

City Council Chamber, City Hall, Tuesday, May 16, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 16, 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, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present. Council Members Addie Wiseman and Shelley Sekula-Gibbs, M.D. absent on city business.

At 2:06 p.m. Mayor White called the meeting to order and called on Council Member Alvarado to begin presentations. Council Member Alvarado stated that she was pleased to honor special citizens in her district and invited Council Member Garcia as they were also his constituents and those with the Denver Harbor Senior Center to the podium. Council Member Alvarado further stated that Denver Harbor had much history and this group of citizens had been organized for 25 years participating with the civic association, raised money for scholarships, etc., and presented them a Proclamation celebrating their 25th anniversary and saluting all participants and proclaimed May 16, 2006, as "Denver Harbor Senior Citizens, Inc. Day" in Houston, Texas. Council Members Johnson, Clutterbuck and Holm absent.

Council Member Brown stated that today they were celebrating historic preservation month and invited all those with the Preservation Alliance and the Avenue CDC to the podium. Council Member Brown had each member introduce themselves and further stated that a historic preservation did build community character and provided civic duty and great pride and thanks to Mayor White there was a new lease on the past and future with new provisions instituted under his administration; and presented a Proclamation to the Preservation Alliance and proclaimed May as "Historic Preservation Month" in Houston, Texas and a Proclamation to the Avenue CDC and proclaimed today as "Jeff Davis Artist Lofts Avenue CDC Day" in Houston, Texas. Council Members Johnson, Clutterbuck, Holm and Garcia absent.

Council Member Brown stated that Mr. Noah McCullough was an author and invited him the podium to speak. Council Member Berry stated that Noah was an 11 year old fifth grader committed to preparing himself to be U. S. President in 2032; that his book was entitled The Essential Guide to Presidential Trivia and held information from Washington to Bush; that he was also a supporter of the Juvenile Diabetes Research Foundation and presented him a Proclamation for his accomplishments and achievements and proclaimed May 16, 2006 as "Noah McCullough Day" in Houston, Texas; and Noah stated that he was a proud Houstonian and thanked all for the recognition; that he was advocating social security reform for his generation and wanted all to understand what a privilege it was to be an American; and asked all to vote for him in 2032; and presented books to Mayor White and Council Members Berry and Brown. Council Members Clutterbuck and Garcia absent.

Council Member Holm thanked Noah for coming and stated that he was an outstanding young man, she expected to hear much more from him; and wished him continued luck. Council Members Clutterbuck and Garcia absent.

Mayor White thanked Noah for coming today and for telling all to get involved in politics. Council Member Clutterbuck absent.

Council Member Edwards stated that Houston was one of the few cities which had the honor of having true dynasty in sports and the Comets had four championships back to back and she wanted to recognize them as they opened their new season and invited the president and coach to come forward. Council Member Edwards stated that they were making this the longest running professional women's league in history and presented them a Proclamation saluting and commending the Houston Comets and proclaimed May 16, 2006 as "Houston Comets Day" in Houston, Texas; and Coach Chancelor stated that this was a great 10 years, a

wonderful experience and he thanked all for their continued support. Council Members Clutterbuck and Holm absent.

Council Member Lawrence stated that she followed all Houston sports teams, but the Comets was a very different experience with all the activities and she thanked him for what he did for Houston. Council Members Johnson, Clutterbuck and Holm absent.

Council Member Green thanked Coach Chancellor for all he had done and thanked Ms. Andrea Young, president of the Comets for all she did and who had also been one of his classmates. Council Members Johnson, Clutterbuck, Holm, Brown and Lovell absent.

Council Member Edwards stated that there was a game tonight and opening game Sunday afternoon at 5:00 p.m. at the Toyota Center. Council Members Johnson, Clutterbuck, Holm, Brown and Lovell absent.

Council Member Edwards stated that many over the age of 50 or 60 considered themselves over the hill, but today there were seniors present who said they should be recognized, life still went on and invited those competitors with the Houston Senior Olympics to the podium and presented each a Certificate of Recognition. Council Members Johnson, Clutterbuck, Holm, Brown and Lovell absent.

Council Member Green stated that earlier someone dropped off a certificate for Presidential Lifestyle Award and presented it to Mr. John Kimball in recognition for maintaining a regular physical lifestyle. Council Members Johnson, Clutterbuck, Holm, Brown and Lovell absent.

Council Member Edwards stated that Ms. Kym King from the Mayor's Disability Office was present and today they were honoring three very special Houstonians who were given an award from the state for their excellence and invited Ms. King to speak; and Ms. King stated that every year the Texas Governor's Committee for People with Disabilities awarded individuals in the media who did something to positively portray people with disabilities and this year nine were given out in honor of Barbara Jordan who also had a disability and three were given to those in the Houston community making Houston the city with the most awards this year and invited those with the presentation to the podium and presented them with Certificates of Recognition. Council Members Johnson, Holm, Brown and Lovell absent.

At 2:46 p.m. Mayor White invited Council Member Lawrence to lead all in prayer; and Council Member Lawrence stated that this was National Law Enforcement Week and this evening at 7:00 p.m. at 2400 Memorial there would be a candlelight visual and all were invited and it was fitting to have the new chaplain at HPD lead all in prayer and invited Mr. Monty Blair Montgomery to the podium; and Chaplain Montgomery led all in the prayer and Council Member Lawrence led all in the pledge. Council Member Lovell absent.

At 2:49 p.m. the City Secretary called the roll. Council Members Wiseman and Sekula-Gibbs absent on city business.

Council Members Khan and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Wiseman and Sekula-Gibbs absent on city business. MOTION ADOPTED

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Mr. David Dick and Mr. Andy Clarke at the top of the three minute Non-Agenda speakers list, seconded by Council Member Khan. All voting aye. Nays none. Council Members Wiseman and Sekula-Gibbs absent on city business. MOTION 2006-0366 ADOPTED

Council Member Edwards moved that the rules be suspended for the purpose of hearing

Ms. Jean Wilkins Dember, Ms. Krystal Muhammad and Mr. Omowale after Mr. Imam Akbar, seconded by Council Member Khan. All voting aye. Nays none. Council Members Wiseman and Sekula-Gibbs absent on city business. MOTION 2006-0367 ADOPTED

The City Secretary began calling the public speakers.

Mr. Damon Walton, 7722 White Fir, Houston, Texas 77088 (281-999-1727) appeared in opposition to Agenda Item 47A, presented information and stated that he was a controller for Liberty Cab Company; that the Fisher Study commissioned by the Airport recommended more than one provider and the study with Yellow Cab's unpublished estimates indicated shared rider shuttle service would take about 525,449 passengers to and from airports and total taxicab trips lost to the shuttle would be about 85,000 trips and that accounted for revenue loss of over \$4 million to Houston taxicab drivers; that there was more than enough business to justify additional vendors and to give it all to Yellow Cab was wrong. Council Members Clutterbuck, Alvarado and Berry absent.

Council Member Khan stated that in his discussion with the Houston Airport System he was told since it was a new service there was not enough business and to invite more than one company there would not be enough business; and upon questions, Mr. Walton stated that numbers he came up with were based on the Lee Fisher Study commissioned by the Airport and there may be a curve in the service to it reaching maturation but he had no assumptions as to what the Airport used, but would be glad to work with them if it could be referred back to committee and maybe come up with a better understanding. Council Members Clutterbuck, Alvarado and Berry absent.

Mr. Ken Freeland, 8727 Kimwood, Houston, Texas 77080 (713-827-1519) appeared in opposition to Agenda Item 47A and stated that he was a taxicab driver in Houston off and on 25 years and transporting people to and from airports was the bread and butter of the industry; that the super shuttle proposal would give a significant chunk of that income to a monopoly and the drivers would be big losers and it was doubly unfortunate as the share a cab proposal would offer economic alternatives to riders with flexibility and still keep the income stream flowing; that monopolies were bad for business and for consumers; and urged reconsideration of the share a cab proposal. Council Members Clutterbuck and Alvarado absent.

Ms. Wini Brady, 15126 Forest Lodge, Houston, Texas 77070 (713-249-0044) appeared in opposition to Agenda Item 47A, presented information and stated that she was general manager of Liberty Cab and realized every time her company responded to a bid proposal they would not be awarded that bid; that the Houston Airport System sent out an RFQ in August 2005 for shared ride van service and no where was a date for startup stated, during September their response to a startup date was approximately December; that Sarah Culbreth stated they were disqualified as a vendor because they did not have vehicles to be operational at startup and yet in their proposal they stated they would provide 25 vehicles, the minimum asked for, and her issue was how could they have equipment ready for startup if a startup date was never stated, it would mean her company was making payments on equipment which could not be used for revenue for approximately five months and at this point there was still no contract to use such equipment, it was unrealistic. Council Members Clutterbuck and Alvarado absent.

Council Member Holm stated that Ms. Brady said two things which hit her, she understood concerns of business owners and by the same token the responsibility of Council was to provide transportation options for citizens; that the second concern was if the RFPs were not objective, clear and concise for all the right reasons then they needed to figure out what was wrong; that one question was why was Aviation doing shuttle service and why could they not get answers; that she thought they were giving options, one more way for people to get around and now she was hearing they were actually narrowing it down; that she was totally confused and believed they were sidetracked from the people they were supposed to be making a good service for, the citizens. Council Members Clutterbuck and Alvarado absent.

Upon questions by Council Member Edwards, Ms. Brady stated that if she was able to participate with two that vans would be ADA compliant and if there was a demand that ability would be increased and they would be exclusively for them if needed but if room would pick up others; that at this time there were no statistics on how many used the airport and may use the shuttle who were disabled; that part of the bid was to be ADA compliant and it was done on a percentage. Council Members Clutterbuck and Alvarado absent.

Ms. Laura Brady, 827 E. Rogers, Houston, Texas 77022 (713-696-0144) appeared in opposition to Agenda Item 47A, presented information and stated that they presented a copy of the RFQ, RFP, shared ride taxi information from various companies and the Lee Fisher Study; that she supported shared ride taxi as a provider and when this all came up they thought it was a wonderful proposal for shuttle service; and urged all Council Members to look at the information presented as they would find many answers to their questions there. Council Members Clutterbuck and Alvarado absent.

Upon questions by Council Member Edwards, Ms. Brady stated that after 911 the state of affairs for the taxi industry across the nation was tough and many small and medium companies went out of business; and in her opinion if this was awarded to one dealer then they would have a transportation service option only they could run and it could place other companies out of business and that could place the entire market into an even larger monopoly where the customer did not have either service or choice. Council Member Clutterbuck absent.

Mr. Bob Eury, 2306 Peckham, Houston, Texas 77019 (713-650-1470) appeared and stated that this region was facing a time where they needed to be conscious of congestion reduction and living near the work place where you could walk to and from was one way and downtown did it well, their research found economics challenging now and land and construction cost made this the case and therefore they were concerned about the increase in permitting fees and recommended a cap be placed on fees of projects which did meet the need of trip reduction in mainly high-rise development downtown; that they understood an amendment to the ordinance may be considered and they would strongly support any amendment addressing the issue.

Council Member Lawrence thanked Mr. Eury for all he did and they would be looking at everything to see what was best for downtown and all of Houston.

Council Member Brown thanked Mr. Eury for all he did and upon questions, Mr. Eury stated that cap was the real issue at this point, obviously there needed to be a fee, but in high-rise there was a significant increase in fees, it escalated tremendously and he would suggest a cap in value which he thought was being considered. Council Member Khan absent.

Mayor White stated that those were legitimate concerns, where there was high density construction in a major transportation center and it was consistent with statements Council made in long and hard negotiations with the developer. Council Members Khan and Berry absent.

Ms. Cindy Kimmey, 3211 Harisburg, Houston, Texas 77003 (713-928-9916) appeared in favor of Agenda Item 19 and stated that she was program director for the Greater East End Management District and they and their board of directors strongly supported the proposed contract between Neighborhood Centers and the City of Houston as proposed by Council Member Garcia; that they encompassed 16 miles east of downtown to the Port of Houston and populated by over 100,000 with 84% being Latino with a household income of just over \$21,500.00 and research indicated 64% of the residents 25 years of age and over had not graduated and only 19% obtained an equivalency certification and only 7% obtained degrees of higher education, however, their businesses in the area were strong and reality was day laborers were a part of the East End and they must find ways to train them which organizations

like Neighborhood Centers could provide. Council Member Berry absent.

Council Member Garcia thanked Ms. Kimmey for coming and stated that they worked on the ordinance for sometime to come up with a model program and the Houston Management District had been very involved; and upon questions, Ms. Kimmey stated that they would support it. Council Member Berry absent.

Upon questions by Council Member Khan, Mayor White stated that CDBG funds were being used. Council Member Berry absent.

Council Member Edwards stated that this was voted on in the meeting before last by committee and recommended. Council Member Berry absent.

Mr. R. J. Wetzel, 20606 Hozenden Court, Katy, Texas (281-650-1181) appeared and stated that he was one of many who rode horses in Houston and was objecting to making horseback riding on esplanades unlawful in Houston and he objected on behalf of all legacy riders who rode from their home with no wherewithal to trailer their horses outside of Houston, the ordinance would make it very unsafe; and those in the Airport Rangers Program rode around the airport and they had to ride on esplanades to finish the trip and implored the Mayor and Council to work with the Greater Houston Horse Council to amend the change. Council Members Garcia, Brown and Berry absent.

Council Member Lawrence stated that they looked at a lot of groups and had townhall meetings on this; that she asked all Council Members if they wanted any trails in parks around their area for horses and to date not one Council Member had come or asked for that so far; that she understood his concern as she had ridden barrels in rodeos and the Saltgrass Trail six times, but by the airport, his concern, that was legal; and she wished all riders were thoughtful but people came to committee and spoke about thousands of dollars damage with sprinklers, etc. caused and she did encourage all Council Members to look at the map and see if they would like the trails; that they were trying to do what citizens wanted because of those damages. Council Members Garcia, Brown and Berry absent.

Mr. David Dick, 4310 Kingfisher, Houston, Texas 77035 (713-781-6052) appeared and stated that he was chair of the Houston Pedestrian Bicycle Advisory Committee and president of the Houston Bicycle Club and May 1st attended opening of the Holly Hall Trail and he was happy the other trails would soon be started and complete Phase I of the program and since that would be completed they needed to bring attention to the roadways which needed to be constructed in a way to be safer for all users, at this time it was unsafe for cyclists and urged Public Works take that into consideration when designing new roadways; and the element of bike racks on METRO was an important role in trip reduction. Council Members Garcia, Brown, Lovell and Berry absent.

Council Member Alvarado thanked Mr. Dick for all his advocacy work on behalf of the bicycling community and she did agree with what he said; and thanked Mayor White for bringing it to METRO's attention and she saw where they would begin doing that in their fiscal year starting in 2007. Council Members Garcia, Brown, Lovell and Berry absent.

Mayor White stated that he did pursue it after a number of people came to Council and the latest it would be done...; that their fiscal year began October 2007 and he asked them to look and examine it and he believed the future had promises, better rider-ship which translated into a cost per incremental dollar of expenditures than maybe other places or what was shown in their pilot program, it was not a matter of whether, but a matter of when. Council Members Garcia, Brown, Lovell and Berry absent.

Council Member Lawrence stated that she was planning on organizing a group to leave City Hall daily about 5:30 p.m. or 6:00 p.m. to ride the new downtown trails and she would ride

back and store her bike here. Council Members Garcia, Brown, Lovell and Berry absent.

Mr. Andy Clarke, 1612 K Street, Washington, DC, 20006 (571-213-5433) appeared and stated that he was with the national bicycle organization of the League of American Bicyclists and they were delighted to hear of the progress Houston was making to become a more friendly bicycle community so all could ride; that they should remember the role bicycling played in many issues such as obesity, air quality, congestion, etc.; and urged continued efforts for METRO to get the bike racks, complete the network, maintain what they already had and teach motorists and cyclists to share the road; and they looked forward to all participating in Bike to Work Day, Friday. Council Members Garcia, Brown, Lovell and Berry absent.

Mr./Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Johnson, Garcia, Brown, Lovell and Berry absent.

Ms. Trudy Wright, 311 N. Vista Drive #1312, Houston, Texas 77073 (713-429-1274) appeared, presented information to Mayor White and stated that she was representing those who would not come; that since November her electric bill had tripled, GEXA made no arrangements and bills were retroactive due to increases in rate; that she was here from Port Arthur due to Rita and there were no resources here for people from that hurricane as they focused on those affected by Katrina; that she and many were on Section 8 and she was not treated the same and was bitter and she and others needed utilities, food and rides to and from doctors; that Harris County pointed her to someone for help for one month and she need assistance, not help for one month. Council Members Johnson, Garcia, Brown, Lovell and Berry absent.

Upon questions by Council Member Edwards, Ms. Wright stated that her bill was with GEXA and she would give her a copy; that she called to make arrangements to pay a little at a time, but they gave her 11 days. Council Members Johnson, Garcia, Brown, Lovell and Berry absent.

Mayor White stated that Mr. Anderson was present and he hoped he would help her pursue this with the utility providers; that he would say the issue of utility rates was very high in the minds of Council and much time was spent recently trying to reach agreement with the large utility who had the wires going from the plants to houses and to create a fund which could be used to provide utility maintenance for citizens, they needed a program with a safety net. Council Members Johnson, Garcia, Brown and Berry absent.

Mr. William Bennett, 520 Atascocita #86, Humble, Texas 77396 (248-441-9138) appeared and stated that he had traveled with METRO a few times and once the driver did not secure his strap but he held on to a handle and nothing happened, once he got on the bus and a lady did not like having someone in a wheelchair riding on the bus and she said she was late because the driver picked him up and the driver told her to be quiet, another time, May 12th, the bus driver tied him down and on a turn the scooter came down on him and all the driver was interested in was to see if he had tied it down; that the Houston Press had an article about METRO and they needed to read it. Council Members Holm, Garcia, Alvarado and Brown absent.

Council Member Berry stated that he read the Houston Press Article and was terribly troubled; that he understood there would be accidents, but it seemed they were being terribly insensitive and that was customer service and did not cost; and he wondered if it could be conveyed to them it was not approved of; and Mayor White stated that he would follow through on what he just said and see what plan there was to measure and improve customer service METRO may have. Council Members Garcia and Brown absent.

Mayor White stated that every time they did procurements which seemed to be

contentious, if there was money at stake, he wanted to make sure they set clear goals concerning policies of the procurement and there had to be a balance between things learning organizations did to adapt to information they received and learned from the market place; that one issue was brought to his and Mr. Halls attention this morning concerning aviation procurement they were not pleased with and he for one would support referring something back, but that was not to diminish the goal of those who worked hard to provide another customer service option, it was not to say they would not go forward with another option but when someone changed policies of procurement communicated to the Mayor and those charged with responsibility once the policy was set it was something he considered to be change departments needed to be careful of because if the Mayor and Mr. Hall were not on board with perimeters and did what they agreed to do; that there was a provision dealing with scheduled ride service and he would not prejudge how or when they would be able to offer the same kind of amenities many competing cities offered, but this would come up from time to time and he scrutinized every procurement where issues were raised by losing bidders, but they came up with a substantial flaw in one aspect of the contracting process. Council Members Edwards, Garcia and Brown absent.

Mr. Reginald Butler, 2610 Ridge Hollow, Houston, Texas 77067 (713-550-7887) appeared and stated that he was present several months ago as result of a wrongful arrest involving a METRO officer and he wanted Council to know where he was at this time; that he followed up with the D.A.'s office but they were not quick in removing the evading arrest from his record and he subsequently found out there would be a cost of \$5,000 to have it removed and he still did not even know why it happened initially, but he found out this was not isolated and he hoped to get help in resolving the matter. Council Members Lawrence, Edwards, Garcia, Alvarado and Brown absent.

Mr. Dale York, 8855 Gulf Freeway, Houston, Texas 77017 (832-439-4135) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Edwards, Garcia, Alvarado and Brown absent.

Ms. Carol Hollaway, 5714 Knobby Knoll, Houston, Texas 77092 (713-680-8264) appeared and stated that she was also present trying to find a solution to the ordinance banning horses from esplanades in Houston; that placing riders on streets in Houston, and there were around 2,000 horses in the Houston area, they were placing citizens at risk; she understood this was passed because of thoughtless horsemen and no one condoned that, in her subdivision they had decorated landscapes and never had a problem and was surrounded by five stables; that Council Member Lawrence stated citizens wanted the ordinance, but she lived a mile from her and that was not what she wanted and she believed the safety issue was given little thought when this was decided; that drivers and riders and horses were in danger; and someone said, "This ain't Dodge City anymore." but Houstonians did pride themselves on western heritage and she did not think people would object to persons riding. Council Members Lawrence, Garcia, Alvarado and Brown absent.

Mayor White stated that they wanted to respect riders and those with the investment; and upon questions, Ms. Hollaway stated that they met with Council Members Edwards and Lawrence and if they wanted esplanades landscaped there could be a multiuse track, signs could be placed and if not obeyed write a ticket, now one wanted landscape ruined, but there was room for landscape and horse riding. Council Members Lawrence, Khan, Garcia, Alvarado, Brown and Berry absent. (NO QUORUM PRESENT)

Ms. D. J. Butler, 21415 Cypresswood Drive, Houston, Texas 77338 (281-446-7232) appeared and stated that as she rode her horse in the last six months she was a criminal and so were others who rode with her; that she loved riding the bayous and wooded trails and esplanades from point a to point b; that Mr. Joe Riley was a geophysicist and he was out of town, but she wanted to read from his letter which stated he would sympathize with anyone who took time to improve surroundings and had them damaged and would support an ordinance

which would seek to protect property marked esplanade enhancements, however, if investigating horse and rider in Houston the great majority were responsible adults with vested interest in maintaining the real environment and not just ornamental vegetation and he took personal exception to being referred to as a cowboy out of touch, he found it amazing the city encouraged sprinkler systems to support what could not survive without artificial irrigation; that esplanades could be considered common area which belonged to taxpayers and citizens of Houston and to permit them away and ban others was bad and to restrict horses from thousands of grassy miles was ridiculous; and it was humorous a cowboy town would even consider this. Council Members Lawrence, Khan, Garcia, Alvarado, Brown and Lovell absent. (NO QUORUM PRESENT)

Mayor White thanked Ms. Butler for sharing thoughts; that she heard what he said to the prior speaker, it was a difficult issue and he was not sure the right balance was found yet, and there should be a balance. Council Members Lawrence, Johnson, Khan, Garcia, Alvarado, Brown and Lovell absent. (NO QUORUM PRESENT)

Ms. Margaret Ling, 122 East 5th, Houston, Texas 77007 (713-869-2991) appeared and stated that she was present as a horse owner and rider living in the City of Houston and she was a member of the Greater Houston Horse Council as were her two previous colleagues who spoke and she wanted to add an objection to the ordinance; that it may have valid reasons but was way too broad; that Council Member Lawrence mentioned problems and she was sure responsible owners did not want to trample esplanades and it was dangerous for horses to step on sprinklers and cost much for a vet, the real issue was coming to a sensible compromise and the Greater Houston Horse Council was convinced they could; that it was a safety issue and for those with no money for trailers needed to be able to ride safely; that she could also not understand why she could not stand on a concrete traffic island trying to cross a busy thoroughfare and yet she was a criminal for doing so; and suggested posting signs. Council Members Lawrence, Johnson, Khan, Garcia, Alvarado and Lovell absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she met with some present today and some from Sunnyside who rode with the same concern; that one issue was regulating horse rides and there had to be a remedy for homeowners; that the issue for esplanades may have wiggle room; and upon questions, Ms. Ling stated that they were willing to come up with suggestions and would love to sit with Council Member Lawrence; and Council Member Edwards stated that the last meeting was before the rodeo and she thought the consensus was to table discussions until after the rodeo and restart them; and Ms. Ling stated that was doable. Council Members Johnson, Khan, Garcia and Alvarado absent.

Mr. Imam Akbar, 2812 Live Oak, Houston, Texas 77004 (713-633-4675) appeared, presented information and stated that he and those with him were present to address an issue of police brutality; that he was the national minister of justice for the new Black Panther Party of Self Defense; that they just left the Harris County Courthouse on the same issue; that several cases were brought before them and justice separated itself from injustice and justice must be heard. Mayor White, Council Members Johnson, Khan, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Akbar stated that at this time Council had their resolution in hand and they were asking for law and their chairperson would read that and be asking for all of Council's support; that they also had a petition in effect being signed this afternoon; that maybe Council could refine their resolution and put it in law, they wanted an officer indictable so he could no longer walk away with a paid three day suspension after he just killed a citizen; that they had opportunity to visit with Chief Hurtt's staff and sentiments from his office, but Chief Hurtt and Chief Blackburn with HISD they had not spoke with. Mayor White, Council Members Johnson, Khan, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Lovell, Mr. Akbar stated that they talked with the regional superintendent at HISD, Mr. Irving, and there was an internal investigation going on and they were on their way there; and Council Member Lovell stated that she wanted to know how their investigation went. Mayor White, Council Members Johnson, Khan, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Council Member Alvarado stated that if Mr. Muhammad would like to speak; and Mr. Akbar stated that he would be speaking in place of Ms. Stella Calain and giving her sentiments; and Council Member Alvarado moved the rules be suspended for the purpose of allowing Minister Robert Muhammad to substitute for Ms. Stella Calain, seconded by Council Member Edwards. All voting aye. Nays none. Council Members Wiseman and Sekula-Gibbs absent on city business. Mayor White, Council Members Johnson, Khan and Holm absent. Acting Mayor Pro Tem Berry presiding. MOTION 2006-0368 ADOPTED

Minister Robert Muhammad appeared and stated that he stood with the group today against police brutality; that yesterday a medal was awarded to the widow of Neimah Pickens in Washington, DC, and if they could recognize the sacrifice of one of their's then why could the Harris County District Attorney not be able to find out what happened to one of their law enforcement persons who was going to assist law enforcement, there was the tail of two cities here; that there were hardworking honorable public servants who protected them daily in this city and then rip-off artists who stole overtime, sadistic, brutal, pathological murderers in uniform; that this city and county welcomed New Orleans evacuees out of compassion and yet put more Black men on death row than any other state in the union; that in some cases Houston was the toast of the world and then others the laughing stock; that people were booing Berry Bond at the game and the Astros only had one Black player; that this city was full of contradictions and if Houston was going to be a first class city problems needed to be straightened out. Mayor White, Council Members Clutterbuck, Khan and Holm absent. Acting Mayor Pro Tem Berry presiding.

Council Member Edwards stated that she was working on the issue 25 years and they knew there were rogue officers and the DA did not endite officers and they tried to get new DA's but people did not vote; and upon questions, Minister Muhammad stated that at the minimum they wanted a resolution; and Council Member Edwards stated that if they would check with Council Member Green because the wording needed to be tweaked and she would see if he would aid, this was a serious issue and it needed to be taken seriously; and Council Member Green stated that he would meet with them and Minister Muhammad and see what the best course of action would be. Mayor White, Council Members Clutterbuck and Holm absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown stated that this was an important issue for all and he believed there should be zero tolerance for any police brutality or racial profiling or discrimination of any source, but there were bad apples and he wanted to go on record as being supportive of the issue and there needed to be a way to change attitudes and he would work with Council Members Green, Edwards and anyone else. Mayor White, Council Members Clutterbuck and Holm absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated that he appreciated the spirit of what they brought to Council's attention and encouraged as they moved forward to make sure they were speaking of the great minority of those protecting and to do a better job praising those who did a great job in tough situations. Mayor White, Council Members Clutterbuck, Holm and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Council Member Johnson thanked them for coming and stated that if the legislators acknowledged this then power was put back into the hands of the people and they would not feel as powerless as they had and he would back it 100%. Mayor White, Council Members

Clutterbuck, Holm and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Council Member Edwards stated that it was an officer who gave her the information regarding Ida Delaney and Byron Gillum and there were good police officers concerned about the way officers were looked at and they walked the streets daily in fear of their lives and wanted justice for all people; that there was a Public Safety Meeting and they were knee deep in the DNA situation and those trying to change this legislatively could use their help on an ongoing basis; that a Public Safety Meeting happened in Houston sometimes two and three times a month and it would be good to hear them there; that they were talking Civil Review Board ever since she was on Council, but the issue was they would run the race because it was being bet they would not. Mayor White, Council Members Clutterbuck, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Council Member Johnson stated that no Council Member thought all police were corrupt and he did not think the resolution spoke to that, but to those who were; that many did good work protecting lives daily. Mayor White, Council Members Clutterbuck, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Council Member Green stated that he already started on his task of doing things to the resolution; that since he was a child Council Member Edwards had been fighting this fight and he was looking at the resolution and it had great meaning, but it needed to be stronger; that Council could still pass resolutions all day long and it would not stop anything so laws needed to be changed and the resolution would not change the law; that officers accused of excessive force were not indicted because of the Grand Jury System and they needed to get back to the most elemental function and it went with the voting, etc., but this formed the basis of a good start. Mayor White, Council Members Clutterbuck, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Ms. Jean Wilkins Dember, 2612 Rosewood, Houston, Texas 77004 (713-942-0533) appeared and stated that it was past time such concerns documented in the genocide treaty finally signed by the United States after 40 years and 1,500 signatures gathered in New York which the national black political assembly supported to get hearings on police killings and they were held as part of the testimony of the congressional record; and 200,000 signatures were presented attesting to the genocide or race annihilation of the race of Africans; that the Department of Mental Health must research why too many European American women reared their children to be so violent, unjust and discriminatory; and urged Council address such issues and petition the federal government for a national federal police review board with subpoena power; that she did not believe there were good police even the target they shot at was Black, she did not condone police and would not say they were good. Mayor White, Council Members Clutterbuck, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Ms. Krystal Muhammad, 2812 Live Oak, Houston, Texas 77004 (713-534-4021) appeared and stated that she thanked Council Member Edwards for allowing them to all come up together as one; that she drafted the resolution along with Brother Akbar, the policy of excessive force had to be addressed across the board as there were incidents with HISD police, Baytown police, Harris County police and it was as if they were open targets and they would like to work with Council Members in getting more teeth in the resolution, but they felt they needed to present something and they would attend any meeting where they thought they could get this point forward. Mayor White, Council Members Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown stated that he was born in Houston and visited the majority of neighborhoods in the city, but probably much went on that was never talked about; that the Civilian Review Board was in other cities and it was one avenue to justice keeping people honest; and upon questions, Ms. Muhammad stated that Berkley and San Francisco, California and Philadelphia had it; and Council Member Brown stated that all should be done to get

beyond social injustice. Mayor White, Council Members Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Khan stated that he thought all had to agree the overwhelming majority of those serving in law enforcement were great people, great citizens and great protectors, but like every group of people there were rogues who did not belong there; that he felt there were enough injustices in society not addressed at the level or frequency needed and leaders like them were needed, it was not easy to go against the grain many times and he appreciated them. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that from Jose Campos Torres, Daniel Webster, Byron Gillum were shot 12 times, 8 in the back and 4 in the behind so this was nothing new, but the issue was would they respond to it differently; that between Rose Upshaw and herself they spent \$20,000.00 of their own money trying to develop a Citizens Review Board in Houston and the Mayor gave them one with no subpoena power and no investigative power, but it gave some kind of hope and they quit fighting, but they ran out of money so they needed to do it a different way, they could not keep doing things the same way and expect different results; and suggested they get involved in the policy decision making at City Hall through the Public Safety Committee; that Chief Hurtt sent a letter to the Governor asking for a moratorium on the death penalty, maybe they had different tools, different people and they needed to meet with him and if the DA had such authority they needed a DA who would listen to them and the office was an elected official; that they had five reports on the DNA lab and it would grow hair on the knee caps and they should read it, it was about young men sent to Prison and put on Death Row because of work done and not by police officers, and urged they get with Council Member Green and participate at the Public Safety Meetings; and Ms. Muhammad read a portion of the resolution presented. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Omowale, 2428 Southmore, Houston, Texas 77004 (713-534-4021) appeared and stated that he was present as a citizen and chairman of the local chapter of the National Black United Front and was calling for a Citizens Review Board with subpoena power and hoped someone would put forth something asking for such; that the Harris Corporation put together a poll which showed 80% of African Americans in the United States believed police brutality was a fact and the brutality the community was subjected to was indeed domestic terrorism; that they wanted them to look and they would see something needed to be done to re-socialize African people and they would be back on the reparations issue and asking Council to simply pass a resolution saying they wanted to study the issue and understand why there was systemic problems in the African American community; that they were not saying every officer was evil, but there were systemic problems in the justice system and historic problems dealing with African American socialization. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Stella Calain, P. O. Box 55016, Houston, Texas 77255 (713-461-9410) was previously substituted by Minister Robert Muhammad. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Steven Weinstein, 1318 Rosalie, Houston, Texas 77004 (713-521-2920) had reserved time to speak and the City Secretary advised that he had left a note as he had to leave and was

rescheduling for next week. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Jackie Wulf, 909 Texas #502, Houston, Texas 77002 (832-978-3581) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Michael Gibson, 6710 Hoffman, Houston, Texas 77028 (713-631-1474) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Stella Calais, 1921 Ridgemore, Houston, Texas 77055 (713-647-8966) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. M. C. Swearingen, 9506 Beverly Hill, Houston, Texas 77063 (713-782-2794) appeared and stated that she thought Council Member Brown's idea of a master plan for the City of Houston was great and her contribution was small, but it was informing Council of permaculture, a system for designing sustainable human environment; that it was using the inherent qualities of plants and animals combined of natural characteristics of landscapes and structures to produce a life supporting system; that an example was she lived in a typical suburban home and applied only a few permaculture principles and last year her total cost for electricity, water and natural gas was under \$840.00 and it could be done all over the city; that her grass required water three times a year and fewer than 20 times a year Solid Waste needed to pick up garbage in front of her house; and to benefit all she urged that in Houston's Master Plan principals from Permaculture be included. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Swearingen stated that Permaculture was design for sustainable human environment and if it was in the City Master Plan much energy could be saved and the air and water would be cleaner; and Council Member Edwards stated that she would love more information and would be contacting her. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Brown thanked Ms. Swearingen for coming and stated that being better environmental stewards and understanding what sustainable development was in a sustainable lifestyle was critical to the future of the city and the youth; that they were starting things to help but had a long way to go and needed people such as her to speak out; and hopefully at the Environmental Summit they would get some commitment to action and improve the environmental quality in Houston. Mayor White, Council Members Lawrence, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. William Shipp, 7 Northwood County Drive, Huffman, Texas 77336 (281-360-0310) appeared and stated that that he had three areas of concern with one being the Houston Emergency Center; that he was a concerned employee who resigned his position so he could bring the issues to Council's attention, the center was a mini FEMA scandal in the making with personnel in responsible positions and apparently without the qualifications or job experience; that he first brought this to light with Mr. Morales in 2003 and they were open nearly three years with basic problems still not resolved; that it was not a GIS problem or data errors but it was

how to modify the GIS data enough to go through the GDI conversion program and come out in an understandable and useful manor to the call from customers; that the second issue was the employee performance evaluation system, procedure stated EPE plans were formulated and became the basics for evaluation and it was agreed upon and signed and he was given an evaluation without a plan and nothing was done except to say he should file a grievance which he did and it should have been declared invalid. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon request of the City Secretary, Mr. Shipp stated that he would send a copy of his statement to the City Secretary's Office. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Miller X, 2812 Live Oak, Houston, Texas 77004 (832-875-6983) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Maria Cru, 3331 Banvell, Houston, Texas 77045 (713-413-3058) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Will Reed, 2220 Broadway, Houston, Texas 77012 (713-454-6411) appeared and stated that he headed up Technology For All and was present today to speak on an RFP; that many knew their organization created the first wireless cloud over a neighborhood and was working with Rice University, University of Houston and others to test and build a research tool on the network to help solve community problems and address quality of life issues and their hope was with what they learned on that project they could share it with F & A as the Houston project moved forward; that he and Mr. Brian Stevens worked together creating and writing the community benefits portion of the RFP and they hoped Council would be supportive of the digital Houston Project when it came before them in the future. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Alvarado thanked Mr. Reed for sharing the news about the community benefits part of the RFP, as Council Members they would be interested in learning and reading about it and if anyone wanted to see the wireless project in the Eastend it was located at 2220 Broadway. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Brown, Mr. Reed stated that when the RFP results came out he would ask that Council be supportive, help craft the solution related to the community benefits portion of the RFP, it was written broadly so vendors would be encouraged to come forth with good ideas to serve particularly the low income communities. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Brian Stevens, 7534 Teal Run Drive, Houston, Texas 77071 (713-721-2675) appeared and stated that a collaboration of nonprofit organizations worked with community technology and they were called the Houston IT Empowerment Consortium and since 2000 worked in underserved communities to help address issues of the digital divide and they were at the forefront of the efforts working to provide people with access to computers and internet training, etc., to communities and organizations most in need; that when he was before Council before he spoke about an initiative by HITEC called Community Development Technology Innovation

Program and as a result of the program nearly \$100,000 was re-granted into innovative projects around different districts around the City of Houston using technology to address issues of education, health, financial literacy and even small business development; and when the Greater Houston Partnership launched a taskforce to look at how and what technology could be used to benefit general citizens it made sense for HITEC to be involved; and he hoped the new Digital Houston Project would be one of the new types of solutions which could help address serious issues and hoped Council would look at it as not just technology but as a infrastructure project that would help address education, social services, providing access to government services and healthcare. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that Mr. Steven's daughter, who just turned seven, had a business she had her own packaging, etc., and upon questions, Mr. Reed stated that he knew Ms. Logans but had not spoke with her; and Council Member Edwards stated that she looked over a committee which launched what he was trying to do and he should speak with her and also call her office and she would try and assist also. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Mr. Stevens stated that the wireless digital Houston project was designed to make wireless internet available throughout the City of Houston and even available to other regions and it was not just dialup but a fast broadband which made it possible to look at telework, distance learning, etc., and Council Member Khan stated that everyone needed basic reading and math skills and in technology computers were just as important; and wished him the best. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. James P. Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

The City Secretary stated that Mr. Michael Gibson had not heard his name when it was previously called and would be heard at this time. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Michael Gibson, 6710 Hoffman, Houston, Texas 77028 (713-631-1474) appeared and stated that he had a problem in the Trinity Gardens area, a proposed street had never come through and he had weeds as tall as him and children walked through the trail to get to school and a construction project on Benington had the whole sidewalk blocked with a fence and at 610 Homestead there was a water problem for five months, it caused him to turn right from the middle lane. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Acting Mayor Pro Tem Berry stated that it was his experience when someone called Council Member Johnson did a good job of constituent services and Ms. Linda Laytom from his office was present and familiar with his issues and would speak with him. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Gibson stated that he called 311; and Council Member Edwards stated that along with Linda she would make sure Council Member

Johnson understood the urgency of his issue and she could not see any reason why they could not help get relief on the two issues; and upon further questions, Mr. Gibson stated he also thought..., Miley was on the east side of Homestead and Bennington was on the west side and a traffic light should be placed there for the children and the water problem was at Homestead and 610E; and Council Member Edwards asked Mr. Norman to get the information on water to her office. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Lovell stated that she just received a call from Council Member Johnson's office and on the issue of the fence they were out there and HPD cited the contractor and he was told to move the fence back to the construction site so it was taken care of; and Mr. Gibson stated that a piece was broken and it also needed to be fixed. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Acting Mayor Pro Tem Berry stated that he understood he was frustrated but he should give them a chance and he would find them very responsive. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. William (Beal) Reagan, 6230 Symare Avenue, Van Nuys, California 91401 (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omari, 2820 Palm #2B, Houston, Texas 77004 (832-767-0870) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

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

Mr. Vince Ryan, 3720 Bluebonnet, Houston, Texas 77025 (713-661-1941) appeared at the podium and Acting Mayor Pro Tem Berry stated that he wanted him to know the Mayor had stated he was receptive to a motion for a two week delay to refer Item 47A back to the administration; and Mr. Ryan stated that he wanted to thank Council for the reconsideration. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. David Butler, 8655 Vinkins Road, Houston, Texas 77071 (832-330-4164) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Jerry Brady, 827 East Rogers, Houston, Texas 77291 (713-696-0177) appeared in opposition to Agenda Item 47A and stated that he was president of Liberty Cab Company and waited to thank the Mayor and Council for the time and effort they had put in on the issue and his faith and confidence in the fairness and justice in this great City of Houston, Texas was reassured. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Joni Jones, 5301 North Sam Houston Parkway East #2003, Houston, Texas 77032

(713-696-0199) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Richard Cowan, 8155 Hartford, Houston, Texas 77017 (713-649-2000) appeared in opposition to Agenda Item 47A and stated that he wanted to thank the Mayor and Council for the work they did on Agenda Item 47A and thanked them on behalf of the Houston Alliance of Taxicab Companies for all their help. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the official President of the United States; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

At 5:20 p.m. City Council recessed until 9:00 a.m., Wednesday, May 17, 2006. Council Members Wieman and Sekula-Gibbs absent on city business. Mayor White, Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, May 17, 2006

The Houston City Council reconvened at 9:00 a.m. Wednesday, May 17, 2006, with 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. Arturo Michel, City Attorney; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director and Ms. Stella Ortega, Agenda Office, present. Council Member Addie Wiseman absent on city business.

At 8:29 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:33 a.m. Mayor White called the meeting to order. Council Members Johnson, Garcia, Alvarado, Lovell and Berry absent.

Council Member Clutterbuck moved to suspend the rules for the purpose of hearing the Mayor's Report prior to the hearing, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Johnson, Garcia, Alvarado, Lovell and Berry absent. MOTION 2006-0369 ADOPTED.

MAYOR'S REPORT - Fiscal Year 2007 Budget Highlights

Mayor White stated that Ms. Stein passed out for each Council Member some highlights of the proposed budget, that he wanted to thank each Member of Council for meeting with him and given some input into the priorities in the budget, that it was the nature of the budget that they had various programmatic activities and sometimes there were suggestions from individual Council Members that were better implemented administratively or dealt with the Capital Improvement Budget or CDBG plan, that neither the administration or Council or the governing body generally describes how people do things within the budget, it was what they did and what their priorities were, that the City of Houston was in sound financial condition, that in large part it was because of the reforms and discipline and productivity improvements enacted over the last two and a half years and the hard work of City employees to make sure they were able to deliver more services within the budget, they maintained fiscal discipline within the City's budget, the that the proposed budget gives its priority to the public safety functions of the City,

which were the first functions of government, they were not the exclusive functions of government, but the telling statistic was that and their general fund budget, after debt service, some 64.4% of the General Fund Expenditures netted Debt Service were devoted to Police, Fire and EMS services, that actually based on certain items that were work in progress that would be amendments to the printed budget, he believed that number would break 60%, that among the highlights in the budget were the following, they were long overdue in a pay increase for the firefighters, they signed a contract and for the longest time the firefighters were told that the City did not have the money so therefore there could not be a contract, in the budget they had the full funding for the pay increase of 6% consistent with the terms of the contract and technology upgrades for the Life Safety Bureau, responding to internal recommendations of the Fire Department, reports from the Controller's office and the like, that in policing there was funding for six new police classes that would allow them to put about 420 new officers in service, that was a significant expansion of the police force, there was a creation of a new Traffic Management Force, with uniformed traffic officers who were not Class A HPD officers, that were cheaper, in plain language, than a Class A police officer, with special training that could be broken up into quick response teams so that they could attack the traffic congestion, bottlenecks, it was something that was recommended several years ago, that it was a tremendous waste of citizens time and energy when they did not have a quick response, people who could get there on motorcycles, change the timing of the traffic signals, deal with intersectional collisions and take charge of the intersection, so it would be work in progress, that it was a new organization, but like Neighborhood Protection Corp he thought with strong leadership and an independent identity, most likely dual reporting to Public Works and the Police Department, that they would do something truly innovative, that third, they allowed for an extension in the NETT police program, which had put 150 additional officers at the crime hotspots, they funded more aggressive programs for removing graffiti and arresting graffiti vandals, that he wanted to thank Council Member Lovell for her leadership and very detailed research, they would do more on it next week and by the end of the month; that there was a 24% increase in the budget for books and other library materials, reversing decades of declining real investment in library materials, that there was private funding for it, that he would give that to the library board, which managed a \$16 million endowed fund that helped the library, that it was the public portion of it; that they would create new positions in the Health Department to allow them to be better prepared for epidemics; that they had funded the public sector share budgets allowing for the initial staffing of the 5,000 acre new Lake Houston Park, that it was the biggest new regional park addition under local government in the history of Houston, that the new downtown park was being managed and developed by the Park Conservancy, who had done tremendous efforts raising the private funds needed to make it the best park in the United States of America; that they had reduced taxes for tens of thousands of citizens on fixed income with another increase in the senior exemption for City property taxes; that they continued the significant progress on the 2006 floor plan for reducing unfunded pension liabilities and the rate of increase in health benefit costs; that doubling the staff of the FAST unit, to help crack down on irresponsible practices which made certain apartments and other locations magnets for crime; that importantly they both addressed public safety needs of the community and to a greater extent than in many years they had addressed some of those civilian departments, including Libraries, Health Department and the Parks that were important for the quality of life in their neighborhoods and they had done so with budget discipline.

Members of Council congratulated Mayor White on presenting the budget, and Council Member Edwards stated that she had asked for an audit of management of the Police Department, that Chief Hurtt had told her that close to 96% of his budget was in personnel and she did not know what that meant, that she had asked for that kind of audit to see what was going on and she had also asked for an analysis of how they could better utilize other policing forces in the City to help manage the public safety problem, and Mayor White stated that he thought that they ought to have some regional study on a controversial issue about all the regional resources devoted to law enforcement and relative measures of productivity and how they were allocated and overlapping, that they ought to push for a regional study of the different jurisdictions that had police forces and how they were allocated; that on the issue of

performance evaluation, a management consulting service, the Chief had identified some issues where they could use some improvement on the Management Information Services, that he thought it was something that they would be acting on in the next couple of months.

Council Member Khan asked as to the new Traffic Management Force, would there be some kind of report or hearing in Council Member Garcia's committee so that they could get more information and detailed discussion on it and Mayor White stated yes, that there would be a process that would initiate with various people in the City, and Council Member Khan stated that he had heard that there was a tremendous strain on the emergency call center and that they were lacking people in that area and asked if there were provisions in the budget or was Mayor White looking to adding more people in the emergency call center, and Mayor White stated yes, that they needed to make sure that both the call intake and the dispatch worked well, that he wanted there to be 99.9999% good quality in handling of the calls and dispatch, so in that sense it was going to be held to a much higher standard than most of their functions of government and that was what they were going to insist on and it still had some ways to go.

Council Member Garcia stated that he was still waiting to see where they were at in term of funding the needed radio infrastructure that public safety needed, and asked where in the budget was the radio infrastructure at, and Mayor White stated that his intention was to work through the issues aggressively throughout the summer and try to come to some conclusions soon in a cost effective manner and two of the critical issues were going to be the state of the FCC clearance of the dedicated public safety band width with frequency, and the role of 9-1-1 in funding some equipment needed to provide effective emergency response, and then issues of regionalism.

After further discussion Mayor White stated that they would move to the public hearing.

HEARINGS - 9:00 A.M.

The City Secretary announced that no one had reserved time to appear at the public hearings and that Ms. Wallace would make comments. (Note: The districts proposed for Strategic Partnership Agreements were listed on the agenda as 1a through 1t and are listed in order of comments by Ms. Wallace.)

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County and Fort Bend County, and on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts and, as indicated below, certain territory in the vicinity of certain Districts - was called.
 - a. Amending the existing strategic partnership agreement with **Cy Champ Public Utility District;**
 - b. Amending the existing strategic partnership agreement with **Harris County Municipal Utility District No. 221;** - was presented.

Ms. Wallace stated that for Districts a and b, Cy Champ Public Utility District and Harris County Municipal Utility District No. 221 the City would amend the existing agreement by adding new territory to it, that there was no territory outside of the MUD to be included, the area was entirely commercial, there were no residents, the City would levy a 1% sales tax, which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed, it would not provide other public services.

- c. Amending the existing strategic partnership agreement with **Prestonwood Forest Utility District** and annexing certain territory located in the vicinity of the District;
- d. Amending the existing strategic partnership agreement with **Cinco Municipal**

Utility District No. 12 and annexing certain territory located in the vicinity of the District – was presented.

Ms. Wallace stated that for Districts c and d, the City would amend an existing agreement by adding new territory, there was territory outside of the district to be included in the annexation, the area was entirely commercial, there were no residents, the City would levy a 1% sales tax, which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed, it would not provide other public services.

- e. **Heatherloch Municipal Utility District;**
- f. **Harris County Municipal Utility District No. 46;**
- g. **Westador Municipal Utility District** - was presented.

Ms. Wallace stated that for Districts e, f and g, the City would execute a new Strategic Partnership Agreement, there was no territory outside of the MUD to be included, the area was entirely commercial, there were no residents, the City would levy a 1% sales tax, which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed, it would not provide other public services.

- h. **Chimney Hill Municipal Utility District** and annexing certain territory located in the vicinity of the District;
- i. **Harris County Municipal Utility District No. 11** and annexing certain territory located in the vicinity of the District;
- j. **Harris County Municipal Utility District No. 18** and annexing certain territory located in the vicinity of the District;
- k. **Harris County Municipal Utility District No. 286** and annexing certain territory located in the vicinity of the District;
- l. **Harris County Water Control and Improvement District No. 96** and annexing certain territory located in the vicinity of the District;
- m. **Jackrabbit Road Public Utility District** and annexing certain territory located in the vicinity of the District;
- n. **Longhorn Town Utility District** and annexing certain territory located in the vicinity of the District;
- o. **Langham Creek Utility District** and annexing certain territory located in the vicinity of the District;
- p. **Mills Road Municipal Utility District** and annexing certain territory located in the vicinity of the District;
- q. **Post Wood Municipal Utility District** and annexing certain territory located in the vicinity of the District;
- r. **Remington Municipal Utility District No. 1** and annexing certain territory located in the vicinity of the District – was presented.

Ms. Wallace stated that for Districts h, i, j, k, l, m, n, o, p, q and r, the City would execute a new Strategic Partnership Agreement, there was territory outside of the MUD to be included in the annexation, the area was entirely commercial, there were no residents, the City would levy a 1% sales tax, which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed, it would not provide other public services.

- s. **Harris County Municipal Utility District No. 342** and annexing certain territory located in the vicinity of the District – was presented.

Ms. Wallace stated that for District s, the City would execute a new Strategic Partnership Agreement, there was territory outside of the MUD to be included, the area was primarily residential with some commercial, the City would levy a 1% sales tax on the commercial territory, which it would provide the MUD 25% of, the City would provide police, fire and EMS services in the area to be annexed, for fire and EMS services the residents would be assessed

up to \$15 per month to compensate the City for the cost, that it would not provide other public services, all residents in the district would be able to vote for Mayor, City Council, the City Controller and all Charter elections.

t. **Harris County Municipal Utility District No. 412** – was presented.

Ms. Wallace stated that for District t, the City would execute a new Strategic Partnership Agreement, the area would be exclusively residential, the City would provide police, fire and EMS services to the area to be annexed, for fire and EMS services the residents would be assessed up to \$15 per month to compensate the City for the cost of providing the service, it would not provide other public services, all residents in the district would be able to vote for Mayor, City Council, the City Controller and all Charter elections.

Council Member Khan moved to close the public hearing, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0370 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item No. 18 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0371 ADOPTED.

18. ORDINANCE approving and authorizing contract between the City of Houston and **TEXAS SOUTHERN UNIVERSITY** to provide \$202,500.00 in Community Development Block Grant Funds for the Operation of a Small Business Resource Center through the Gerald B. Smith Center of Entrepreneurship and Executive Development - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented, and tagged by Council Member Sekula-Gibbs. (Note: Council Member Sekula-Gibbs released her tag later in the meeting.)

Council Member Edwards stated that the President of Texas Southern University was present in the audience and Mayor White asked that Mr. Wilson stand and be recognized.

Council Member Sekula-Gibbs stated that she had some questions about the grant and would like a chance to have those questions answered, that she would be happy to meet with Mr. Milton Wilson, Director, Department of Housing and Community Development.

CONSENT AGENDA NUMBERS 2 through 41

DAMAGES - NUMBER 2

2. RECOMMENDATION from City Attorney for settlement of lawsuit styled **ARTHUR WILLIAMS & SHONTA WILLIAMS as n/f/o MICHAEL L. STARKS and ALEX JONES, Minor Children** v. Craig A. Larivierre and the City of Houston; in the 234th Judicial District Court of Harris County, Texas; Cause No. 2004-10570 - \$37,600.00 - Property and Casualty Fund – was presented, and moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0372 ADOPTED.

ACCEPT WORK - NUMBER 3

3. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$93,135.00 and acceptance of work on contract with **SIA CONSTRUCTION, INC** for Municipal Courts Building Fire Detection and Alarm System, GFS D-0105-03-3 - 05.00% over the original contract amount - **DISTRICT H - GARCIA** – was presented, and moved by Council Member Khan, seconded by Council Member

Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business.
MOTION 2006-0373 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 9

4. **AMEND MOTION #2003-543, 5/28/03, TO EXTEND** expiration date from May 28, 2003 to May 27, 2007, for Paper Products Contracts for Various Departments, awarded to **LONE STAR TISSUE, INC, MORSE WHOLESALE PAPER CO., INC** and **UNISOURCE** – was presented, and moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0374 ADOPTED.
5. **LUIS AUTO COLORS** for Automotive Refinishing Products for Various Departments \$205,706.14 - General Fund – was presented, and moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0375 ADOPTED.
6. **MACI FEED & SUPPLY** for Feed, Dry Animal Contract for Various Departments - \$440,250.00, minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$431,445.00 - General Fund – was presented, and moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0376 ADOPTED.
7. **CLAMPITT PAPER CO.** - \$425,337.52 and **UNISOURCE WORLDWIDE** - \$4,065,836.94 for Paper Products for Various Departments - General, Grant, Enterprise and Other Funds – had been pulled from the Agenda by the Administration, and was not considered.
8. **CITY SUPPLY CO., INC** for Plumbing Supplies for Various Departments - \$2,582,585.59 General and Enterprise Funds – was presented, and moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0377 ADOPTED.
9. **BLUE MOUNTAIN EQUIPMENT, INC** for Lawn Maintenance Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Parks & Recreation Department - \$34,904.00 - General Fund – was presented, and moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0378 ADOPTED.

ORDINANCES - NUMBERS 10 through 41

14. ORDINANCE establishing the west side of the 3500 block of Oak Ridge Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – GARCIA** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0472 ADOPTED.
16. ORDINANCE issuing permit to **U.S. BUILDERS** for constructing, using, occupying, operating, maintaining and repairing one two-inch PVC conduit for telecommunication cables containing six fiber lines and one 50 pair phone cable under and within Westview, Public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0473 ADOPTED.

17. ORDINANCE approving and authorizing an agreement between the City of Houston and **ROW HOUSE COMMUNITY DEVELOPMENT CORPORATION** to provide a \$974,169.00 second lien loan of Federal "HOME" Funds for eligible costs in connection with the Construction of Eight Duplexes (16-Rental Units) to be located in the 2400 block of Francis Street, Houston, Texas to house low, very low, and extremely low income families - **DISTRICT I – ALVARADO** – had been pulled from the Agenda by the Administration, and was not considered. Council Member Edwards absent.
25. ORDINANCE approving and authorizing consent to encroach, allowing existing improvements owned by Studiospace, LLC, the abutting owner, to encroach 4.7 feet into Dowling Street, adjoining the property located at 3111 Dowling Street, being Lot 11, Block A, Mrs. Mary A. Dumbel's Subdivision, Harris County, Texas; Parcel ENY6-002; subject to the terms and conditions of the consent to encroach - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0474 ADOPTED.
26. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for rights-of-way in connection with the Public Improvement Project known as the Blossom Heights Waterline Easement Replacement Project; authorizing the acquisition of certain real property interests and easements within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property interests and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of real property interests and easements in, over, upon, across, and under parcels of land situated in the E. P. Whitehead Survey, Abstract No. 839 in Harris County, Texas, and being more specifically parts of a 7.5089 acre tract of land called Hamlet of Cherbourg recorded in Volume 301, Page 94 of the Harris County Map Records; part of a 2.105 acre tract of land conveyed unto the Flying J. Real Estate L.P. by deed recorded under Harris County Clerks File No. U997314; two tracts of land out of the called seasons on Richmond Section 1 as recorded in Volume 252, Page 90 of the Harris County Map Records - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0475 ADOPTED.
27. ORDINANCE approving and authorizing Cost Sharing Agreement between the City and Silber Road Reserve, L.P. for Silber Road Reserve to pay 100% of the Design of Water and Sanitary Sewer and 70% of the Construction of Water and Sanitary Sewer for Street Paving Project on Awty School Lane, GFS S-0755-01-2 - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0476 ADOPTED.
28. ORDINANCE appropriating \$164,173.43 out of Water & Sewer System Consolidated Construction Fund and \$105,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing Developer Participation Contract between the City of Houston and **HQ PARTNERS, J.V.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Suburban Oaks Subdivision, CIP S-0800-K3-3 & R-0800-K3-3 **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0477 ADOPTED.
29. ORDINANCE appropriating \$227,210.50 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TURNER COLLIE & BRADEN, INC** for Design of Yale Street Paving from Tidwell Road to Parker Road, GFS N-0592-01-2 (SB9231); 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. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0478 ADOPTED.

31. ORDINANCE approving and authorizing amendment to Professional Materials Engineering Laboratory Contracts between the City and **A&R ENGINEERING AND TESTING, INC, ALLIANCE LABORATORIES, INC, THE MURILLO COMPANY,** and **REMINGTON ENGINEERING AND TESTING, LLC.** for Engineering Materials Testing Services for the Department of Public Works & Engineering and the Houston Airport System (approved by Ordinance No. 2003-558 and 2003-935) to extend contracts with 4 Testing Laboratories for an additional three years and to define holidays for contract management – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0479 ADOPTED.
32. ORDINANCE appropriating \$675,070.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PARSONS WATER & INFRASTRUCTURE, INC** for Design of the Sanitary Sewer Master Plan Development for Southwest Wastewater Treatment Plant Service Area, GFS R-1000-26-2 (WW4912); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; F - KHAN and G - HOLM** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0480 ADOPTED.
33. ORDINANCE appropriating \$450,000.00 out of General Improvements Consolidated Construction Fund as an additional appropriation for an existing Design-Build Contract to **SPAWGLASS CONSTRUCTION CORPORATION** for Westside Command Station Repair; GFS G-0020-05-3 **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0481 ADOPTED.
34. ORDINANCE appropriating \$200,000.00 out of PIB Petroleum Storage Tank Reimbursement Fund as an additional appropriation to the Task Order Contract for Comprehensive Professional Environmental Consulting Services under Professional Environmental Consulting Services Contract with **TERRACON, INC** (approved by Ordinance No. 05-0776); providing funding for contingencies relating to construction of facilities financed by the PIB Petroleum Storage Tank Reimbursement Fund, GFS D-0073-01-5 – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0482 ADOPTED.
35. ORDINANCE appropriating \$100,000.00 out of Parks Consolidated Construction Fund and \$100,000.00 out of PIB Petroleum Storage Tank Reimbursement Fund as an additional appropriation to the Task Order Contract to provide additional Comprehensive Environmental Consulting Services under Professional Environmental Consulting Services Contract with **ENVIRONMENTAL CONSULTING SERVICES, INC** (approved by Ordinance No. 05-0776); providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund and the PIB Petroleum Storage Tank Reimbursement Fund, GFS D-0073-02-5 and F-0509-02-5 – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0483 ADOPTED.
36. ORDINANCE appropriating \$117,000.00 out of General Improvements Consolidated Construction Fund and \$83,000.00 out of Parks Consolidated Construction Fund as an additional appropriation to the Task Order Contract to provide additional Asbestos, Lead, and Mold Consulting Services under Professional Environmental Consulting Services

Contract with **GARNER & ASSOCIATES, INC** (approved by Ordinance No. 05-0776); providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund and the Parks Consolidated Construction Fund, GFS D-0073-03-5 and F-0509-03-5 – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0484 ADOPTED.

37. ORDINANCE appropriating \$348,055.60 out of Parks Consolidated Construction Fund awarding Construction Contract to **BOYER, INC** for Freed Park, GFS F-504C-03-3; 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; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, and contingencies relating to construction of facilities financed out of the Parks Consolidated Construction Fund **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0485 ADOPTED.
38. ORDINANCE appropriating \$1,998,100.00 out of Street & Bridge Consolidated Construction Fund No. 437, awarding Contract to **ACM CONTRACTORS, INC** for Street & Traffic Enhancements for Near Northside, Phase I (North of Quitman), GFS N-0774-01-3 (SB9112); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund No. 437 - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0486 ADOPTED.
39. ORDINANCE appropriating \$1,927,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PELTIER BROTHERS CONSTRUCTION, LTD.** for Chimney Rock and Woodsman Trail Lift Stations Rehabilitation, GFS R-0267-91-3 (WW4862-01); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and G - HOLM** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0487 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ORDINANCES - NUMBERS 10 through 41

10. ORDINANCE declaring the City's support of and consent to the creation of the **CENTRAL HARRIS COUNTY REGIONAL WATER AUTHORITY** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0488 ADOPTED.
11. ORDINANCE consenting to the addition of 21.3076 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 387**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0489 ADOPTED.

12. ORDINANCE consenting to the addition of 487.421 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 402**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0490 ADOPTED.
13. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 480** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0491 ADOPTED.
15. ORDINANCE establishing the north and south sides of the 1700 block of Wroxton Court 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 C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0492 ADOPTED.
19. ORDINANCE approving and authorizing contract between the City of Houston and **NEIGHBORHOOD CENTERS, INC**, to provide \$100,000.00 in Community Development Block Grant Funds to operate a Day Labor Program in the East End/Second Ward Area - **DISTRICT H – GARCIA** – was presented, and tagged by Council Members Lawrence, Holm, Sekula-Gibbs, Berry and Clutterbuck.

After a lengthy discussion by Council Members, Mayor White stated that Item No. 19 had been tagged by Council Members Lawrence, Holm, Sekula-Gibbs, Berry and Clutterbuck.

20. ORDINANCE appropriating \$140,000.00 out of TIRZ Affordable Housing Fund 872 to In-house Renovation Revolving Fund 117, for Renovation/Reconstruction of Housing Projects - **DISTRICTS B - JOHNSON and D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Sekula-Gibbs absent. ORDINANCE 2006-0493 ADOPTED.
21. ORDINANCE approving and authorizing contract between the City and **UNIVERSITY OF TEXAS AT HOUSTON HEALTH SCIENCE CENTER** for Behavioral Surveillance Services; providing a maximum contract amount - \$663,339.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0494 ADOPTED.
22. ORDINANCE approving and authorizing acceptance of a proposal from **AMERICAN INTERNATIONAL GROUP (AIG)** for a one year Crime Insurance Policy for Public Employee Dishonesty - \$17,679.00 - Insurance Management Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0495 ADOPTED.
23. ORDINANCE awarding contract to **MBIA MUNISERVICES COMPANY** for Hotel Occupancy Tax Auditing Services for the Finance & Administration Department – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0496 ADOPTED.
24. ORDINANCE awarding contract to **SCRAPCOMPUTER.COM** for Residential Electronic Scrap Recycling/Disposal Services for the Solid Waste Management Department; providing a maximum contract amount - 2 Years with three one-year options - \$75,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0497 ADOPTED.

30. ORDINANCE appropriating \$3,515,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 49R as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **TURNER COLLIE & BRADEN, INC** for Design of Services associated with the Storm Water Management Program (SWMP) (approved by Ordinance No. 03-1195), GFS M-0220-03-2 (SM5013); providing funding for contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund No. 49R – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0498 ADOPTED.
40. ORDINANCE appropriating \$1,521,900.00 out of Airports Improvement Fund, CIP A-0486, \$88,778.00 out of Airports Improvement Fund, CIP A-0422, \$3,804,750.00 from Federal Aviation Administration Grant Funds, CIP A-0486 and \$820,000.00 out of Airports Improvement Fund (Temporary Funding), CIP A-0486 as an additional appropriation for Project 612C, the Explosive Detection System In-Line Baggage Conveying Equipment Phase II at George Bush Intercontinental Airport/Houston under construction contract with **VANDERLANDE INDUSTRIES, INC** (approved by Ordinance No. 2004-1086) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0499 ADOPTED.
41. ORDINANCE appropriating \$2,133,059.00 out of Airports Improvement Fund, CIP A-0486, \$124,429.00 out of Airports Improvement Fund, CIP A-0422, \$900,000.00 out of Airports Improvement Fund as Temporary Funding, CIP A-0486 and \$5,332,647.00 from Federal Aviation Administration Grant Funds, CIP A-0846; awarding construction contract to **VANDERLANDE INDUSTRIES, INC** for Explosive Detection System In-Line Baggage Conveying Equipment at William P. Hobby Airport (HOU), Project No. 612A; setting a deadline for Vanderlande Industries, Inc.'s execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding Vanderlande Industries, Inc. in default if it fails to meet the deadlines; providing funding for contingencies and the Civic Art Program relating to construction of facilities financed by such fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0500 ADOPTED.

NON CONSENT AGENDA - NUMBERS 42 through 46

MISCELLANEOUS

42. RECEIVE nominations for Positions 19 and 22 of **HOUSTON READ COMMISSION**, with three-year staggered terms from appointment date – was presented.

Council Member Khan nominated Mr. Alamdar Hamdani for Position 19 of the Houston Read Commission.

Council Member Berry nominated Mr. Philip D. Fraissinet for Position 22 of the Houston Read Commission.

Council Member Khan moved to close nominations for Positions 19 and 22 of the Houston Read Commission, seconded by Council Member Berry. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0379 ADOPTED.

43. RECEIVE nominations for Positions 4 and 5 of **WASTEWATER CAPACITY RESERVATION REVIEW BOARD OF DIRECTORS**, for two-year terms – was presented.

Council Member Khan nominated Dr. Asif Wahidi for Position 4 of the Wastewater Capacity Reservation Review Board of Director.

Council Member Sekula-Gibbs nominated Ms. Katherine Mears, P.E. for Position 5 of the Wastewater Capacity Reservation Review Board of Directors.

Council Member Khan moved to close nominations for Positions 4 and 5 of the Wastewater Capacity Reservation Review Board of Directors, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0380 ADOPTED.

44. MOTION to set a date not less than seven (7) days from May 17, 2006, to receive nominations for the City of Houston representatives of the **HOUSTON AREA LIBRARY AUTOMATED NETWORK BOARD OF DIRECTORS**, for Positions One, Two, and Three, with two-year terms – was presented.

Council Member Khan moved to set May 24 to receive nominations for the City of Houston representatives of the Houston Area Library Automated Network Board of Directors, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0381 ADOPTED.

PROPERTY

45. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Helen Huey of Creative Consulting, on behalf of Target Corporation (Bob Ulrich, Chairman and Chief Executive Office) and Sawyer Heights Village, Ltd. [SHV-GP,LLC, a Texas limited liability company (S. Jay Williams, sole member), general partner], for abandonment and sale of Shearn Street, from the west property line of the Bueling Herring Reserve to its dead-end, located in the John Austin Survey, A-1, Parcels SY6-077 and SY6-112 - **TWO APPRAISERS and one ALTERNATE APPRAISER DISTRICT H – GARCIA** – was presented.

Council Member Garcia named Mr. Frank Flores and Mr. John Fox as appraisers and Mr. Patrick O'Connor as alternate appraiser and moved approval of the recommendation, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0382 ADOPTED.

46. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Helen Huey, Creative Consulting, on behalf of CHCA Woman's Hospital, LP, dba The Woman's Hospital of Texas [Woman's Hospital of Texas, Inc., (Linda B. Russell, Chief Executive Officer), general partner], for abandonment and sale of a 10-foot-wide sanitary sewer easement from Greenbriar Drive east to its terminus, out of Restricted Reserve "A", Block 1, Woman's Hospital of Texas Estates, located in the P. W. Rose Survey, A-645, Parcel SY6-085 - **TWO APPRAISERS and one ALTERNATE APPRAISER DISTRICT D – EDWARDS** - was presented.

Council Member Edwards named Ms. Jasmine Quinerly and Mr. Samuel Stewart as appraisers and Mr. John Chambless as alternate appraiser and moved approval of the recommendation, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0383 ADOPTED.

MATTERS HELD - NUMBERS 47 through 52

47. ORDINANCE **AMENDING SECTION 9-54(a) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Commercial Carrier Service at the City's Airports – (**These was Item 15 on Agenda of May 10, 2006, TAGGED BY COUNCIL MEMBERS EDWARDS, LAWRENCE, GARCIA, KHAN, CLUTTERBUCK and SEKULA-GIBBS**) – was presented.

Council Member Johnson stated that some issues had been brought to his attention, based on some information that was presented to him in the RFP for this particular item it would not put certain companies out of business and would certainly give the consumers just another mechanism to be able to use transportation to get to and from airports, but then based on some information that they had through the pre bid there was some different information that came out and because of that he thought they needed to refer the item back so that they could get more clarity, that he had talked to Mr. Hall and would like to be able not just to send it back and not have any input on it but certainly would like to refer Item Numbers 47 and 47a back to committee but would like to get some information as to what was going to be the process.

Mayor White requested Mr. Hall to comment, and Mr. Hall stated that the process had been ongoing for about a year, the first formal step in the process was to establish what was called a Request for Qualification, that was issued probably in late summer, that pursuant to that Request for Qualification there were two prequalification conferences, which was a standard process where all of the folks who were interested came in and talked to the folks about the Request for Qualification, that it was important that he mention that because one of the questions asked was whether or not scheduled ground transportation would continue, the answer that was given in writing was that no it would not continue after the expiration of the contracts, that subsequent to those two meetings there was then issued the RFP, that it was important that he explain that the RFP was the only document, that he was aware of, that Council was given pursuant to the process that was approved by Council for these solicitations, the RFP specifically said that the City would reserve the right to continue scheduled ground transportation services, so that there was no confusion they were talking about four distinct services for paid transportation to and from their airports, in descending order of expense, limousine service, taxi service, scheduled ground transportation, what that meant was a schedule where there was transportation to a fixed location, typically a hotel, and then lastly the new thing they were intending to implement where they would be able to go to a location of their choice, when the RFP was issued it specifically told Council that the City would be able to continue to offer scheduled ground transportation, among other things, it listed taxis and limousines and all of those things and specifically said transportation to specific locations, that was what he explained to at least seven of the Council Members when they had asked him about it, that was what they were doing, as it turned out the contract that was presented to Council for consideration today essentially prohibits the City, after September 1, 2006, from having scheduled ground transportation contracts within Beltway 8, which was where the bulk obviously of the City was, that he did not know that, quite frankly he wanted to thank Council Member Johnson because he made him aware of it, that when he asked the Airport about it they said indeed that was one of the things they had negotiated, it was unfortunate because that was not the RFP that was approved by Council in the process which was why they were asking to go back and take that out and to have the original proposal that had been explained and presented to Council, actually the contract to conform to that.

Council Member Johnson moved to refer Item Numbers 47 and 47a back to the administration, seconded by Council Member Brown, that he also wanted to make sure that they go back to committee so that they could the information and process worked out.

After further discussion by Council Members a vote was called on Council Member Johnson's motion to refer Item Numbers 47 and 47a back to the administration. All voting aye. Nay none. Council Member Wiseman absent on city business. MOTION 2006-0384 ADOPTED.

47a. ORDINANCE approving and authorizing Shared Ride Concession Agreement by and between the City of Houston, Texas and **ADAMS SYSTEMS, L.L.C., d/b/a SUPERSHUTTLE HOUSTON** Revenue - **DISTRICTS B - JOHNSON and I - ALVARADO** - **(This was Item 15A on Agenda of May 10, 2006, TAGGED BY COUNCIL MEMBERS EDWARDS, LAWRENCE, GARCIA, KHAN, CLUTTERBUCK,**

BROWN and SEKULA-GIBBS) - was presented and referred back to the administration. MOTION 2006-0384. Council Member Wiseman absent on city business.

Mayor White stated that they would both schedule a hearing expeditiously and a report and see if they could straighten that situation out.

Council Member Sekula-Gibbs stated that she would release her tag on Item No. 18, and Mayor White requested the City Secretary to call the item.

18. ORDINANCE approving and authorizing contract between the City of Houston and **TEXAS SOUTHERN UNIVERSITY** to provide \$202,500.00 in Community Development Block Grant Funds for the Operation of a Small Business Resource Center through the Gerald B. Smith Center of Entrepreneurship and Executive Development - **DISTRICTS D - EDWARDS and I – ALVARADO** – was again before Council.

Council Member Sekula-Gibbs stated that she had a chance to discuss the item and appreciated very much the administration and Texas Southern University answering some of the questions as well as Mr. Wilson from the Housing Department discussing it with her, that the item seemed to be an excellent opportunity for the City to support Texas Southern University in what they already did very well which was create excellent business people and entrepreneurs who contributed greatly to the City and the region, that she had a question about making sure that all of the HUD requirements would be met prior to issuing the CDBG grant.

A vote was called on Item No. 18. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0501 ADOPTED.

Mayor White stated that he wanted to thank Mr. Bobby Wilson for being present and members of the TSU team and thanked them for what they did for the community.

Council Member Edwards stated that she also wanted to thank President Wilson and staff for being present in the audience, that their office was very proud of what the university was doing in the City.

48. ORDINANCE **AMENDING CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Billing Procedures for Water and Sewer Service – **(This was Item 16 on Agenda of May 10, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0502 ADOPTED.

49. ORDINANCE **AMENDING THE CITY OF HOUSTON BUILDING CODE** relating to Permit and Inspection Fees; containing other provisions relating to the foregoing subject; providing for severability; containing a savings clause – **(This was Item 17 on Agenda of May 10, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Lawrence stated that Item No. 49 came through committee and Mr. Marcotte, Director, Public Works and Engineering, made a great presentation and talked to a number of the stakeholders and came up with some permit fees that were best for the City, stakeholders and business community, that it passed through committee unanimously, that since that time the item was tagged and the Legal Department came up with a couple of housekeeping changes and offered the following written motion, which she had passed out to each Council Member, seconded by Council Member Garcia. Council Member Berry absent.

“Amend Item 49 as follows:

Amend the introductory sentence in Exhibit A to read:

117.2.1 Buildings. The following building permit fees shall be required by this code: New buildings, additions, alterations, remodels, conversions, and repairs:

2. A historic building that has been designated by the jurisdiction as a landmark or that is located within a historic district designated by the jurisdiction, or for which designated as a landmark or part of a historic district is pending, shall receive a 50 percent discount on permit fees provided that a certificate of appropriateness ~~approved~~ approved by the Houston Archaeological and Historical Commission pursuant to Chapter 33 of the City Code is submitted with the construction documents.”

A vote was called on Council Member Lawrence’s motion to amend Item No. 49. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Berry absent. MOTION 2006-0385 ADOPTED.

A vote was called on Item No. 49 as amended. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Berry absent. ORDINANCE 2006-0503 ADOPTED.

Mayor White stated that he would get, from management, periodic reports about the progress to the goal, that frankly he had delayed the item because he did not want to put the cart before the horse on fees because more service, that they had an incredible number of filings that they had to catch up with, that Houston was booming, that they made the commitment that they were going to get faster turnaround and meet the three metrics that he was grading the leadership by, that maybe in six months Council would want a report about how they were doing to expedite the building permit process. Council Member Berry absent.

Council Member Lovell stated that she was happy to see that they passed where they were doing discounted permit fees for affordable housing, which she hoped would encourage that, and also for qualifying where they were doing renovation on a historic building, that they were supporting a discount on permit fees for that, that hopefully it would encourage people to preserve some of their historic structures.

Council Member Brown stated that he had served on the steering committee for streamlining the permit process and saw Ms. Susan McMillan and Deputy Director of Public Works and Engineering, Mr. Andy Eeken, that they did a stellar job bring it to the City Council and asked that they stand and be recognized.

Council Member Alvarado stated that she too wanted to recognize the good work of the folks in Public Works but also her colleague Council Member Lawrence, who really shepherded the item through and brought it through committee, that she did a lot of work in putting together a meeting with stakeholders, which was important.

50. ORDINANCE appropriating and allocating \$900,000.00 out of Equipment Acquisition Fund as an additional appropriation for contract with **SAP PUBLIC SERVICES, INC** (previously approved by Ord. No. 2005-0405); appropriating and allocating \$1.1 Million out of the Equipment Acquisition Fund for expenses relating to the implementation of the Enterprise Resource Planning System – (This was Item 29 on Agenda of May 10, 2006, TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and KHAN) – was presented.

Council Member Garcia stated that he had been told that there had been some particular challenges with MWBEs and asked if there was any truth to that, and Mayor White stated that they would look into the issue and report back.

A vote was called on Item No. 50. Council Member Sekula-Gibbs voting no, balance

voting aye. Council Member Wiseman absent on city business. ORDINANCE 2006-0504 ADOPTED.

51. ORDINANCE appropriating \$875,000.00 out of Equipment Acquisition Fund for Future Procurement of Communications Technology Services and Replacement of Houston Fire Department Administrative Applications – **(This was Item 30 on Agenda of May 10, 2006, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** - was presented.

Council Member Sekula-Gibbs stated that Item No. 51 was part of the SAP Project in relationship to the Houston Fire Department and she acknowledged that there was always a need to upgrade computer programming and projects and matters related to acquisition as well as other services within all of the departments, that she had a problem with how the whole process had evolved over the last couple of years and the idea that they had a \$22.7 million SAP Project that was growing on a regular basis, that she had concerns that the project was outgrowing what was originally told to them, that she knew it was within the contingency but it was still something that was moving in an upward direction and wanted to express her concerns on the overall project, that she hoped they were given updates about how they were meeting goals. Council Member Berry absent.

A vote was on Item No. 51. Council Member Sekula-Gibbs voting no, balance voting aye. Council Member Wiseman absent on city business. Council Member Berry absent. ORDINANCE 2006-0505 ADOPTED.

52. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Frank B. Petrosky, Landtech Consultants, Inc., on behalf of 7777 Katy Fwy. L. P. (Cecil Van Tuyl, CVT Property, Inc., general partner), for abandonment and sale of a 10-foot-wide water main easement, located in the E. B. Cogswell Survey, A-785, Parcel SY6-080 - **TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT G - HOLM – (This was Item 45 on Agenda of May 10, 2006, TAGGED BY COUNCIL MEMBER HOLM)** – was presented.

Council Member Holm named Mr. William Evans and Mr. Michael Copeland as appraisers and Mr. Al Abbott as alternate appraiser, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Berry absent. MOTION 2006-0386 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Green stated that the Memorial Park Golf Course anniversary golf tournament would be held on Tuesday, May 23, 2006, that the conservancy was celebrating by hosting a golf tournament and proceeds would benefit the efforts of the park as well as improvements to the golf course, for more information they could contact Peter Tyler at 713-863-8403; that on Thursday, May 25, 2006 from 12:00 p.m. to 1:00 p.m. the Convention and Visitors Bureau International Protocol Alliance would have a “Learn at Lunch” series featuring Hungary, The Land of Opportunity, the guest speaker would be the Honorable Phillip Aronoff, Honorary Consul General of Hungary in Houston; the Perry Weston Scholarship Fund benefit would be held Saturday, May 20, 2006 at 6:00 p.m. at Harry’s Restaurant, for more information they could call 713-4648312 or email HSHPAlumnus@yahoo.com. Council Members Johnson, Clutterbuck and Holm absent.

Council Member Green stated that the American Heart Association was sponsoring it’s “Power to End Stroke” movement, that strokes were the third leading cause of death and the leading cause of serious long term disability in the United States and he strongly encouraged them to join the “Power to End Stroke” movement today, that they could sign up on line at StrokeAssociation.org or call 1-888-478-7653. Council Members Johnson and Holm absent.

Council Member Green stated that they got the budget today and it was earlier than expected, that it was a good thing so that Council Members could begin the process of analyzing the budget and getting information so that they could form their questions if they had any, that some Council Members had contacted his office about getting some of the questions that they asked last year or some information from last year and Chris had already started disseminating that information because they did review the video tapes from last year's budget presentations and for some of the Council Members on Council they could give them a list of some of the questions they asked about from different departments, as well as for the new Council Members so that they could see what the process was like, that they might want to review some of those video tapes as well, that the next Fiscal Affairs meeting was on Tuesday, May 30, 2006 at 10:00 a.m. and it would also begin the budget hearing process, so please plan their schedules accordingly, that in the next week or so they should be getting some supporting information regarding the budget from the department heads, they sent out a memo Monday or Tuesday to all of the department heads requesting more information so that it could support the proposed budget that way they would not have to fish for some information and hopefully it would make the budget hearing process a lot smoother, that if there was anything else they needed to contact his office. Council Members Johnson, Holm and Garcia absent.

Council Member Berry stated that Item No. 48 was long overdue, that it was modifications in their billing procedures for water bills, that they had some amendments or changes that they did not get completed today and he thought the item needed to go forward, that it may take them two weeks or more to get to Mayor White, that the policy today, and it said it in the RCA, if a credit was more than six times the customer's bills then the customer may request a refund of the overcharge, so if they had a \$30 bill and it got up to \$180 they could ask that the City cut them a check, which of course they did not want to have to write a lot of checks out of the City of Houston, it was good to minimize that, however if it was \$179 they did not have that option, that for most people six times their water bill was not going to pinch them to terribly bad, but he would say that they received a number of calls, and he suspected that District Council Members had received quite a few more, from people who the money meant a lot to them, that they did give a credit, that they were going to look into it, that Karen Leback, if they called her and they were reasonable she figured out a way to help the constituent and that was important because they shut the water off if they did not pay the bill and if they had a real protest they ought to get their fair say, that he thought it was a wonderful change and long overdue. Council Members Johnson, Edwards, Holm, Garcia and Green absent.

Council Member Berry stated that there were new people in the Mayor Pro Tem's office and he appreciated their indulgence in getting them up to speed. Council Members Johnson, Edwards, Holm, Garcia and Green absent.

Mayor White stated that on Council Member Berry's first issue, if it was really burdensome to write the checks because there were so many overcharges per month then they had a problem, that it sent a wrong signal, that somebody ought to address that situation, and Ms. Stein mentioned economic hardship, but people needed to use their common sense. Council Members Johnson, Edwards, Holm, Garcia and Green absent.

Council Member Brown stated that this was Historical Preservation Month and they had a number of citizens who were involved in the historic preservation movement in Houston at public session, that he wanted to recognize Ms. Jill Jewett, who had been the unrestrained spirit of historic preservation of the City, that she had done a wonderful job, that it was wonderful that they were lowering the building permit fees on historic renovation and restoration projects, that he thought they could start moving forward with historic preservation with a thorough inventory and classification of their historic buildings and places and then he would like to see them move in the direction that dealt with neighborhood protection and revitalization of some kind of conservation district where it was really tough to tear down a historic building in a conservation district, that the Sixth Ward was ripe for that, that in terms of environmental responsibility he would like to see included in the next go round of their permitting process that they exclude green building improvements from the cost of permits, that he had gotten a number of calls from people who say they wanted to put solar panels on their house for heating or a cistern system for conserving water but it was an extra expense and they got charged

a permit fee for that, that maybe the reverse ought to be true where the City provides some incentives for people to undertake green building practices, that he would like to understand what their policies were on that. Council Members Johnson, Holm, Garcia and Green absent.

Council Member Brown stated that he had conversations with CenterPoint about a phase program to bury all of their utility lines, that he thought CenterPoint was interested in that and the overhead utility lines reduced property values and the development ability of a number of those properties, and then they could be an asset when they had a hurricane if they had underground lines they were not as susceptible to being blown down by a hurricane, that he wanted to understand better what their policy was on that including one related to grade separations for freight railroad lines, that he wondered if they had a public policy. Council Members Johnson, Holm, Garcia and Green absent.

Council Member Brown asked if they saw the editorial in the Chronicle about billboards, there was federal legislation which would override local ordinances related to replacing billboards that were taken down by hurricane damage, that he would like to have a very clear public policy on where they stood related to reducing the number of billboards. Council Members Johnson, Holm, Garcia and Green absent.

Council Member Clutterbuck stated that she wanted to thank Council Member Lawrence's office and Anna Cedillo in the Planning Department for helping to coordinate the tremendous community neighborhood workshop that they sponsored on Saturday, that Anna made up about 75 packets and they had about 150 people show up, that it was a tremendous success, that she wanted to thank Barbara Hyett from her office and Nicki Cooper from the Convention and Visitors Bureau, that she would also like to thank Holly Montalbano with Aramark, who supplied refreshments, that it was a low budget and low cost to the taxpayer event and was very successful, that she wanted to thank the over 150 citizens who attended the event, that they had wonderful presentations and if anyone was interested in obtaining a CD from the event they could contact Council Member Lawrence or her office for a copy. Council Members Johnson, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Clutterbuck stated that she would like to highlight the fact that the Fondren Division of the Police Department was going to kickoff their second 10 day deployment of the MCOPS Unit initiative today, the mobile command station, that had been tremendously successful in addressing the crime high spots in the southwest part of town, that the initiative was at 7:00 p.m. at the old Eckerds Drugstore in the parking lot across from La Promenade Apartments at the 7400 block of Bissonnet and Fondren, that it would be an event to let the neighborhood know that the police were setting up camp to empower their area residents to take back the neighborhood, that it was an initiative that was led by the U.S. Attorney's office, the FBI, ATF, the local District Attorney, investigators and assistant District Attorney, as well as HPD undercover offices, the Gang Task Force, Narcotics and the foot patrol of the Fondren Southwest Division. Council Members Johnson, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Clutterbuck stated that there was a special guest in the audience, that she wanted to acknowledge and thank him for his work on the part of the City, that Colonel John J. Douglas was present and Council Member Clutterbuck asked that he stand and be recognized, that not only did he serve as one of the appointees on the City's Ethics Committee but he also was adored by students at the University of Houston Law Center who were fortunate enough to have his classes in Criminal Law or Election Law, that she wanted to thank him for his service. Council Members Johnson, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Lovell stated that she wanted to invite everyone to the City Annex's first floor, there was a display of artwork in front of the elevators which was done by the animals at the zoo, that they had a display of their artwork, that she wanted to encourage anybody who had not gone to the zoo lately to go, that it was a wonderful place and they had done a great job. Council Members Johnson, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Lovell stated that she wanted to thank Council Member Lawrence and Public

Works for their work on restructuring the permit fees, that she wanted to thank them for including the historical discounts, hopefully they could encourage historical preservation. Council Members Johnson, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Lovell stated that she wanted to congratulate her oldest son Steven for graduating from high school, that he would be moving on to college, her son Colin for completing the school year under difficult circumstances for him, and her son Robbie for graduating from the Fifth Grade at Poe Elementary. Council Members Johnson, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Lovell stated that on the issue of public safety she knew that with different law enforcement agencies there was a culture of not cooperating with each other, but she thought in a City that had actually taken in 150,000 new people and was growing every day, it was just not acceptable, especially when they had a shortage in the Houston Police Department, that she thought they should ask the Houston Police Department to take the lead in doing whatever they could to being creative and thinking ahead of the box, that there were HISD officers that worked with kids every day who knew who was doing the graffiti, because if they did it in the neighborhood they would do it in school, that there needed to be that kind of cooperation, that they ought to be talking to the constables in the neighborhoods and coordinating patrols, the Sheriff's deputies and Metro, that the priority ought to be the taxpayers and the citizens of the City. Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she wanted to remind all Houstonians that hurricane season would officially start on June 1, 2006, that if they had not gotten flood insurance they needed to call their agent right away, even if they were renters they could still get renters insurance and flood insurance to protect themselves and their property as much as they could, that they would be having more meetings in the City through the Flooding and Drainage Committee about hurricane season and what the projections were and how people could become more involved and self empowered in how to protect their homes against flooding, that there was a workshop called Flood Control Begins At Home, and it was one of those workshops that dealt with the individual person taking responsibility around their home and things that they could do that could possibly help mitigate flooding around their homes, that it was a step one and step two practical things, that they would be doing that within the next two weeks. Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she wanted to thank their office assistant Kaitland Murphy, she came to them first as an intern when she was at Saint Thomas and came on directly out of school, that she had hit such a learning curve and learning quick and in a hurry, that all of their staff were awesome, that most of the research she handled it, that Karen Haller now served as their Chief of Staff and their scheduler was Jennifer Henderson, another young lady who came to them as an intern and graduated from college and was now working in their office. Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she was concerned about the summer, that they had a lot of issues about Astroworld closing down, that it was one place that a lot of parents would take their kids to during the day to have a good time, that they had about 1,000 jobs that the young people were employed with at Astroworld and she was not sure where those young people were going to be working this summer, that she was not sure if anybody was looking into the job situation for their young people, if anyone had information or knew of places where young people could get jobs to please call their office, they had a lot of young people calling and asking if they had any place to work, she did not know if the City would have a job program or not, that she thought it was something that they were going to have to either deal with up front or were going to deal with mischief and more graffiti and so forth. Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (No Quorum Present)

Council Member Edwards stated that she wanted to bring to the attention of civic clubs

and super neighborhoods that the budget workshops that were coming up were not just for City Council Members, she thought they would learn a lot about what was doable in their communities if they had somebody attending the budget workshops or at least get copies of the tapes of the budget workshops so they could see what was happening and what was being discussed and what was really a logical goal for their community to look at, that she would encourage super neighborhoods and or civic club leaders or just the ordinary citizen who wanted to know what was going on and how his or her money was being spent, to attend as many budget workshops as they could or get copies of the tapes, that she thought it would lend them some more information as to how to better plan their interaction in Houston, Texas. Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. (No Quorum Present)

Council Member Edwards stated that the District D cleanup would be on Saturday, May 20, 2006, that it would kickoff at Edgewood Park Community Center at 5803 Bellfort in the Sunnyside area, that she wanted to give a gratitude of thanks to A Rocket Moving and Mr. Deandre Sams, that Mr. Sams and his company gave more pro bono to District D and was sure citywide and never asked for recognition or thanks, he was just there to be a servant of the community, that she wanted to thank them for their assistance in the cleanup on Saturday and for their assistance in the community on a day to day basis. Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that as to the issue of junk motor vehicles was becoming very problematic, there was a backlog that was estimated at 1,500 to 2,000 cars, and on Ridgebend in the Richmond Subdivision, there was one part of that street that looked like a used car lot and it was in front of an apartment or duplex type of area, that it looked like at least 100 cars that were parked in various parts and they were all in various states of disrepair, that it had been going on for a number of years and what was happening now was that the process to remove junk cars was very similar to what was happening with abandoned houses, it had to go through a hearing process, and 2,000 cars behind, backlogged, she thought was unacceptable, that the new process had not yet been approved by the Legal Department and she was not sure where they were with that but they had to make some movement with it, that people were very discouraged, that it fell into the realm of public safety because the communities were devastated, that they saw that type of neglect in District D and they would really like to have the Mayor's assistance as to how they could deal with it. Council Members Johnson, Clutterbuck, Khan, Holm, Garcia, Sekula-Gibbs and Green absent. (No Quorum Present)

Council Member Edwards stated she was really excited about the new members of the Houston Comets team, there was a new energy on the team and hopefully they could win another championship, that she thought they would be very respectable in the WNBA, their first game would be on Sunday at 5:00 p.m. at the Toyota Center against San Antonio, that they should come out and give them a round of support, that these young ladies could have a very positive input into the young ladies of the Houston community as to how to be disciplined and how to take charge of their life, that it was the only professional sports team in their City that had won four championships back to back, that Kim Perrot was still probably one of her favorite players on the Comets, she had more heart than about twenty people all put together. Council Members Johnson, Clutterbuck, Khan Holm, Garcia, Sekula-Gibbs and Green absent. (No Quorum Present)

Council Member Edwards stated that May 19th was the anniversary of the birth of Malcolm X, to the spirit and his work she said Happy Birthday. Council Members Johnson, Clutterbuck, Khan Holm, Garcia, Sekula-Gibbs and Green absent. (No Quorum Present)

Mayor White stated that at 1:30 p.m. at Mecom Fountain they would have an event based on a culmination of a lot of work over a long period of time, it would be one of the most important announcements that they had in the administration, it was very important and he hoped they could join him, that it dealt with some of the affects of their flooding investments,

that it was at 1:30 p.m. on Friday. Council Members Johnson, Clutterbuck, Khan Holm, Garcia, Sekula-Gibbs and Green absent. (No Quorum Present)

Council Member Lawrence stated that it was good to see Grand Prix racing back in Houston, that she was looking forward to the next four years of success for them, it was a different sport. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Lawrence stated that she wanted to thank Council Member Clutterbuck for her part, they put on a Tools for Neighborhoods last Saturday, 150 people, that most of them showed up early, that she wanted to thank Mr. Arturo Michel and Mr. Mike Martin, that people were ready to start at 8:30 a.m. and they handled a Q&A that was very successful, that there was great participation, that it was put on for a total of \$64, for the printing, that she wanted to thank everyone for their presentations. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Lawrence stated that this past Sunday in the Chronicle there was a freelance writer, Mrs. Cox, that wrote on panhandling, it was an excellent article, that she had emailed her and complimented her, that she thought the Mayor had a task force looking into that and some of her suggestions, as far as she was concerned, were right on target of how they should handle it, that she encouraged them to look at the article, it was well stated. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Alvarado stated that she wanted to recognize the work of a Public Works employee, Mr. Carl Voker, who because of some problems that came up with the contractor that delivered their fuel, he personally was out until 2:00 a.m. for two mornings in a row delivering fuel to all of their departments, that Terrance Fontaine was very much involved with that and she appreciated his work as well. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Alvarado stated that Item No. 23 passed without any discussion, that it was an item that for the first time they were contracting with a third party to go and audit their HOT tax, their Hotel Occupancy Tax, to help the City recover any taxes that they may not be receiving, the other good thing about the contract was the group that was doing it, MBIA, would only be compensated if the City received any cash recovery as a result of the findings from the audit, that it was very much in line with some of the things they had been looking at related to HOT tax, that she wanted to thank the administration for bringing it up. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Sekula-Gibbs, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Khan stated that he wanted to recognize the students from high school and middle schools, that there were over 400 students who participated in the Library of Tomorrow essay contest, which was put together by the Library Department, that he wanted to thank Dr. Rhea Brown Lawson, Director, Library Department, Mr. Franklin Jones, Chair, Houston Library Board, that he wanted to recognize the students who participated and those who were given the prizes. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado, Sekula-Gibbs, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Khan stated that on Saturday, the Tatanka District Boys Scout of America, Sam Houston Area Council would host a morning of scouting activities at Amity Park in Alief, located at 12509 Alief Clodine Road. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado, Sekula-Gibbs, Brown and Green absent. Acting Mayor

Pro Tem Berry presiding. (No Quorum Present)

Council Member Khan stated that May was Asian American Pacific Month in the U.S. and they had many activities going on, most of them were conducted by the National Coalition for Asian Pacific American Community Development, including Starry Night Market and Festival, which would be at Southern News International Plaza at 11112 Bellaire; that there would be a townhall meeting on Saturday morning at the George R. Brown Convention Center, there would be a gala by Asian Pacific American Heritage Association, that it would be at the Hilton Americas on Friday and they invited everybody to be a part of that; that Gulfton was holding a festival, Gulfton Weed and Seed and Gulfton New Development, their 14th annual festival would be this coming Saturday at Bayland Burnett Park on Chimney Rock and they requested everybody to join them there, that all of the people who were involved in the Asian Pacific month, it was a great opportunity to communicate and coordinate with each other and get to know the issues faced by everybody, including the Asian community. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado, Sekula-Gibbs, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 12:35 p.m. Council Member Wiseman absent on city business. Mayor White and Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado, Sekula-Gibbs, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary