to SAP for services and software, there was a separate \$7.6 million amount in that appropriation for cost unrelated to SAP but work that had to be done, that he pointed out to Council Member Sekula-Gibbs that they made a judgment that third parties could do the interface and data conversion with better value to the City, that Mr. Lambert represented to him yesterday that SAP's average hourly blended rate was about \$210 and they were bringing this one in at \$128, they could manage the risk associated with that disparity pretty effectively and that was why they were doing this, that it was included in the budget and he showed her where there were two line items in the budget for that purpose, that it was a little bit higher than their estimate but it was not going to eat into the contingency very much at all, he did point out to Council Member Sekula-Gibbs that when City Council approved the action in April 2005 that they had an amount of \$2 million that they might need to supplement the contingency with, because at that time the contingency was only about 6% and he would like to get it up to 15%, that he and Ms. Judy Johnson, Director, Finance and Administration, had been talking about that and they may or may not want to bring something forward in that regard, but it was premature for him to speculate on that at this time.

Council Member Sekula-Gibbs asked Mr. Lewis stated that she saw that Item Numbers 15 and 16, over \$900,000 each, were related to the Public Works and Engineering Department, that they were both for purchasing, that it was her understanding that SAP was supposed to be kind of a global solution for the City, and Mr. Lewis stated that SAP was for Financial Purchasing, Payroll and HR, these applications basically support the water sewer operations, billing collections, work order, waste water and water usage, the only thing that application did was push revenue data to the financial system, that today that was AMS and on July 1, 2006 it would be SAP, that the Municipal Court did the same thing, and the Aviation Department did the same thing, it was a departmental application, there would be an interface but they were not going to replace that application, might SAP, at some future date proposed when they get ready to, replace the application, which was installed originally in 1987, possibly, but it had no relationship to the SAP contract at this point, other than the interface, which had to be built, which was the subject of Phoenix's work.

Upon further questions by Council Member Sekula-Gibbs, Mr. Lambert stated that the contract with Phoenix included 36 interfaces and 56 conversions, so that was the scope of the work that had been defined for that contract and they felt confident, it was a very tight scope, they had worked it enough that there was going to be very little variance in that number, that all the existing interfaces that existed between departmental systems and AMS had been identified and they were included in the scope of the work, that he was not saying that they were going to be using Water Sewer Enterprise money to pay for the other departments, that the 36 interfaces was the scope of the work that was identified for the interface piece of the effort, that there were multiple departments that had interfaces with AMS, and were going to be paid for by the amount that was appropriated as part of the SAP project budget.

After further discussion Mr. Lewis stated that actually since it was an enterprise application and all departments would use it the appropriation that was approved by Council included a consolidated equipment fund of about \$14 million to take care of the General Fund Department, \$4.5 million was appropriated from the Combined Utility Fund, \$2.5 million from the Aviation Fund, it was an enterprise wide application and those funds should bear the costs that they would realize by using that system.

After further discussion Council Member Sekula-Gibbs stated that she did not think she

was quite getting the answer, and Mayor White stated that she was dealing with Item Numbers 14 and 15, the water sewer customer applications and the interfaces between that application, and Mr. Lambert stated that it was true, it interfaced with the application just as Mr. Lewis had pointed out, ICMS would interface with that application, Item Numbers 14 and 15 related to hardware maintenance and operating system software maintenance for the computer equipment that operated the billing system for the Water Department, the other one was for maintenance of the database software, the customer service system for the Water Department handled when a customer called to have water turned on or off, handled reports of leaks, it was just the work orders to have the leaks repaired, so it was a very broad scope of functionality that went beyond just the basic billing of the customer for water usage, and Mr. Lewis stated that those two items were basically the annual maintenance and support of the software as well as helping the department with some upgrades as the software releases occurred, it was normal standard procedure, usually the annual maintenance and support was 15% of what the capital costs for the software were and this application had been in the City a long time, they were extending the life of the application and avoiding another investment right at this time, it made all the sense in the world, and Mr. Lambert stated that Item Numbers 14 and 15 were totally unrelated to the SAP project and if they were not doing the SAP project they would still have Item Numbers 14 and 15 on the agenda.

After further discussion by Council Members, a vote was called on Item No. 51. Council Member Sekula-Gibbs voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2006-0118 ADOPTED.

52. ORDINANCE appropriating \$1,084,300.00 out of Street & Bridge Consolidated Construction Fund for Local Match Funds for Construction of a City of Houston (City) and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) Bikeway Project MKT/SP Rails to Trails, Contract No. 053475 - Ord No. 02-0032, GFS N-0420-30-3 (SB9161-01);** providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA – (This was Item 45 on Agenda of January 25, 2006, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. Council Member Berry absent.

Council Member Garcia stated that he community was very excited about getting the project underway but he was voting for the item reluctantly just because of the experience that they had with the Studewood reconstruction where TXDOT was the project manager, that the community had been frustrated with the cut through traffic that had occurred, that he wanted to thank Public Works because he had expressed his concern and they had tried to work diligently to try and change the relationship. Council Member Berry absent.

A vote was called on Item No. 52. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-0119 ADOPTED.

53. ORDINANCE approving and authorizing first amendment to contract No. 51583 between the City of Houston and **REPUBLIC WASTE SERVICES OF TEXAS, LTD – (This was Item 46 on Agenda of January 25, 2006, TAGGED BY COUNCIL MEMBERS KHAN, WISEMAN, SEKULA-GIBBS and HOLM)** – was presented. Council Member Berry absent.

Council Member Green stated that there had much discussion about the Republic Waste contract and what messages they might send and what options they had regarding the extension of the contract and moved to refer Item No. 53 back to the administration with the hopes that if there were opportunities to re bid or for the City to take over the contract and they would look at that, but basically so that their very able bodied Solid Waste Director could come back with options, if indeed there were other options to extend the contract, seconded by Council Member Wiseman. Council Member Berry absent.

After discussions by Council Members, Council Member Edwards stated that for what ever

other services that they had privatized or outsourced that there be some analysis to look to see if they had a Plan B if the same type of thing happened again, and Council Member Khan asked if Mayor White could look to see if there was a possibility of handling the contract in house, that he understood they had equipment that was either in use currently or was in use in the very recent past which could be used if the Republic contract was not extended, and Mayor White stated that he supported the motion to refer back, that they wanted to send a message that if somebody steals then they were going to collect the evidence to send it to the District Attorney and help get them indicted, they wanted to send a message that if companies who did business with the City had employees that did bad things they ought to pay up instead of fighting the City, that the employees responsible had been fired, but what he did not want to do was to ruin the lives of the guys who were on the trucks, many of whom were victimized by their own orders, that when they were talking about punishing he was for black listing people and sending people to jail, but to remember that there were people who worked every day who worked on those trucks, that he wanted to do what was best for picking up garbage and the taxpayers.

After discussion by Council Members, a vote was called on Council Member Green's motion to refer Item No. 53 back to the administration. All voting aye. Nays none. MOTION 2006-0108 ADOPTED.

54. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Patrick Berna, on behalf of Romulus Co. (Munir Asfar, general partner), for abandonment and sale of Ellen Lane, from Sheffield Road to Lila Lane, and a portion of Lila Lane, adjacent to Lots 4 through 6, Block 12, in exchange for the conveyance to the City of a right of way for and the construction of a cul-de-sac at the dead-end portion of Lila Lane, located within Woodland Acres, Parcels SY6-011A, SY6-011B, SY6-019 and AY6-076 - **TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT E - WISEMAN** – **(This was Item 58 on Agenda of January 25, 2006, TAGGED BY COUNCIL MEMBER JOHNSON)** - was presented. Council Member Sekula-Gibbs absent.

Council Member Wiseman named Mr. Jimmy Payton and Mr. Arthur Shackelford as appraisers and Mr. Scott Stephens as alternate appraiser and moved approval of the recommendation, seconded by Council Member Khan. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION 2006-0109 ADOPTED.

Council Member Green moved to stay in session beyond the noon recess to complete the agenda, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION 2006-0110 ADOPTED.

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

Council Member Green stated that they had all heard of the passing of Coretta Scott King, and asked for a moment of silence for the passing of Coretta Scott King. Council Member Sekula-Gibbs absent.

Council Member Green stated that on February 18, 2006 at Chase Heritage Hall the Houston Defender would be honoring Ms. Yvette Shaqua and he wanted to recognize her for all of her good efforts and all the good work she did. Council Members Lawrence, Johnson and Sekula-Gibbs absent.

Council Member Green stated that he wanted to talk about the \$100 million gift by Mr. Dan Duncun to Baylor College of Medicine, that a lot of them had ties to Baylor College of Medicine and he wanted to applaud the altruism that had been done that would help the community, that it was a lot for the City which helped them gain the notoriety and positioning of being a power house as it related to research and things of that nature, that he wanted to congratulate Baylor. Council Members Lawrence, Johnson and Sekula-Gibbs absent.

Council Member Green stated that yesterday the schedule of the District CIP meetings went out and he wanted to encourage all of his colleagues to circulate it throughout their communities and their districts so individuals would come and offer their input not only to the CIP but also the General Fund and Operating Budget, so they could come out and give those suggestions as to how they could make the budget a lot more representative and continue with their fiscal discipline and continue to provide the services that they all desired to do. Council Members Lawrence, Johnson and Sekula-Gibbs absent.

Council Member Alvarado stated that the City of Houston lost a very valuable employee this week, Ms. Debra Flores who worked in the Controller's office and also in former Council Member Bruce Tatro's office and her condolences went out to Ms. Flores's family and asked for a moment of silence for Ms. Flores. Council Members Lawrence, Johnson, Alvarado and Sekula-Gibbs absent.

Council Member Brown stated that he wanted to make a pitch of improving Houston's Historic Preservation Ordinances, that it was a bad week for historic preservation, the William Penn Hotel went down and in the Heights Ashland House, which had been on the Historic Register since 1983 suddenly went down also, that they had to be a City that respected its heritage, that he hoped it would be taken up in Council Member Lawrence's committee and he would love to see some impassioned support from the Mayor, that he thought there were a lot of things they could do that would build consensus in the entire community, that he wanted to be part of an effort to improve their record in historic preservation. Council Members Lawrence, Johnson, Khan, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Clutterbuck stated that they had lost some quality people in their community, one of which was Mr. Phil Fry, who passed away on Monday at the Veterans Hospital and wanted to express their condolences to his family and his family at the Jewish Herald Voice, that he was a longtime employee at that esteemed newspaper. Council Members Lawrence, Johnson, Khan, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Clutterbuck stated that on Saturday, March 4, 2006 at 9:00 a.m. at Westbury High School, in the auditorium, there would be some free tax advice offered as well as free tax preparation, that Westbury High School was located 11911 Chimney Rock, that the project was looking for volunteers and would be offering credits for community service, if anyone was interested in participating they could call the Houston Asset Building Coalition at 713-223-1864, extension 27 and leave their information with Ms. Ann Holman Perez. Council Members Lawrence, Johnson, Khan, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that she wanted extend her thanks to Chief Boriskie and the fine men and women of the Houston Fire Department along with the Harris County and Montgomery County Fire Marshall's office for the tremendous job they did with their investigation and ultimate apprehension of the individual who had allegedly been responsible for the numerous fires that had occurred in the Kingwood area. Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she wanted to thank Council Member Edwards for handing out the "District D Celebrates Black History Month" and also to tell her how wonderful the display was by the elevators where the Council Members offices were, that she appreciated her hard work and effort. Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she also wanted to recognize Ms. Coretta Scott King, that she was one of the first African American women she knew that had the hyphenated name, that she wanted to thank Ms. King for what she enlightened her as a young woman as to

that and she appreciated her work. Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that Mr. Paul Nelson was a wonderful person and was such a great asset to their office and they thanked him and hopefully everything would work for him in his retirement. Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that the issue of policing in the City she knew they needed to provide public service but was kind of at a loss to where they were as a City, what was their plan and asked if during one of the Mayor's Report maybe they could have Chief Hurtt come up and give them an overview of what was happening. Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to remind everyone that Voter's Registration ends on February 6, 2006 and the primary is on March 7, 2006. Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that regarding Black History Month, they again handed out the summary of Camp Logan, that program was going to be airing on Channel 11 tonight at 7:00 p.m. and thought it was something that they ought to see, that she had asked Mr. Gray if they could possibly see that program in a community setting where they could have questions and answers, that it could be very vital for information sharing, and Mayor White stated that he thought they ought to do it in a public facility and he would work with Council Member Edwards and they could make it a project, that they should do it in the near future while it was still fresh on their minds, and Council Member Edwards stated that they would be passing out a handout every week during Black History Month, that the handouts dealt with the Houston connection to "Black History", that the District D office would be having a Black History parade in the Madison High School and Hiram Clarke area, that each year they would be highlighting a local Houstonian or group that they thought epitomizes values and traditions of African and Black culture, that this year their honoree would be Mr. Vince Young, that the parade was on February 11, 2006 from 10:00 a.m. to 11:00 a.m. and then there would be a rally at 11:00 a.m., that they were all invited to participate and they could call Ms. Julie Bell at Madison High School at 713-433-9801, that there was no entry fee for the parade, that Foley's was underwriting it; that they were in the process of raising money to have a full statute of Mr. Martin Luther King to be commissioned and placed in the Hermann Park area where all the great peace leaders were located, that she wanted to thank Ms. Doreen Stoler and Ms. Pam Ingersoll and all of the folks who were working with them on it, that they had already committed to raising the money and anyone who was interested in working with them to call their office, it was not a District D project but something that they had initiated and felt very strongly about. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to thank Mayor White for being present at the Sharpstown Civic Club meeting last Thursday and his commitment to solve the problem, that he wanted to acknowledge that it was a great meeting and wanted to thank Mayor White for bringing Police Chief Hurtt and Chief Lumpkin, that they were very good addressing the concern that the community had, knowing Mayor White's track record he could say that the crime problem was being solved and would be solved better than any other major city. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he did not want to punish apartment owners for taking in evacuees, that last night he went to an apartment complex where two thirds of the apartment

units the windows were out, doors down and a problem with the lighting and gate working, that a third of the units were occupied, that they could imagine the risk that posed to the people whose units were unoccupied, that Mr. Michel and Captain Lumpkin would get memos, that he did not know they were allowed to keep places open where two thirds of the units fit their category of a dangerous building, that it was not just the police presence but the environment they created for people and also what they did concerning truancy and keeping people in school, and Council Member Khan stated that most of the apartments, an overwhelming majority, were well managed with good owners, but there were some slum lords who were managing slums in some of the areas and today they discussed about sending a message, that they could talk about sending a message when they really closed one of the slums and take care of the problem in and around that area, that it would send a huge message to other owners, that the City of Houston expected a certain level of performance, including the people who managed the apartments. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that the issue that he had asked the City Attorney to work on, and if they gave up their commercial which was a large bar and gave up that designation and deed restrict it for non alcohol, that was the kind of things that TIRZs should be working on as opposed to nice signs on the streets. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that on the apartment issue the thing that irritated her was that she knew apartments in District D where people had to put their bread and stuff in hanging baskets because the rats were so big and pervasive they chewed through galvanized tin cans, and when those apartments received federal funds through Section 8 vouchers or whatever it just irritated her to no end that they could not close them down, Mayor White stated that he was told by the lawyers that if they passed something that said what the owners should do then the HHA and others could enforce that on the apartment owners as a condition of getting the Section 8 Housing Vouchers, and Council Member Edwards stated that one of the things they were going to be looking at in the Housing Committee was how they could move forward in the development of large units that there had to be some provision for social services in those units, they were going to be having those discussions. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he believed they had a Housing Code, and could they not have a pilot project of code enforcement, send a team out to the hot spots and cite the owners for failing to meet the minimum standards in the Housing Code, and Mayor White stated that they did have it but it was a dangerous building and it should not take forever to get it torn down. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:24 p.m. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary