

City Council Chamber, City Hall, Tuesday, June 13, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 13, 2006, Mayor Pro Tem Michael Berry presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., and Ronald C. Green; Ms. Judy Gray Johnson, Director Finance and Administration; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Ms. Susan Taylor, Deputy City Attorney, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present. Mayor Bill White absent on city business. Council Member M. J. Khan, P. E., out of the city on city business.

At 1:47 p.m. Mayor Pro Tem Berry called the meeting to order and called on Council Member Sekula-Gibbs who invited Rabbi Joseph Prass of Temple Emanuel to lead all in prayer and Council Member Sekula-Gibbs led all in the pledge. Council Members Johnson, Clutterbuck and Garcia absent.

At 1:49 p.m. the City Secretary called the roll. Mayor White absent on city business. Council Member Khan out of the city on city business. Council Members Johnson, Clutterbuck and Garcia absent.

Council Members Alvarado and Sekula-Gibbs moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor White absent on city business. Council Member Khan out of the city on city business. Council Members Johnson, Clutterbuck and Garcia absent. MOTION ADOPTED.

HEARING - 1:30 P. M.

1. **PUBLIC HEARING** on the City Budgets for the time period July 1, 2006 through June 30, 2007 – was called and the City Secretary stated no one had reserved time to speak; and asked if there was anyone present who wished to be heard.

Council Member Alvarado moved the rules be suspended for the purpose of hearing Rep. Garnett Coleman, seconded by Council Member Garcia. All voting aye. Nays none. Mayor White absent on city business. Council Member Khan out of the city on city business. Council Member Johnson absent. MOTION 2006-0465 ADOPTED.

Rep. Garnett Coleman appeared and stated that he spoke before Council Member Lawrence's committee regarding Tax Reinvestment Zones, it was clearly a part of Council's budget deliberations because it had to do with revenue and he wanted to remind all that many saw changes in their communities because of the reinvestment zone policies and he had six within his district; and he asked that they keep their eyes and ears open as the public had concerns. Council Member Johnson absent.

Council Members thanked Rep. Coleman for his work and leadership in the development of TIRZs; and upon questions, Rep. Coleman stated that work was not all done and some neighborhoods had not even had the opportunity to see improvements through the use of the TIRZ; that people not only felt empowered but have been empowered by being placed on the boards; that economic development sometimes took the form of an improvement environment through capital infrastructure so the planning process with landowners helped spur economic development; and county funds and school district dollars all went into the infrastructure of the city as well so it was actually a greater amount than what the city actually put into the TIRZ; and if the TIRZ was done away with there was no replacement, it was a total of \$37 million a year aggregate, for dollars which actually went for expenditure by the TIRZ was less the amount left to the city for administration and came off the top of the increment which stayed with the city and the rest was disbursed to the TIRZ and spent by the TIRZ on capital improvements; and

upon questions by Rep. Coleman, Ms. Johnson stated that the TIRZ was described as it was in the budget because Tax Increment Zones and Redevelopment Authority budgets would be approved by Council in a separate action, it was not on this week's Council Agenda and not part of the operating budget but they would be coming forward separately within the next few weeks; that the estimate of about \$32 million of revenues attributable to the Tax Increment was not part of the revenue in the operating funds budget, not part of the general fund, it would be going directly to those zones; that the process involved collection in the same manner as other taxes but it was not held in the general fund and was separately deposited to those zones, it was not part of the cap and all money deposited to the tax funds were done in accordance with city ordinances which established the zones and there were interlocal agreements which each zone and the redevelopment authority so the amounts deposited to the credit of the zones was already determined by those ordinances, how the funds were spent from the zone funds was the subject of the budgets which would be coming separately; that if there were any changes to an interlocal agreement with the zones or redevelopment authority it would have to go before the Mayor and Council for approval as well as the zone boards. Council Member Johnson absent.

Council Member Alvarado stated that she would request of the Administration that before decisions were made to sand sack any TIRZ some consultation or notification be made with state representatives who worked to create them as it would be the appropriate thing to do. Council Member Johnson absent.

After further discussion Council Member Brown moved to close the hearing, seconded by Council Member Alvarado. All voting aye. Nays none. Mayor White absent on city business. Council Member Khan out of the city on city business. MOTION 2006-0466 ADOPTED.

At 2:24 p.m. the City Secretary began calling the public speakers.

Ms. Pam Anders, 1116 Milford, Houston, Texas 77006 (713-256-6677) appeared, presented information and stated that she and her husband and neighbor strongly opposed the proposed lot size ordinance before Council for final vote tomorrow, Item 73; that her map would reflect the neighborhood was a mixed use neighborhood and not intended strictly for residential housing; that as reflected the single structures on lots only made up 20% of the neighborhood and as a licensed Texas real estate broker she could appreciate the positive effect the ordinance could have in other older established inner loop neighborhoods as it retained charm of architecture, but it was her opinion the original developers of the Turner N P neighborhood intended this neighborhood to house the masses; and urged Council table the vote for further review of the ordinance as a homeowner's property rights were sacred.

Council Member Clutterbuck stated that she and Ms. Anders had met on this issue before and she planned to support the application as she supported the ability of neighborhoods to petition for minimum lot size; that the map she brought did highlight the need to reexamine the ordinance and evaluate and take into account the complete neighborhood as a factor in designating a minimum lot size. Council Member Garcia absent.

Upon questions by Council Member Berry, Ms. Anders stated that application was made for proposed lot size on the north and south side of the 1100 block of Milford and the north side of the 1200 block of Milford, they wanted one single dwelling on each lot and she did not find that to be the highest and best use of the property as their land was already surrounded by patio homes, town homes and condominiums and the new places coming in on Mt. Vernon were \$1.2 million and that was where one house had been and collection of taxes on it was on \$600,000, but the taxes had quadrupled now for the city and they were beautiful; that she loved her house and did not intend to sell, but she bought it without the restriction and could use it for

commercial and she did not see it as right for someone to take those rights away. Council Member Garcia absent.

Upon questions by Council Member Johnson, Ms. Anders stated that 10 lots were involved and eight were for and two against the proposed ordinance; that there was an application involved and at this point it would be restricting one building per lot size; that the property was bought under a set of rules and now the ordinance would change the rules and they were not being compensated. Council Member Garcia absent.

Ms. Virginia Camfield, 1117 Milford, Houston, Texas 77006 (713-529-5509) appeared and stated that she joined in the petition for the prevailing lot size for block faces of the 1100 and 1200 blocks of Milford and that was what Council was asking to approve; that it had been approved by the planning commission and for those supporting the petition she wanted to say deed restrictions had lapsed years prior and it was a charming older neighborhood in the Museum District with single family homes and duplexes and recently town homes; that over the years they worked to maintain the character of the neighborhood by whatever means were available, the historic ordinance, the interim zoning ordinance, etc., and Milford Street pretty much remained as it was when she moved there years ago and they were grateful to have real tools in the City Code to help them; that the petition was signed by well over the 51% required and those opposing the lot size were heard before the Planning Commission; that the petition more than met all requirements and it was approved and they hoped Council would give their approval. Council Members Lawrence, Johnson, Wiseman, Garcia and Alvarado absent.

Upon questions by Council Member Holm, Ms. Camfield stated that this was about establishing a prevailing lot size and had nothing to say about commercial. Council Members Johnson, Wiseman, Garcia and Alvarado absent.

Upon questions by Council Member Brown, Ms. Camfield stated that Council had done two things to help neighborhoods with the set back and prevailing lot size ordinance and the Planning Commission was very helpful as they worked their way through; that she had supported zoning when it came up as they did not have many resources and would like deed restrictions reinstated. Council Members Johnson, Wiseman and Garcia absent.

Upon questions by Council Member Edwards, Ms. Camfield stated that her neighborhood had not been deed restricted for years; and Council Member Edwards stated that she was inclined to follow the leadership of the District Council Member on the issue and she thought they should at least look at developing a deed restricted plan for the community. Council Members Johnson, Wiseman and Lovell absent.

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Ms. Dorothy Hubbard and Ms. Olga Garza at the top of the two minute Non-Agenda speakers list, seconded by Council Member Lawrence. All voting aye. Nays none. Mayor White absent on city business. Council Member Khan out of the city on city business. Council Members Johnson, Wiseman and Lovell absent. MOTION 2006-0467 ADOPTED

Ms. Dorothy Hubbard, 2701 Mansfield, Houston, Texas 77091 (713-681-6657) appeared, presented information and stated that she was present previously regarding property she owned taken by the Appraisal District and if they would look at the list she presented it showed the percentage of taxes on particular properties with one property having a 2,313% increase and there was no improvement on any of the properties and the increase was not mailed to anyone until the deadline, after the 31st of May, they received them after they could have filed and the property at 2728 Mansfield included the city and county being paid delinquent taxes and there were none delinquent to either and according to city rules she wanted to know the percentage of

which taxes could be increased each year. Council Members Johnson, Wiseman and Lovell absent.

Council Member Berry stated that Council Member Johnson was present and he was sure someone from his office would work with her on the issue; that he thought her issue was the Harris County Appraisal District; and Ms. Hubbard stated that she had been to them and they had no compassion whatsoever. Council Members Johnson, Wiseman and Lovell absent.

Ms. Olga Garza, 1730 Redwing Ridge, Houston, Texas 77009 (713-922-5587) appeared and stated that she was president of the National Association of Hispanic Real Estate Professionals and present to invite all Council Members to the Houston HOME Show Saturday, June 17th from 10 a.m. to 5:00 p.m.; that HOME stood for Home Ownership Multicultural Event and attendees would enter free, it was the first time ever for various organizations to come together and throw such a large homebuyer fair and it would be in several languages and again the City of Houston had stepped up to the plate with Community Development's help. Council Members Johnson, Wiseman, Alvarado and Sekula-Gibbs absent.

Council Member Berry stated that five or six in her group had signed up to speak and he had tried to encourage groups to consolidate their message and save time for the rest of the public; and he thanked them for doing so. Council Members Johnson, Wiseman, Alvarado and Sekula-Gibbs absent.

Council Member Garcia stated that he was excited to get her information and would do all possible to be there; that it was a phenomenal concept to have all multicultural organizations come together on such an important issue as homeownership. Council Members Johnson, Wiseman and Sekula-Gibbs absent.

Mr. Robert Cook, 11152 Westheimer #256, Houston, Texas 77042 (281-556-0550) appeared and stated that he was chair elect for the Houston Association of Realtors, the largest association in Houston and second largest real estate association in the country with more than 24,000 members and a diverse membership made from people all over the world and that was why they were having searches available in seven languages and HAR had more than 3,000 members self identified as multi lingual speaking a total of 82 languages and that was why they partnered together for the first ever multi cultural and multi lingual home buying fair and expo, Saturday, June 17th at the George R. Brown Convention Center; and he hoped to see all Council Members there. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs 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, Wiseman, Brown and Sekula-Gibbs absent.

Ms. Marilyn Pickaree-Champagne, 6819 Cooke Road, Houston, Texas 77072 (no phone) appeared and stated that she was seeking attorneys or legal representation as she had a personal injury claim with Celebrex against Pfizer, Incorporated; that she was having to represent herself with hope her claim would be included against them for their defective product. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Ms. Jordan Fogal, 3003 Memorial Court #2407, Houston, Texas 77007 (713-802-9792) had reserved time to speak but was not present when her name was called. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Mr. Dallas Cantwell, 1511 Bingle #B5, Houston, Texas 77055 (832-526-3488) had reserved time to speak but was not present when his name was called. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Mr. Bryther Copes, 11806 Hillcroft, Houston, Texas 77035 (713-232-0260) had reserved time to speak but was not present when his name was called. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Mr. Ed. Gonzales, 15118 Morse, Houston, Texas 77019 (713-446-9021) had reserved time to speak but was not present when his name was called. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Ms. Sophia Steven, 810 Piney Point Road, Houston, Texas 77024 (832-228-3268) had reserved time to speak but was not present when her name was called. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Ms. Carmen James, 6555 Harbor Town, Houston, Texas 77036 (713-981-6005) appeared, presented information and stated that she was present on behalf of all children exploited and abused sexually, physically and emotionally and while she stood as spokesperson for Hear O'Israel International, Inc., a Godly organization which took up causes such as physically challenged, homeless and needy for old and young; that this organization was a voice of conscious and they were trying to break cycles and turn hearts of fathers and combine the gospel truth with tangible and practical needs and bring about restoration of the children Council Members Johnson, Wiseman, Holm, Brown and Sekula-Gibbs absent.

Ms. Olivia Reiner, 49 Briar Hollow, Houston, Texas 77027 (713-829-0899) appeared and stated that she thanked all Council Members for all their work in the communities and invited them all to come to the front of the Family Law Center to speak in honor of children crying out and she believed people 80 years old still had not forgiven and they challenged all of Houston to let go of the old so all children could start with a new beginning; and urged all Council Members to stand with them. Council Members Johnson, Wiseman, Holm, Brown and Sekula-Gibbs absent.

Mr. Richard L. Freeman, 121 Riggs, Houston, Texas 77022 (no phone) appeared and stated that this was his third or fourth time being here; that he wrote songs and today was present about the Houston bus system, he drove one 20 years and had been to court and would appreciate something out of the company as he had served them. Council Members Johnson, Wiseman, Holm, Brown and Sekula-Gibbs absent.

Mrs. Ethel Griffin, 2901 Delano, Houston, Texas 77004 (713-659-5892) had reserved time to speak but was not present when her name was called. Council Members Johnson, Wiseman, Holm, Brown and Sekula-Gibbs absent.

Mr. Charles G. McCarthy, 1700 Albans, Houston, Texas 77005-1704 (713-524-5105) appeared, presented information and stated that he was present regarding the tragedy at Ervan Chew Park a week ago; many were collaborating to come up with solutions and HPD arrested the alleged perpetrator, Parks removed the basketball goal which was a point of attraction for gangs and he was told the court would be closer to the street with lighting; that more needed to be done with street violence in general and he believed it would behoove the city and neighborhood to provide a way for both gangs to collectively bury the hatchet and proposed the city bring them together on neutral territory and initiate a much wider coordinated effort to eliminate gang related activity. Council Members Johnson, Wiseman, Holm, Brown and Sekula-Gibbs absent.

Mayor Pro Tem Berry stated that Mr. McCarthy's son was quoted in the paper and apparently his name was released against his wishes; and upon questions, Mr. McCarthy stated that was what he was told, but it was his business and he was not in on it; and Mayor Pro Tem Berry stated that they would contact him. Council Members Johnson, Wiseman, Holm, Brown and Sekula-Gibbs absent.

Council Member Lovell stated that the basketball court and goals were being put back up because children in the area were not going to be deprived and the shrine was taken down because it was a park for everyone; that she thought bringing the gangs together was a great idea and if it could be done fine, but right now they could not find them; that this started at Lamar High School and if the school would have reported tensions and altercations maybe it could have been avoided; that this did have to be a cooperative effort between neighborhood, HPD, Anti Gang Taskforce and most importantly HISD must step forward and acknowledge problems in schools and reach out to people who could assist them; that his son did speak with the Houston Chronicle and they printed his name, HPD did not release it, from her understanding when asked how to spell his name they took it as permission to print it when he did spell it for them; that she totally complimented HPD, Parks Department, Mayor's Office and all concerned and now would call upon the mother who was not living at home because she was afraid and the daughter in custody to allow all to have the same security by coming forward and naming those who had been with her. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Council Member Edwards stated that they were in the process of setting a meeting with Chief Hurtt and those he thought were appropriate to meet with her office and the association; that there were people who knew how to do gang intervention and there were issues in the whole area; that if he would like to be a part of the meeting he should let her office know and they would include him. Council Members Johnson, Wiseman, Brown and Sekula-Gibbs absent.

Ms. Mary Pruitt, no address (no phone) appeared and stated that she was homeless and had done everything Mr. Etuk told her to do; that she went back June 1st and they were saying her deceased grandmother was her contact, but she was dead; that she needed a place to stay and her furniture back. Council Members Johnson, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Mayor Pro Tem Berry stated that Mr. Cantu with Citizens Assistance would be available to meet with her. Council Members Johnson, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Mr. Louis Hernandez, 2131 Midlane #C31, Houston, Texas 77027 (713-447-1112) appeared and stated that he was starting a revolution against Cancer, he was a Cancer patient at MD Anderson and was cured and wanted to teach and inform the community and was raising funds to eradicate it and was asking Council for a forum to do so. Council Members Johnson, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Mayor Pro Tem Berry stated that if he kept it up he would find people were receptive to his message and he should contact media outlets as it was a good message; and Mr. Hernandez stated that he thanked them but Council was responsible for Houston citizens and he thought they could furnish the forum and he would wait to be contacted. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

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. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) had reserved time to speak but was not present when his name was called. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was Allah; and continued expressing his personal opinions until his time expired. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Council Member Alvarado called for a point of order and stated that she needed clarification from the Legal Department; that individuals came before Council and cursed and she would like to know if they could not be escorted out as it happened time and time again; and Mr. Cheatham stated that no one had a right to disrupt a public meeting; and Council Member Alvarado stated that no one ever did anything about it and she wanted clarifications on Council's rights. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Mayor Pro Tem Berry stated Mr. Cheatham should get it in writing for all. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Council Member Lawrence stated that while Mr. Cheatham was doing that she also wanted information sent to each Council Member regarding people coming to the mike together, one at a time was to come to the mike and yet they continued to allow the procedure not to be followed. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Mr. Joseph Omo Omari, 2820 Palm #2B, Houston, Texas 77004 (832-767-0870) appeared and stated that once again the African American worked 200 years and corporate America still got angry when they talked about reparations and where was their mule; and continued expressing his personal opinions until his time expired. Council Members Edwards, Wiseman, Garcia, Brown and Sekula-Gibbs absent.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) had reserved time to speak but was not present when his name was called. Council Members Edwards, Wiseman, Garcia, Brown, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

At 3:29 p.m. City Council recessed until 9:00 a.m., Wednesday, June 14, 2006. Mayor White absent on city business. Council Member Khan out of the city on city business. Council Members Edwards, Wiseman, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, June 14, 2006

The Houston City Council reconvened at 9:00 a.m. Wednesday, June 14, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Arturo Michel, City Attorney, Ms. Susan Taylor, Deputy City Attorney; Ms. Martha Stein, Agenda Director and Ms. Stella Ortega, Agenda Office, present.

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

At 9:34 a.m. Mayor White called the meeting to order and stated that they would have the Mayor's Report and would also say on a slightly different topic having to do with the budget, at least one Council Member had asked about how would a Council Member try to have the most impact on the policies concerning the budget formation, that he thought it would be useful to let people know how the Mayor and department heads had an input and how people below had an input, that in the Council there was a certain relationship they had with the professionals and how did those policy mandates within the budget process occur, how do people use those meetings that each of them had in March and April in a way that was most effective in trying to get things in the budget process, that Chairman Green had been great in relaying to him issues that were raised by Council Members. Council Members Lawrence, Johnson, Wiseman, Garcia, Lovell and Berry absent.

MAYOR'S REPORT - Enterprise Resource Planning System

Mayor White stated that it was a big deal and Mr. Richard Lewis, Director, IT Department, would get right to the point if they had any questions and invited Mr. Richard Lewis and Mr. Lambert to the Council table for a presentation. Council Members Johnson, Wiseman, Holm, Garcia and Sekula-Gibbs absent.

Mr. Lewis reviewed a slide presentation titled "Mayor's Report on the Houston-One "ERP/SAP Project", a copy of which is on file in the City Secretary's office for review. Council Members Johnson, Wiseman, Holm, Garcia and Sekula-Gibbs absent.

Upon questions by Mayor White, Mr. Lewis stated that beginning on June 23, 2006 the system would not be available for disbursements and they believed that the first checks would probably be processed on July 6 or 7, 2006, that most departments had gotten ahead of that window and made payments on obligations that they had prior to this time, they would be able to do some manual checks during that window if they were critical and the Controller's office was set up to do that. Council Members Johnson, Wiseman and Garcia absent.

CONSENT AGENDA NUMBERS 2 through 66A

DAMAGES - NUMBER 5

5. RECOMMENDATION from City Attorney for settlement of claim styled **AIXA SHELTON v. The City of Houston, Texas**; in the 164th Judicial District Court of Harris County, Texas, Cause No. 2004-5331 - \$30,000.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Johnson, Garcia and Lovell absent. MOTION 2006-0468 ADOPTED.

ACCEPT WORK - NUMBERS 6 and 10

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$216,023.73 and acceptance of work on contract with **J.T.B. SERVICES, INC** for Gulf Meadows Wastewater Treatment Plant Improvements; GFS R-0265-45-3 (4876-2) 01.23% over the original contract amount - **DISTRICT E - WISEMAN** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0469 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,496,095.61 and acceptance of work on contract

with **R. K. WHEATON, INC** for Citywide Fire Hydrant Replacement and Height Correction, GFS S-0035-D6-3 (WA10809) - 00.55% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0470 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 and 16

12. **HAZARD ASSESSMENT LEADERS, INC** for Lead Abatement Services for Fire Station No. 75 for Building Services Department - \$34,200.00 and contingencies for a total amount not to exceed \$35,910.00 - Fire Department Revolving Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0471 ADOPTED.

16. **DATASCAN TECHNOLOGIES, INC** for Bar Code Hardware, Software and Maintenance for Department of Public Works & Engineering from the Texas Procurement Center's Contract \$170,318.83 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0472 ADOPTED.

ORDINANCES - NUMBERS 27 through 45

27. ORDINANCE appropriating \$845,000.00 out of Airport System Consolidated 2000AMT Construction Fund for Radio Repeater Equipment for the Houston Airport System under Purchase Order 17407 between the City of Houston and **MOTOROLA COMMUNICATIONS AND ELECTRONICS, INC** (Project No. 591; CIP A-0341) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0599 ADOPTED.

28. 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 Long Point at Blalock Boulevard Intersection Improvement Project; authorizing the acquisition of certain real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of thirteen (13) parcels of land situated in the Thomas Hoskins Survey A-342, Harris County, Texas, and said parcels of land being out of Lots 2, thru 6, Block 6, Lots 2 and 3, Block 7, Long Point Acres Subdivision, Lots 1, thru 5 Spring Branch Estates an addition in Harris County, Texas, out of Reserve 1 of Long Point Wood Section 1, out of Lot 1 Block 1 of Yupon Estates per the plat as recorded In Volume 35 Page 61 of the Map Records of Harris County, Texas, out of Lot 1 McCandless Place Subdivision, an Unrecorded Subdivision, out of a tract of land sold to Siwon Moon, as described in Deed Recorded In Harris County Clerk File Number N 219809, out of a tract of land sold to Thu Thein S. Ho and Tuyet Bong M. Vu, as described in Deed Recorded in Harris County Clerk File Number V234316, and a portion of that tract sold to Wha Property, Ltd., as described in Deed Recorded in Harris County Clerk File Number T967998 - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-0600 ADOPTED.

29. ORDINANCE appropriating \$652,292.73 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Advance Funding Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Utility adjustments along US90 from Wallisville Road to Uvalde Road, GFS S-0521-22-3 and R-

0521-22-3 (SB9261) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-0601 ADOPTED.

31. ORDINANCE appropriating \$419,923.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract; between the City of Houston and **PATE ENGINEERS, INC** for Design of Mercury Drive Paving Improvements from Herman Brown Park to Wallisville Road, (approved by Ordinance No. 05-0557), GFS N-0625-01-2 (SB9199); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0602 ADOPTED.
32. ORDINANCE appropriating \$6,299,661.00 out of Drainage Improvement Commercial Paper Series F Fund, \$2,757,339.00 out of Water & Sewer System Consolidated Construction Fund and allocating \$2,000,000.00 out of Community Development Block Grant Funding conditioned upon receipt of funds from the U. S. Department of Housing and Urban Development for FY07; awarding construction contract to **PACE SERVICES, L.P.** for Lancaster Area Drainage Improvements, GFS M-0228-01-3 (SM5037); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund, the Water & Sewer System Consolidated Construction Fund and the Community Development Block Grant Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0603 ADOPTED.
33. ORDINANCE appropriating \$3,338,286.00 out of Drainage Improvement Commercial Paper Series F Fund, \$759,714.00 out of Water & Sewer System Consolidated Construction Fund and allocating \$2,000,000.00 out of Community Development Block Grant Funding conditioned upon receipt of funds from the U. S. Department of Housing and Urban Development for FY07; awarding construction contract to **E. P. BRADY, LTD.,** for Sunnyside Court Storm Sewer Laterals, GFS M-0217-01-3 (SM-5033); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund, the Water & Sewer System Consolidated Construction Fund and the Community Development Block Grant Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0604 ADOPTED.
34. ORDINANCE appropriating \$6,063,003.00 out of Drainage Improvement Commercial Paper Series F Fund, \$1,175,437.00 out of Water & Sewer System Consolidated Construction Fund and allocating \$686,560.00 out of Community Development Block Grant Funding conditioned upon receipt of funds from the U. S. Department of Housing and Urban Development for FY07; awarding construction contract to **PACE SERVICES, L.P.,** for Sharpstown Area Drainage Improvements, GFS M-0256-01-3 (SM-5041); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing and contingencies relating to construction of facilities financed by the Drainage Improvement Commercial Paper Series F Fund, the Water & Sewer System Consolidated Construction Fund and the Community Development Block Grant Fund - **DISTRICTS C - CLUTTERBUCK and F - KHAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-0605 ADOPTED.

36. ORDINANCE appropriating \$605,600.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **TJ & T ENTERPRISES, INC** for Safe Sidewalk Program F3 Project, GFS N-0610A-F3-3 (SB9137-3); 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 testing, project management, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-0606 ADOPTED.
37. ORDINANCE awarding construction contract to **C. E. BARKER, LTD.**, for Construction of Water, Sanitary Sewer System and Storm Drainage System to serve the Almeda Meadows Subdivision; approving and authorizing assignment of construction contract to **RICO DEVELOPMENT, INC**, CIP S-0800-D5-03 and R-0800-D5-03 (DPC-94) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0607 ADOPTED.
38. ORDINANCE appropriating \$5,814,173.10 out of Water & Sewer System Consolidated Construction Fund, \$1,662,642.90 out of Series E Commercial Paper Metro Projects Fund and \$2,798,984.00 out of Drainage Improvements Commercial Paper Series F Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.**, for 48" Water Line along Cambridge Street from Holcombe Boulevard to Old Spanish Trail, GFS S-0900-98-3 (WA10448-02); 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, Series E Commercial Paper Metro Projects Fund and Drainage Improvements Commercial Paper Series F Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0608 ADOPTED.
39. ORDINANCE appropriating \$2,307,800.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TROY CONSTRUCTION, L.L.P.** for Replacement of 3 Aerial Crossings, Removal of 2 Aerial Crossings and Replacement of 550 LF 24-inch water line along Sawyer from Union to Center, GFS S-0901-02-3 (WA10722-02); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS; E - WISEMAN and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0609 ADOPTED.
40. ORDINANCE appropriating \$5,627,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CSA CONSTRUCTION, INC** for Sims Bayou WWTP Improvements (Package 1), GFS R-0265-32-3 (WW4875-01); 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0610 ADOPTED.

41. ORDINANCE appropriating \$834,800.00 out of Parks Consolidated Construction Fund, awarding construction contract to **PARALLAX BUILDERS, INC** for Boone Road Park, GFS F-504B-10-3; 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 services, construction management, Civic Art Program, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-0611 ADOPTED.
42. ORDINANCE appropriating \$721,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **PARALLAX BUILDERS, INC** for Renwick Fleet Maintenance Facility, GFS R-0268-40-3; 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 services, construction administration and management services, project management and air monitoring services, Civic Art Program, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. ORDINANCE 2006-0612 ADOPTED.
43. ORDINANCE authorizing the creation of the Series E Commercial Paper Friends of Neighborhood Libraries Fund ("Fund"); appropriating \$200,000.00 out of the Fund, \$564,000.00 out of the General Improvements Consolidated Construction Fund and \$927,000.00 out of Public Library Consolidated Construction Fund as additional appropriations for an existing Design-Build Contract with **GILBANE BUILDING COMPANY** for Looscan Branch Library Replacement (approved by Ordinance No. 2005-770), GFS E-0095-01-3 - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2006-0613 ADOPTED.
45. ORDINANCE appropriating \$246,805.87 out of Tax Increment Funds for Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Administrative Expenses, payment of project costs, and Gulfgate Redevelopment Authority as provided herein – was presented. All voting aye. Nays none. ORDINANCE 2006-0614 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

2. RECOMMENDATION from Director Building Services Department to adopt the **CAPITAL IMPROVEMENT PLAN** for Fiscal Years 2007 through 2011 and establish a charge for its sale – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Sekula-Gibbs.

Council Member Wiseman requested that her colleague remove her tag to allow for the submission of amendments, and Council Member Sekula-Gibbs stated that she would remove her tag on Item No. 2 briefly, and Mayor White stated that the tag had been removed.

Council Member Wiseman stated that she had some written motions to amend Item No. 2 as follows and would be tagging her amendments and the main item:

“By copy of this memorandum, I move to amend the FY2007-2011 Capital Improvement Plan in the following manner:

Accelerate the funding of design of Capital Improvement Project no. N-0807 (Northpark Dr. Paving: Lake Houston Parkway to Mills Branch Dr.) to Fiscal Year 2007. Utilize Tax Increment Funds from Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), as called for by the TIRZ’s project plan.”, seconded by Council Member Alvarado.

Council Member Wiseman stated that her amendments had been put in writing and would be presented to the City Secretary and she would tag all her amendments, and Council Member Alvarado seconded her amendment, and Council Member Wiseman stated that if there was a second she would not have to tag it and would remove her tag.

After further discussion Council Member Wiseman stated that she had additional written motions to offer to amend Item No. 2, and Council Member Alvarado stated that she would tag those amendments and Council Member Sekula-Gibbs stated that she would tag the amendments and for a point of information she would like the amendments read aloud so the Council could be apprised of what they were, and Council Member Wiseman offered the following written motions to amend Item No. 2:

Amendment No. 2

“By copy of this memorandum, I move to amend the FY2007-2011 Capital Improvement Plan in the following manner:

Restore funding appropriation to CIP no. M-0268 (Gulf Meadows, Kirkwood, South Sagemont), to levels designated in the FY 2006-2010 Capital Improvement Plan.”, tagged by Council Member Alvarado.

Amendment No. 3

“By copy of this memorandum, I move to amend the FY2007-2011 Capital Improvement Plan in the following manner:

Accelerate the funding of design and construction projects related to wastewater capacity improvements in the Kingwood area. Utilize Tax Increment Funds from Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), as called for by the TIRZ’s project plan., tagged by Council Member Alvarado.

After further discussion Council Member Edwards stated that the CIP process under Mr. Dadoush had been the most productive that she had experienced as a Council Member.

Mayor White stated that Item No. 2 had been tagged by Council Member Sekula-Gibbs and Wiseman.

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of FY2007 Operating Budget for the **HOUSTON AREA WATER CORPORATION (HAWC)** \$20,610,290.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

After discussion Council Member Sekula-Gibbs asked if everything was going well, and Mayor White stated that he could always hope that things were going better and was not apprised of the state of claims between the turnkey vendor and Public Works, that he was not going to comment on that other than they expected their contractors to do what they say they were going to do and the Chair of that body had done an extraordinary job, that he believed the issues caused by the turbidity of the water had been cured and it was producing the water that they needed it to produce and that they had come up with testing protocols and believed there

was a lot of progress that had been made in community closure concerning the testing protocols with the contractor, that the Chairman was David Berg.

Council Member Sekula-Gibbs stated that she would tag Item No. 3 to get an update on the quality control and production at the HAWC.

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2006 Operations and Maintenance Budget for the **SAN JACINTO RIVER AUTHORITY** \$1,683,363.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0473 ADOPTED.

ACCEPT WORK

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$781,930.76 and acceptance of work on contract with **CHIEF ENVIRONMENTAL SURVEYS, INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-R7-3 (4277-11) - 00.71% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0474 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,241,229.61 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-T8-3 (4235-23) - 01.84% under the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0475 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for acceptance of work on contract awarded to **PHOCO, INC, dba TELEPHONE COMPANY OF HOUSTON** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-22-3 (4235-11) – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0476 ADOPTED.

PROPERTY

11. RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and file objections to the award in connection with eminent domain proceeding styled City of Houston v. Grocers Supply Company, Inc., a Texas corporation, et al., Cause No. 855,656, for acquisition of Parcels AY2-173 and AY2-173A; for the **COLUMBIA TAP HIKE AND BIKE TRAIL PROJECT**; CIP/GFS N-0420-22-2 - \$163,998.00 **DISTRICT D – EDWARDS** - was presented, and tagged by Council Members Lawrence and Sekula-Gibbs.

PURCHASING AND TABULATION OF BIDS

13. **GLAXO SMITH KLINE** for Hepatitis Vaccine from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Health & Human Services Department - \$40,655.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0477 ADOPTED.

14. RECOMMENDATION from Director Health and Human Services to issue purchase order to **KATHERINE B. ENSOR, PhD** for professional services to develop a statistical model relating to air pollution monitoring and analysis - \$60,000.00 - Grant and General Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Sekula-Gibbs asked if there was anyone who could give her some information on where they would be going with the information, that she read the report from the Blue Ribbon Panel on Air Quality Issues, and asked where they were going with it, did Mayor White have specific goals in mind with the modeling and could they be given insight into what those goals were. Council Member Garcia absent.

Mayor White stated that they wanted to do a science and risk based prioritization of regional enforcement efforts, that they would be developing a regional benzene reduction plan, which meant they not only had to look at the observed level at a particular monitor but then they had to calculate the back trajectory from where it was coming from and then do some calculation of what the concentration was at the plant gate and they were blessed to have the person who wrote the textbook on the statistical analysis on the data on health risks, who had been working with them, that it was going to be a plan and it was going to the chemical and to the site what the goals should be on that site concerning the reduction of that chemical, that Council Member Alvarado had been extremely substantive on it or Elena Marks may be able to give her a little bit more insight on the specific work being done, that was what it was all about, and Council Member Sekula-Gibbs asked if one of the goals was to influence the TCEQ and EPA to try to adjust their minimum or maximum tolerable standards for public health and Mayor White stated that his goal was that they should do it based purely on the public health considerations and not political considerations, that he knew there was a scientific issue there. Council Member Garcia absent.

Council Member Sekula-Gibbs stated that she would tag the item so she could have a chance to visit with Dr. Ensor or someone who could elaborate a little bit, or if there was someone present who could talk with her. Council Member Holm absent.

Council Member Alvarado stated that this was the development of a sophisticated ozone predictor model, and thought that in light of the release of the report yesterday could not have come at a better time, they were very fortunate to have the coordinator on behalf of the Mayor's office and the Bureau of Air Quality, Dr. Loren Ron, who held a PHD in Environmental Science and was an expert of data analysis of the air chemistry who was coordinating the project, so she would hope that her colleague would be able to get her questions answered and they could move on with it, that the refined model would also enable their investigators to better pinpoint ozone hot spots in a more timely manner and it was something that was needed in order to really get to the source of the problem in the air quality so she hoped that they could get it passed today and they could also have it come to committee to get an update on the development of the ozone predictor. Council Member Holm absent.

Mayor White stated that they would get the information to Council Member Sekula-Gibbs. Council Member Holm absent.

15. **APPLIED BIOSYSTEMS** for Preventive Maintenance Services Agreement for Genetic Analyzers for Houston Police Department Crime Laboratory - 1 Year - \$29,377.08 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Holm absent.

Council Member Sekula-Gibbs asked if Item No. 15 related to the extension of Mr. Braumwich's proposal or independent of what his goals were, and Mayor White stated that no, it did not relate to the Braumwich agreement.

A vote was called on Item No. 15. All voting aye. Nays none. MOTION 2006-0478 ADOPTED.

ORDINANCES

17. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 90-1292 (as amended by City of Houston Ordinance No. 2006-165), to amend the Master Classification Ordinance to add, revise and/or delete certain classifications substituting the amended exhibits as part of the current master classification listing - was presented, and tagged by Council Members Wiseman and Alvarado.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of two 5-foot utility easements, Parcels SY6-023A and SY6-023B, containing an aggregate of 0.0117 acre (510 square feet) of land, more or less, vacating and abandoning said tracts of land to Emuna Enterprises, L.P., in consideration of said owner's dedication of a 10-foot sanitary sewer easement, Parcel DY6-011, containing 0.0413 acre (1,800 square feet) of land, more or less, being out of the Main Street Plaza Subdivision, which includes Lots 16 and 19, Block 9, Replat of Section 1A of Braeswood, a subdivision, located in the P. W. Rose Survey, A-645, Harris County, Texas, and payment of \$600.00, and other consideration to the City - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. ORDINANCE 2006-0615 ADOPTED.
19. ORDINANCE approving and authorizing contract between the City and the **HOUSTON COMMUNITY COLLEGE SYSTEM** for Collaborative Effort to facilitate Clinical Education in Dental Assisting for College Students - was presented. All voting aye. Nays none. ORDINANCE 2006-0616 ADOPTED.
20. ORDINANCE accepting sculpture honoring Dr. Jose P. Rizal to be located at the International Sculpture Garden at the Houston Garden Center in Hermann Park and approving and authorizing contract between the City of Houston and **FACOST (Filipino-American Council of Texas)** for Donation of such sculpture - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. ORDINANCE 2006-0617 ADOPTED.
21. ORDINANCE determining that formal taking of competitive bids is not required for the work described herein; awarding contract for Litter Removal Services for the Public Works & Engineering Department to **ON OUR OWN SERVICES, INC**; providing a maximum contract amount - 5 Years - \$5,018,207.04 - Storm Water Fund - was presented. All voting aye. Nays none. ORDINANCE 2006-0618 ADOPTED.
22. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON CLEAN CITY COMMISSION, INC d/b/a KEEP HOUSTON BEAUTIFUL** for Volunteer Cleanup Services of City Neighborhood Lots for the Houston Police Department; providing a maximum contract amount - 3 Years - \$450,000.00 - General Fund - was presented, and tagged by Council Member Wiseman.

Council Member Holm stated that she wanted to tag the item and would like to get a little bit more information, that Keep Houston Beautiful was a wonderful organization that provided a lot of services, a non profit organization provided a lot of services, but as they knew

she was continually concerned when they used General Fund dollars to support non profit organizations budgets and would like some review on that and some discussion with someone.

Council Member Johnson stated that he echoed what Council Member Holm had mentioned, that it was a great organization that had been doing some wonderful things, but believed that this had given them a prime opportunity of recycling dollars back into their communities, they had talked often about how communities could become more self sufficient and he thought through programs like this communities could start taking advantage of cutting their own lots, cleaning up their own communities, because often times they were held at the mercy of the City when neighborhoods did not have civic associations or even civic clubs, so he thought they needed to look at it and had asked for some information regarding the contract and would add his tag to the item and hopefully they would be able to get some more information regarding this particular contract, but then how could they begin to utilize the money so that it could be recycled back into the communities so that their neighbors could have money to do their own beautification project so they would not have to continue to come back to the City to ask for money, so that neighborhoods could start to look at having dollars to maybe hire extra security because they knew where the drug houses were and where the criminal element was in their community, so he thought it gave them a real opportunity of kind of knocking out two birds with one stone, that he wanted to be able to look at the item a little bit closer and maybe they could come out with a better consensus on it.

Mayor White stated that in general they were talking about some of the policies, some of the City employees were working on it and some of the criteria on the issues were, number one, on the use of dollars for non profits, was it a core City function, could non profits do it more effectively than City employees, and number two, could a non profit spend the funds more efficiently, more bank for the buck, and often it was supplies, and number three, if they had a non profit did they have a system of accountability and procedures and controls when they were dealing with inventory, whatever it may be, and the people could come up with non profit organizations that could perform more effectively with the proper accountability and inventory records, that the cleanups he had been at had were usually people in the neighborhoods.

Council Member Lawrence stated that she believed it would be tied with Neighborhood Protection and the cleanup they did monthly at different districts and just speaking as a Council Member theirs was always the very first cleanup of the year and they got people out who were both living in neighborhoods and apartments that cleaned lots, therefore kids had places to play around the apartments, planting trees, they had just a huge cooperation and Houston Beautiful had participated and made a huge difference, that she saw a lot of merit in it with them working on it, that she did not consider it going to just a private company or a 501C3, she saw it as working with Neighborhood Protection under their guidance, that even the firefighters and police got involved in it, it was just a huge way for the community to get to know all the support services in that community.

Council Member Edwards stated that she would like someone to come and talk to her regarding the whole process of the contract, was it an ongoing contract, had it been advertised, but if it was just non profits then she did not see why a community group would be precluded from bidding on a contract and such, so if somebody could talk to her about how the contract was led and the parameters and also it might even be possible taking Council Member Johnson's idea a little bit further, a lot of the communities may not have the inventory so they might get these two groups together, if there was a group in their community that wanted to get started she thought it was a good time for discussion to see how they could broaden not community participation but a community accountability for helping to maintain the quality of life in their community.

Council Member Khan stated that he was in support of the item and did not want to tag it but would also like to have some briefing from somebody as to how will they select various parts of town to do the cleanup and what was the criteria they would be using and also would they be working with the CDC's, the neighborhoods groups in order to prioritize the areas for cleanup, and Mayor White stated they would get that report to him, and he wanted to appreciate the work of Council Members in the neighborhood cleanups which had been very critical.

Council Member Holm stated that at the request of some of her colleagues they would call a special meeting of the Quality of Life Committee to look at the item, how it came about, the purpose of it and how it could be coordinated. Council Member Wiseman absent.

Mayor White stated that there were some ideas they were working on such as one with Council Member Johnson and given the importance of it to the community he did not think they should consider necessarily this to be in competition with some other good ideas. Council Member Wiseman absent.

Council Member Holm stated that she was just reminded that they had their regular meeting next Tuesday morning, June 20, 2006, and if Mayor White could provide them some resources it would be great. Council Member Wiseman absent.

Council Member Garcia stated that two years ago they started the Houston Mow Down Program and he never heard any thing more from it so he would like to ask for a status on where that program was and whether Item No. 22 would help subsidize that program. Council Member Wiseman absent.

Mayor White stated that Item No. 22 had been tagged.

23. ORDINANCE approving and authorizing interlocal agreement between the City and **CLEAR CREEK INDEPENDENT SCHOOL DISTRICT** to provide reciprocal assistance in the event of a public health emergency; providing a maximum contract amount – was presented. All voting aye. Nays none. ORDINANCE 2006-0619 ADOPTED.
24. ORDINANCE approving and authorizing interlocal agreement between the City and **PASADENA INDEPENDENT SCHOOL DISTRICT** to provide reciprocal assistance in the event of a public health emergency; providing a maximum contract amount - was presented. All voting aye. Nays none. ORDINANCE 2006-0620 ADOPTED.
25. ORDINANCE approving and authorizing first amendment to Contract No. C50127 between the City of Houston and **FROST NATIONAL BANK** for Automated Filing Fee Payment Services for the Houston Police Department - \$400,000.00 - General Fund – was presented. All voting aye. Nays none. ORDINANCE 2006-0621 ADOPTED.
26. ORDINANCE appropriating \$3,500,000.00 out of 12A Consolidated Dangerous Building Fund for Demolition of Dangerous Buildings – was presented.

Council Member Johnson stated that the same premise that he held for Item No. 26 he held for Item No. 22, there had been so many dangerous buildings in his district that he had not been able to come to a consensus on why they had not been torn down, they were buildings that had been there for several years and he was trying to figure out if they had the contract every year no one from the departments had been able to give any indication what priority they placed on the buildings, that he would like to be able to get some information regarding that and did the contract include all of the criteria that went along with tearing down a building, did it include tapping out the water and the gas, the hauling away, all of those things needed to be

answered so he could get some clarity, and he would tag the item until he got further clarity on it.

Council Member Brown asked what was the criteria by which they prioritize demolition of buildings in terms of maximum positive effect on neighborhoods, relieving areas around church's and schools and that kind of thing, and the other question was if they were spending \$12 million, it was \$2,000 a building to tear it down and they had 6,000 buildings that they could tear down how would they prioritize those 6,000 if that was the number.

Mayor White stated that he thought it was running more like 3,000 and was down, they were doing about 100 a month, they were up from 100 a year, so it was not bad progress, but they would review all that with them, there was criteria and some of the criteria included citizen complaints, it went through a process, get inspected, goes through a hearing, the title search took forever because they had two people in the Legal Department and they were backlogged so as part of the collection firm they made a requirement of the collection firm that they do about 1,000 or so per year for the City and they would go through the whole process but then when they were in the queue and get out of the queue then they were put in another queue to get torn down, and Council Member Brown asked if there was an emergency procedure by which they could bypass normal legal channels, and Mayor White stated yes and they use it for burned buildings, that the biggest cost was hauling it away to the dump, that he was talking about the residential, that the biggest impediment was HUD, they thought it was a terrible thing to tear down more than one house on a block face or adjacent blocks per year, that he was not kidding that was HUD's view, and they fund it, but they would get them all of that information, that there was 15 criteria as a dangerous building, they could take a picture of it and get some training, it was not rocket science, the ordinance was clear and a lot of buildings could come down.

- 26A. ORDINANCE awarding contract to **JTB SERVICES, INC, AAA DEMOLITION COMPANY, CHERRY MOVING COMPANY INC, DBA CHERRY DEMOLITION, HOUSTON G & G DEMOLISHING SERVICES, INC, SMITH-MOBLEY, INC, and WILLIS DEMOLISHING COMPANY** for Demolition Services for the Police Department; providing a maximum contract amount - 1 Year with two one-year options - \$9,079,679.28 - Dangerous Building Consolidated Fund – was presented, and tagged by Council Member Johnson.
- 26B. RECOMMENDATION from Director Building Services Department for supplemental allocation of \$200,000.00 for contract with **HONESTY ENVIRONMENTAL SERVICES, INC** for Professional Environmental Consulting Services Contract for the Houston Police Department's Dangerous Building Program, GFS I-0001-DB-5 - Dangerous Building Consolidated Fund – was presented, and tagged by Council Member Johnson.
- 26C. RECOMMENDATION from Director Building Services Department for supplemental allocation of \$200,000.00 for contract with **TECHNOLOGY SERVING PEOPLE, INC** for Professional Environmental Consulting Services Contract for the Houston Police Department's Dangerous Building Program, GFS I-0002-DB-5 - Dangerous Building Consolidated Fund – was presented, and tagged by Council Member Johnson.
30. ORDINANCE appropriating \$260,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of Fuqua Road Grade Separation at Mykawa Road, (approved by Ordinance No. 00-1141), GFS N-0530B-02-2 (SB9047); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-0622 ADOPTED.

35. ORDINANCE appropriating \$578,400.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Program F2 Project, GFS N-0610A-F2-3 (SB9137-2); 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 Street & Bridge Consolidated Construction Fund **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-0623 ADOPTED.
44. ORDINANCE appropriating \$37,889,949.48 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), for Affordable Housing, Administrative Expenses, Payment of Project Costs, Payments to Houston Independent School District, the Humble Independent School District, the Aldine Independent School District, the Spring Independent School District, the Houston Finance Corporation and certain Redevelopment Authorities as provided herein – was presented. All voting aye. Nays none. ORDINANCE 2006-0624 ADOPTED.
46. ORDINANCE approving and authorizing an amendment to the strategic partnership agreement between the City of Houston and **CY CHAMP PUBLIC UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented. Council Members Edwards and Garcia absent.

Council Member Clutterbuck stated that she wanted to express a concern that she had with all of the Strategic Partnership Agreements between the City of Houston and all of the MUD's or public utility districts, that it was a philosophical concern that she had, she knew that only a few of them had residents in them and the City was providing limited services to some for an assessment but her philosophical concern related to going in and cherry picking certain commercial areas and not providing the residents that were served by those areas a seat at the table, that she thought that if they were to go in and cherry pick commercial areas to apply a tax in an area that was predominately Democratic there would be extreme outrage at not being able to give the residents a voice at the table over issues relating to taxation of their commercial areas and when they were doing it in traditionally Republican areas she was concerned about not giving Republican's or people who might have a different perspective or a more conservative voice a seat at the table about it, and she understood the need to expand their tax base, but she thought that sometimes this might be a way to get around the overall annexing of

other areas, so she would be tagging each of the items. Council Members Edwards and Garcia absent.

Mayor White stated that he wanted to thank Council Member Clutterbuck and they could get some briefing that they had gone through before, but it took him a while to learn what the role of the MUD boards and the role that the voters in the MUDs played, and stated that the item had been tagged by Council Member Clutterbuck. Council Members Edwards and Garcia absent.

- 46A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CY CHAMP PUBLIC UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Cy Champ Public Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck. Council Member Edwards absent.
47. ORDINANCE approving and authorizing an amendment to the strategic partnership agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 221**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 47A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 221**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 221 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
48. ORDINANCE approving and authorizing an amendment to the strategic partnership agreement between the City of Houston and **PRESTONWOOD FOREST UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 48A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **PRESTONWOOD FOREST UTILITY DISTRICT** and certain territory located in the vicinity of Prestonwood Forest Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Prestonwood Forest Utility District; imposing the sales and use tax of the City of Houston in the area within Prestonwood Forest Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
49. ORDINANCE approving and authorizing an amendment to the strategic partnership agreement between the City of Houston and **CINCO MUNICIPAL UTILITY DISTRICT NO. 12**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.

- 49A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CINCO MUNICIPAL UTILITY DISTRICT NO. 12** and certain territory located in the vicinity of Cinco Municipal Utility District No. 12, in Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Cinco Municipal Utility District No. 12; imposing the sales and use tax of the City of Houston in the area within Cinco Municipal Utility District No. 12 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
50. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **HEATHERLOCH MUNICIPAL UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 50A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HEATHERLOCH MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Heatherloch Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
51. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 46**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 51A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 46**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 46 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
52. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **WESTADOR MUNICIPAL UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 52A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **WESTADOR MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Westador Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.

53. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **CHIMNEY HILL MUNICIPAL UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 53A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CHIMNEY HILL MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Chimney Hill Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Chimney Hill Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Chimney Hill Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
54. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 54A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 11** and certain territory located in the vicinity of Harris County Municipal Utility District No. 11, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 11; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 11 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
55. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 18**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 55A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 18** and certain territory located in the vicinity of Harris County Municipal Utility District No. 18, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 18; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 18 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
56. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 96**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.

- 56A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 96** and certain territory located in the vicinity of Harris County Water Control and Improvement District No. 96, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Water Control and Improvement District No. 96; imposing the sales and use tax of the City of Houston in the area within Harris County Water Control and Improvement District No. 96 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
57. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **JACKRABBIT ROAD PUBLIC UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 57A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **JACKRABBIT ROAD PUBLIC UTILITY DISTRICT** and certain territory located in the vicinity of Jackrabbit Road Public Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Jackrabbit Road Public Utility District ; imposing the sales and use tax of the City of Houston in the area within Jackrabbit Road Public Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
58. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **LONGHORN TOWN UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 58A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **LONGHORN TOWN UTILITY DISTRICT** and certain territory located in the vicinity of Longhorn Town Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Longhorn Town Utility District; imposing the sales and use tax of the City of Houston in the area within Longhorn Town Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
59. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **LANGHAM CREEK UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 59A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **LANGHAM CREEK UTILITY DISTRICT** and certain territory located in the vicinity of Langham Creek Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain

areas in the vicinity of Langham Creek Utility District; imposing the sales and use tax of the City of Houston in the area within Langham Creek Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.

60. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **MILLS ROAD MUNICIPAL UTILITY DISTRICT** making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 60A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MILLS ROAD MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Mills Road Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Mills Road Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Mills Road Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
61. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **POST WOOD MUNICIPAL UTILITY DISTRICT**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 61A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **POST WOOD MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Post Wood Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Post Wood Municipal Utility District; imposing the sales and use tax of the City of Houston in the area within Post Wood Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.
62. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **REMINGTON MUNICIPAL UTILITY DISTRICT NO. 1**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Member Clutterbuck.
- 62A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **REMINGTON MUNICIPAL UTILITY DISTRICT NO. 1** and certain territory located in the vicinity of Remington Municipal Utility District No. 1, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Remington Municipal Utility District No. 1; imposing the sales and use tax of the City of Houston in the area within Remington Municipal Utility District No. 1 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District

boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Member Clutterbuck.

63. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 342**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Members Clutterbuck and Wiseman.
- 63A. ORDINANCE annexing to the City of Houston, Texas for limited purposes **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 342** and certain territory located in the vicinity of Harris County Municipal Utility District No. 342, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain areas in the vicinity of Harris County Municipal Utility District No. 342; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 342 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Members Clutterbuck and Wiseman.
64. ORDINANCE approving and authorizing a strategic partnership agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 412**; making various findings and containing provisions relating to the subject – was presented, and tagged by Council Members Clutterbuck and Wiseman.
- 64A. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 412**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Municipal Utility District No. 412 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented, and tagged by Council Members Clutterbuck and Wiseman.

Council Member Garcia stated that he respected his colleagues concern and tagging of the items, that he just wanted to thank the administration for Item No. 63, 63a, 64 and 64a, because he understood that the administration had worked to appropriate the fire services revenue to the Fire Department for the service they would be providing in those respective MUDs, he thought it was great precedence and thought it needed to be a policy for future MUDs and wanted to thank the administration for their work on it.

Mayor White stated that one reason that they had these on the agenda, and for those who were interested in public safety and since he had not yet figured out a way to get money from Heaven, if they did not have sales tax revenues then they would need to adjust the budget to raise property taxes for people inside the City or they were going to have to pretend as though it had no effect.

Council Member Sekula-Gibbs stated that she would release her tag on Item No. 14, that she had a chance to discuss it both with Elena Marks and Dr. Lauren Rohn.

Council Member Khan moved to suspend the rules to consider Item No. 14 at this time, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. MOTION 2006-0479 ADOPTED.

14. RECOMMENDATION from Director Health and Human Services to issue purchase order to **KATHERINE B. ENSOR, PhD** for professional services to develop a statistical model relating to air pollution monitoring and analysis - \$60,000.00 - Grant and General Funds – was presented, previously moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0480 ADOPTED.

FISCAL YEAR 2007 BUDGET MATTERS

65. ORDINANCE providing for the continuation of appropriations for the support of the City Government pursuant to the requirements of Article VIa, Section 1 of the City Charter – was presented.

Council Member Wiseman stated that this item, if she understood correctly, was to continue funding City operations until such time that a budget was adopted by the City Council for the next fiscal year, and stated that she would tag the item, and Council Member Sekula-Gibbs asked that her tag be added to Item No. 65 also, and Mayor White stated that Item No. 65 had been tagged by Council Members Sekula-Gibbs and Wiseman.

66. ORDINANCE related to the Fiscal Affairs of the City; approving the annual budgets of the City of Houston, Texas, for Fiscal Year 2007 for the General, Enterprise and Special Revenue Funds; providing for future adjustment to the beginning fund balances; making various amendments to the proposed budgets; re-designating a cash reserve in the fund balance; creating the Mobility Response Team Fund and the Limited Use Roadway & Mobility Fund and providing for appropriations and transfers thereto from the Street, Bridge and Traffic Control Fund (Fund 405); authorizing various other transfers; establishing a cost for copies of the budget; making other provisions related to the subject; making certain findings related thereto; providing a repealing clause; providing for severability – was presented.

Council Member Wiseman stated that she was concerned about Item No. 66 as it had been presented on the agenda, late yesterday afternoon her office received numerous revisions that the administration was putting forth on the item and in going through the revisions and looking at them she realized that something seemed different from prior years past in the process that they went through in reviewing the proposed budget and it occurred to her that the difference was substantial, they were required under law, Local Government Code Chapter 102, that dealt with Municipal Budget, to follow a very strict process in how they moved forward with their budget, which included the presentation of the proposed budget that was posted, a notice was posted for the public so that they had the opportunity to inspect the proposed budget and they were required to hold a public hearing and there were timeline requirements as well, they could not hold a public hearing until 15 days after the proposed budget was filed with the City Clerk, the revisions that were circulated that were not put forth until the 9th and even the 12th for some of them did not comply, if they accepted it as it was being put forth, if they deliberated on it they were not in compliance with the Local Government Code and she understood that a lot of work and effort had been put forth in the budget and thought it was important for the best interest of the people of the City that they move forward in an appropriate manner, she certainly recognized the body's authority and obligation to propose and consider amendments to the budget that they deemed collectively to be in the best interest of the public, however Local Government Code 102 clearly required them to give the public 15 days notice of not only the proposed budget but of any proposed revisions of that budget, should they ignore the mandatory requirement then any aggrieved citizen could file what was called an emergency petition for writ of mandamus, they had ministerial duty to provide a notice, they would not do that if they moved forward on the item, it was in the public's best interest to defer consideration of the item until such time that it is in compliance with the code, that what she was proposing as

a solution was that the item be referred back to the administration, next week the administration could post the proposed budget as it was presented to the public for their inspection and review and at that time a Council Member could submit the revisions that the administration sought in the form of amendments to the budget so they would be put forth at that time, that she felt they would then be in compliance with the Code, the objective of the administration would be met at that time and they would avoid the risk of potential lawsuits, that she thought it was important and would ask support of her colleagues to make sure they did not put themselves in a position where they would incur additional legal fees that they could very well be battling and in the current climate it was not inconceivable that a member of the public would file suit.

Council Member Wiseman moved to refer Item No. 66 back to the administration and request that the administration bring forth next week the original proposed budget as it was presented to the public, seconded by Council Member Sekula-Gibbs.

Upon questions by Council Member Sekula-Gibbs, Ms. Susan Taylor, Deputy City Attorney, stated that the proposed budget was filed pursuant to Chapter 102 of the Local Government Code as was done this year and many years in the past the practice that had existed for many years and that they believed was perfectly in compliance with the code was that the ordinance that was before the City Council, not a change in the proposed budget, but the ordinance that was on the table was the proposed budget and then a number of revision adjustments that had been proposed through the administration, essentially F&A had gone through and made additional changes to that originally proposed budget, that whole package was on the table as the ordinance to approve the budget, so City Council had before it the proposed budget with the adjustments in an Exhibit A separately set out there not a part of the proposed budget, the book had not been changed, they were proposed as an Exhibit A to the ordinance to amend the proposed budget so that it would ultimately be adopted in the form of the ordinance it would be with those amendments incorporated into it, if the City Council elected not to incorporate those they simply amend the ordinance that was on the table to delete Exhibit A or some portion of Exhibit A, it was the practice that had gone on for at least a dozen or more years that she and Ms. Judy Johnson, Director of F&A, were familiar with, so there was nothing that was limiting, what the public was able to discuss yesterday was the budget and in fact as they were aware at the public hearing they had one speaker who spoke on an item that was not even included in the budget, the opportunity to address the budget was available, the posting was very broad, it was to discuss the budget, and then what happened here was in the ordinance they brought forth the proposed budget with the administration's amendments to be incorporated into it should Council approve it, that the public would have seen the proposed budget as it was filed, they were not seeing the revisions that City Council would be making today or next week or through the process, the Statute allowed for that, that the public had access to the ordinance upon the posting.

After further discussion by Council Members, Council Member Edwards moved to call for the question on the motion to refer Item No. 66 back to the administration, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0481 ADOPTED.

A vote was called on the motion to refer Item No. 66 back to the administration. All voting aye. Nays none. MOTION 2006-0482 ADOPTED.

After discussion by Council Members, Mayor White stated that he called for the previous question and they were going to have to discuss what they would do with the amendments because they wanted the amendments on the record, that he thought he knew what the sentiment of the City Council was, he called on the issue to refer Item No. 66 back without defining what the stakes were, that it was referred back for a week, it would be brought back up and posted again and they would be up against their July 1, 2006 deadline, so what should they

do to get the amendments on record, that it was a mistake by the presiding officer, that he did not define the issue clearly. Council Member Lovell absent.

Council Member Wiseman asked for a point of order and stated that it was out of line to entertain any further action because the item had passed, with respect to the amendments that Council Members wished to submit, in all the prior years past Council Members did submit those amendments before the item was posted on the agenda and then Council Members considered those amendments at that time, there was nothing to prohibit Council Members from presenting to the administration their indexed amendments and those amendments then, at the time that they vote on the budget item next week, would then be passed out, people would tag and then the following week they would have the vote, and Mayor White stated that the point of order was denied. Council Member Lovell absent.

After further discussion by Council Members, Council Member Green moved to suspend the rules for the purpose of reconsidering MOTION 2006-0482 to refer Item No. 66 back to the administration, seconded by Council Member Alvarado.

After further discussion by Council Members, Council Member Alvarado moved to call for the question on the discussion on the motion to suspend the rules, seconded by Council Member Garcia. Council Members Wiseman, Holm, Sekula-Gibbs and Clutterbuck voting no, balance voting aye. MOTION 2006-0483 ADOPTED.

A roll call vote was called on the motion to suspend the rules for the purpose of permitting reconsideration of MOTION 2006-0482 which referred Item No. 66 back to the administration.

ROLL CALL VOTE:

Mayor White voting aye	Council Member Garcia voting aye
Council Member Lawrence voting aye	Council Member Alvarado voting aye
Council Member Johnson voting aye	Council Member Brown voting aye
Council Member Clutterbuck voting no	Council Member Lovell voting aye
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Green voting aye
Council Member Khan voting aye	Council Member Berry voting no
Council Member Holm voting no	MOTION 2006-0484 ADOPTED

Council Member Alvarado moved to reconsider the vote by which MOTION 2006-0482 was passed, seconded by Council Member Lovell.

A roll call vote was called on the motion to reconsider the vote by which MOTION 2006-0482 was passed.

ROLL CALL VOTE:

Mayor White voting aye	Council Member Garcia voting aye
Council Member Lawrence voting aye	Council Member Alvarado voting aye
Council Member Johnson voting aye	Council Member Brown voting aye
Council Member Clutterbuck voting aye	Council Member Lovell voting aye
Council Member Edwards voting aye	Council Member Sekula-Gibbs voting no
Council Member Wiseman voting no	Council Member Green voting aye
Council Member Khan voting aye	Council Member Berry voting aye
Council Member Holm voting aye	MOTION 2006-0485 ADOPTED

A roll call vote was called on the motion by Council Member Wiseman, seconded by Council Member Sekula-Gibbs, to refer Item No. 66 back to the administration.

ROLL CALL VOTE:

Mayor White voting no	Council Member Garcia voting no
Council Member Lawrence voting no	Council Member Alvarado voting no
Council Member Johnson voting no	Council Member Brown voting no
Council Member Clutterbuck voting no	Council Member Lovell voting no
Council Member Edwards voting no	Council Member Sekula-Gibbs voting aye
Council Member Wiseman voting aye	Council Member Green voting no
Council Member Khan voting no	Council Member Berry voting no
Council Member Holm voting no	MOTION 2006-0486 FAILED

66. ORDINANCE related to the Fiscal Affairs of the City; approving the annual budgets of the City of Houston, Texas, for Fiscal Year 2007 for the General, Enterprise and Special Revenue Funds; providing for future adjustment to the beginning fund balances; making various amendments to the proposed budgets; re-designating a cash reserve in the fund balance; creating the Mobility Response Team Fund and the Limited Use Roadway & Mobility Fund and providing for appropriations and transfers thereto from the Street, Bridge and Traffic Control Fund (Fund 405); authorizing various other transfers; establishing a cost for copies of the budget; making other provisions related to the subject; making certain findings related thereto; providing a repealing clause; providing for severability – was again before Council.

Council Member Garcia offered the following written motions to amend Item No. 66, tagged by Council Member Wiseman.

- 13.01 Create a new division in City Legal titled "Deed Restrictions."
- 13.02 Require affected Council Districts and Superneighborhoods to receive notice of alcohol "cantina" new, renewing, and community protests of liquor licenses
- 13.03 Establish a Contract Compliance Administration fee of .01% of the total amount of a successful contractor's construction bid, which would be deposited from the CIP into a General Fund account for the Affirmative Action & Contract Compliance Division.
- 13.04 Fund at \$80,059.83 a proposed HPD-NPC Boarding House Enforcement Team.
- 13.05 To provide an incentive for departments to allow cell towers on their property, the first three years lease revenue would be made available to the department in their operating budget.
- 13.06 To provide incentive for police & fire departments to provide services, revenue received from MUD's be made available to department in their operating budget.
- 13.07 Conduct a study to be completed in 90 days to review cost feasibility to build a Wellness center in 611 Walker or 900 Bagby.
- 13.08 Create an recruitment hiring policy for Department executive level employees.
- 13.09 No new park construction until current city parks are at acceptable standards.

- 13.10 Sustain EMS Katrina Units (3 BLS Units, 1 Medic Unit & 1 EMS Supervisor) at \$3,400,000
- 13.11 Additional HFD Staffing for Inspection Division (22 FTE's) and Airport (44 FTE's)
- 13.12 HFD staffing change from 4.67 to 4.85 to allow Firefighters to utilize benefit time.
- 13.13 To provide incentive for HFD to provide services, all revenue received from fire services related permit fees generated by others departments be credited to HFD Operating Budget.
- 13.14 HFD/Health Department CARES Initiative fund 1 additional HFD FTE and 1 additional Health Department FTE
- 13.15 Conduct a study for feasibility and need of a library and/or multi-service center for Independent Heights neighborhood.
- 13.16 CEFD fund enhancements for Jones Plaza to minimize sound levels to adjoining properties.
- 13.17 Conduct a density analysis study to be used to make development regulation recommendations on size of police/fire departments and placement of police command status to storefronts in relations to growth and density of the city.
- 13.18 In 90 days install bike lids at 611 Walker or 900 Bagby.
- 13.19 Parks develop a dedicated Field Maintenance account funded by \$1 off of all park permits

Council Member Lawrence offered the following written motions to amend Item No. 66, tagged by Council Member Wiseman.

- 6.01 Reduce the 2006 property tax rate by one-half cent from .6475/100 of assessed value to .6425/100 of assessed value.
- 6.02 Increase the Mobile Food Unit Medallion Permit Fee to hire six additional sanitarians/food inspectors, which would fully ensure adherence to the City of Houston's Health Code.
- 6.03 Direct the Finance and Administration and Information Technology Departments to fully investigate and place a RFP to consolidate and centralize the repairs of all Motorola Radios within the City Departments such as HPD, HFD, Emergency Services and PWE.
- 6.04 Proposing 7% of the Water and Sewer Fund be allocated to fund flooding project. (Current ordinance allows 8 percent of this fund to be used for this purpose but we are currently only utilizing 5%.)
- 6.05 Noting the great strides Gloria Bingham and her 3-1-1 team have made in meeting the customer service demands of the City and the constituent services each council office provides, I am proposing a reduction of FTE's, by 50%, in the Citizen's Assistance Office.

- 6.06 Establish a Solid Waste enterprise fund to accommodate residential trash service for both public and private streets. Given the significant rise of residential town home communities and acknowledging the considerable property taxes they pay to the City of Houston, it is my belief they should be offered the same collection as other residences.
- 6.07 Reduce the Mayor Pro-Tem's office staffing to one council receptionist. The Finance and Administration and Human Resources Departments can absorb the financial and administrative functions. Individual Council Member's would retain complete oversight over their office's budget and operations.
- 6.08 Every January, the Houston Parks and Recreation Department shall conduct an in-house assessment and recommendations on golf fees. Any changes in fees to be implemented at the beginning of each Fiscal year in July (per council approval).
- 6.09 Fund EMS Katrina Units for the following; 3 BLS units; 1 Medic unit; 1 EMS Supervisor; amount of funding approximately \$3.4 million.

Council Member Edwards offered the following written motions to amend Item No. 66, tagged by Council Member Wiseman. Council Members Lawrence, Alvarado and Lovell absent.

- 9.01 Increase the current level of funding from \$281,700 to \$1,000,000 for HIV/AIDS outreach and prevention services, utilizing CDBG funds as a funding source.
- 9.02 Increase the current level of funding to \$500,000 for Hepatitis C education, outreach, and prevention services, utilizing CDBG funds as a funding source.
- 9.03 Include a Professional Services Contract line item for \$5,000 within the City Council budgets to be used for contracts with local civic organizations.

Council Member Holm offered the following written motions to amend Item No. 66, tagged by Council Member Wiseman. Council Members Lawrence, Garcia, Alvarado, Lovell and Green absent.

- 12.1 Increase Rainy Day Fund from \$20 million to \$30 million using property tax surplus funds.
- 12.2 Decrease the amount allocated from the General Fund for Safe Clear to FY06 level (\$389,352).
- 12.3 All funding for services provided to the Toyota Center and Minute Maid by HPD and HFD will be provided by Convention and Entertainment Funding.
- 12.4 All funding for special events and parades will be funded by the Mayor's Office of Special Events.

Council Member Khan offered the following written motions to amend Item No. 66, tagged by Council Member Wiseman. Council Members Lawrence, Clutterbuck, Garcia, Alvarado and Green absent.

- 11.01 Request that the administration Identify and provide funding for an additional mobile command center for the Houston Police Department.

- 11.02 Request that the administration study the possibility of providing funding to support the functions of the Houston Chapter of Sister Cities.

Council Member Wiseman offered the following written motion to amend Item No. 66, tagged by Council Member Edwards. Council Members Lawrence, Clutterbuck, Garcia, Alvarado and Green absent.

- 10.01 I move to delete appendix A.

Council Member Brown offered the following written motions to amend Item No. 66, tagged by Council Members Brown and Wiseman. Council Members Garcia and Alvarado absent.

- 1.01 I would like to make a motion to fund a General Plan and Policy Manual for the City of Houston. The cost of the project would be \$1.5 million over 2-3 years. The source of the funding would be:
TIRZ Funds: TIRZ General Revenue Fund- \$750,000 total
COH-\$250,000 per year for two years from the PWE Fund #405; \$500,000 total
HGAC-\$1 million total
Harris County and Harris County Flood Control District-\$500,000 total
Metro-\$ 250,000 annually; \$750,000 total
CDBG-\$175,000 total
Private and non-profit Funds-\$100,000 total
- 1.02 I would like to make a motion to fund a Model Mixed Income Housing Block in City Council District B. The cost would be a total of \$ 400,000. \$350,000 would come from Fund #415 (Homeless and Housing Bonds) and \$50,000 would come from private/non-profit donations.
- 1.03 I would like to recommend the creation of a Super-Neighborhood Planning Fund for Super Neighborhood #47 (East Little York/Homestead). The cost would be \$80,000 over two years (or \$40,000 a year for two years). The source of the funds would be Community Development Block Grant Funds, which has been discussed with Milton Wilson and his staff.
- 1.04 I would like to recommend the funding of a demonstration drainage project in District B. I would like to recommend revenue funding of a demonstration “dry-swale” drainage project in District B. The cost would be \$100,000. The revenue source would be ROW maintenance fund #227 (from the Combined Utility System General Purpose Fund #708).

Council Member Clutterbuck offered the following written motion to amend Item No. 66, tagged by Council Member Wiseman. Council Members Garcia and Alvarado absent.

- 8.01 Institute a 7th Houston Police Department Cadet class to begin in June of 2007, with funding derived from any end-of-year surplus in the Houston Police Department budget and/or other grants sources.

Council Member Sekula-Gibbs offered the following written motions to amend Item No. 66, tagged by Council Members Edwards, Khan, Alvarado and Lovell. Council Member Berry absent.

- 3.01 The City of Houston shall initiate and process refunds to property taxpayers in accordance with Proposition 2.
- 3.02 An outside audit of the Finance and Administration Department, Houston MediaSource and the Municipal Channel shall be conducted to review and appraise all accounting and financial operations for the fiscal years 1998 to 2007.
- 3.03 The Municipal Channel and Houston MediaSource shall refund to the City of Houston General Fund the amount of \$4,211,786.84.
- 3.04 The City of Houston shall not pay membership fees with either taxpayer funds or private money until the Texas Municipal League supports a reduction in appraisal caps or supports local control of appraisal caps.
- 3.05 The City of Houston Health Department shall study the feasibility and financial structure of combining the Harris County Rabies/ Animal Control and the City of Houston Bureau of Animal Control and Care.
- 3.06 The Bureau of Animal Regulation and Control shall establish a fostering policy and shall recognize the fostering policies of other animal care agencies.
- 3.07 The City of Houston will cap city spending for the Safe Clear program at the City Controller's FY2006 cost estimate of \$878,000.
- 3.08 The City of Houston will cap total spending for the Safe Clear program at the FY06 budgeted levels (\$2,413,992.00).
- 3.09 The administration shall stop progressive cuts of the Health Department budget and restore the \$500,000 that was moved from clinical services to the Bureau of Air Quality and Control.
- 3.10 The administration should report back to Council within a year for each department for the department's multi year budget goals and planning processes, to include facility use.

Council Member Green offered the following written motions to amend Item No. 66, tagged by Council Members Wiseman and Lovell. Council Member Berry absent.

- 4.01 Provide funding for an eighth HPD cadet class, provided HPD funds a seventh class from their existing budget. Funding in the amount of \$3,400,000 to be taken out of the Limited Use Roadway & Mobility Fund, created out of appropriations from Fund 405.
- 4.02 Within 180 days of passage, the administration will develop a comprehensive plan to study HPD outsourcing cadet classes to an outside educational institution. Funding to be taken from Fund 100/10, account #1210 Sal-Educ/Incentive Pay-Classified.
- 4.03 Within 180 days of passage, the administration will develop a comprehensive plan to study HFD outsourcing cadet classes to an outside educational institution. Funding to be taken from Fund 100/12, account #3900 Education and Training.

- 4.04 Reduce COH property taxes by \$.0025, lowering the assessed amount to 64.5 cents per \$100 valuation.

Council Member Alvarado offered the following written motions to amend Item No. 66, tagged by Council Members Khan and Wiseman. Council Member Berry absent.

- 14.01 Direct the Planning & Development Department to amend their budget to include the total project cost to upgrade the City of Houston's Deed Restriction database.
- 14.02 Direct the Planning & Development Department to submit to council within 90 days of passage of the City of Houston's budget a report detailing the completion of all upgrades made to update the City of Houston's Deed Restriction database.
- 14.03 Increase the Houston Police Department's budget by \$10,000 to earmark funds specifically for the promotion and advertisement of Neighborhood Protection's citizen complaint-driven Boarding House Enforcement Initiative.
- 14.05 Increase sign permit fee to be determined by Administration.
- 14.06 Maintain EMS Katrina Units (3 BLS Units, 1 Medic Unit & 1 EMS Supervisor) at \$3,400,000

Council Member Johnson offered the following written motions to amend Item No. 66, tagged by Council Member Wiseman. Council Member Lovell absent.

- 7.01 Amend Ordinance 2003-738 to increase fire inspection fees at facilities that require days and weeks to inspect. Increase fees to add a daily fee of \$150.00 for every day at a specific location. This amendment will increase revenue while recovering man hour costs.
- 7.02 Increase library hours and provide structured activities for youth from fees generated from fire inspection fees received.
- 7.03 Provide structured park programs for youth with fees generated from fire inspection fees received.
- 7.04 To develop a pilot sweat-equity program for neighborhoods to abate weeded lots through the Neighborhood Protection Division.
- 7.05 Increase funds for after-school achievement programs from funds received from increased fire inspections.
- 7.06 Reinstate a version of the DARE Program with The Houston Police Department that includes 6 officers to provide educational intervention one day a week for 2 hours a day.

Council Member Berry offered the following written motions to amend Item No. 66, tagged by Council Members Wiseman and Khan.

- 5.01 Services provided for events at the Toyota Center and Minute Maid Park, including services provided by the Police Department and Fire Department, shall be paid for out of the Convention & Entertainment Department Enterprise Fund.

- 5.02 Reduce the 2006 property tax rate by one-quarter cent to \$.645/\$100 of assessed value.

Mayor White stated that Item No. 66 had been tagged by Council Members Wiseman, Edwards, Lawrence, Holm, Clutterbuck, Sekula-Gibbs, Khan and Green.

NON CONSENT AGENDA - NUMBER 67

MISCELLANEOUS

67. RECEIVE nominations for Positions 9, 10 and 11 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for two-year terms – was presented.

Council Member Garcia named Ms. Sharon B. Beale for Position 9 of the Houston Archaeological and Historical Commission Board of Directors and stated that her resume was handed out. Council Member Holm absent.

Council Member Khan named Dr. Suraiya Saleem for Position 10 of the Houston Archaeological and Historical Commission Board of Directors and stated that her resume had been handed out. Council Member Holm absent.

Council Member Lovell named Mr. J. D. Bartell for Position 11 of the Houston Archaeological and Historical Commission Board of Directors and stated that his resume had been handed out. Council Member Holm absent.

Council Member Khan moved to close nominations for Positions 9, 10 and 11 of the Houston Archaeological and Historical Commission Board of Directors, seconded by Council Member Green. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0487 ADOPTED.

MATTERS HELD - NUMBERS 68 through 76

68. MOTION by Council Member Garcia to amend Item 68A below as follows: "All revenue from increased sports fees to be used for field maintenance" – **TAGGED BY COUNCIL MEMBERS GARCIA and KHAN** – was presented. Mayor White and Council Member Holm absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated that he had visited with Mr. Joe Turner, Director, Parks and Recreation, on Item No. 68 and understood his need for flexibility on it, he was still running in the red with some of his Parks programs and this would give him some needed capacity, but as he mentioned the need to have a dedicated field maintenance fund for the Parks Department otherwise they would not make any headways and moved to table Item No. 68, seconded by Council Member Khan. All voting aye. Nays none. Mayor White and Council Member Holm absent. Acting Mayor Pro Tem Berry presiding. MOTION 2006-0488 ADOPTED.

- 68A. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Parks & Recreation Department for fee increases for Adult Sports Programs sponsored by the Parks & Recreation Department – **This was Item 2 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBERS GARCIA and KHAN** - was presented. All voting aye. Nays none. Mayor White and Council Member Holm absent. Acting Mayor Pro Tem Berry presiding. MOTION 2006-0489 ADOPTED.

69. ORDINANCE approving and authorizing five (5) year Telecommunications License Agreement, with two (2) renewals of five (5) years each, between the City of Houston, Texas, as licensor, and **T-MOBILE TEXAS, L.P.**, as licensee, for Ground Space at Fire Station 13, 2215 West 43rd Street, Houston, Texas, in consideration of a license fee of \$1,000.00 per month to be paid to the City, and a similar fee in the event of sub-licensing, for the purpose of licensee's constructing a new communications tower and installing antennas and radio equipment, such tower to become the property of the City at the expiration of the agreement - Revenue - **DISTRICT A – LAWRENCE – (This was Item 15 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBERS GREEN, SEKULA-GIBBS, WISEMAN and JOHNSON)** – was presented. Mayor White absent. Mayor Pro Tem Alvarado presiding.

Council Member Alvarado stated that she wanted to applaud the work of Council Member Lawrence, she had worked long and hard on the item, and she wanted to thank the administration, she and a few other Council Members had expressed an interest in having some of the revenues from the cell towers to be dedicated back to the respective departments and she did have a copy from Ms. Stein, which she thought all her colleagues received, that said that it was an incentive for departments, in the first three years the respective departments, those revenues would go back into their operating budgets, so she wanted to thank the administration for that and in this case it would be the Fire Department, that she also wanted to thank Local 341 for their input on this and hoped that it would be an incentive for other departments to volunteer their facilities for the cell towers. Mayor White absent. Acting Mayor Pro Tem Berry presiding.

Council Member Lawrence stated that she wanted to repeat a misunderstanding on the item, it was basically just a test, they probably would have sixty of these, it could be in Parks or the Fire Department, it could be various places, eventually she hoped they moved to where they started it out, all of the antennas could now be put on flagpoles, due to technology it was done that way in some cities, they could be put in front of Fire Departments or libraries, so it was a big option, especially if they consider four or five different vendors at each of these locations, run the numbers, 90 around the City, so it was a tremendous amount of income coming in to the City and that was where they were moving to, these were only the trials right now, so it was going to multiply as the other vendors saw how well it was working and hopefully they would go to the flagpoles and quality of life and the looks of neighborhoods would change.

Council Member Garcia stated that he applauded the work of both Council Members Lawrence and Alvarado on the item and wholeheartedly supported it, he thought it was a great way to do business, he was a little concerned that they might be leaving some money on the table and thought \$1,000 a month was really a drop in the bucket and the ultimate value when they considered all the things they had to do when they were building towers and doing environmental assessments and things of that nature, that he supported the item, just hopefully they could look at it down the line to see if it was not worth actually more to the City.

Council Member Brown asked if there was a provision in the contracts for an escalation of the fee because apparently as he read it they could be extended to 15 years, he just wanted information about that.

Mayor White asked Council Member Lawrence if she was familiar with it, was there an escalation feature, and Council Member Lawrence stated that she was not familiar with it, she was going to answer a little bit more on the question of maintenance and putting the antennas up, the antennas and all of the upkeep would be paid for by the particular vendors.

Mayor White asked Mr. Dadoush if there was an escalation after a particular time and Mr. Dadoush stated that no, there were no provisions in the contract, that it would expire in 15 years, it was a 5 year contract with two automatic 5 year extensions, that T-Mobile Net would be given the opportunity to either extend their contract twice for 5 years or they could stop at 5 years, that it was their option, not the City's, because they were building the towers at no cost to the City, that there were three projects, two projects they were taking down the existing towers after they build a brand new tower at no cost to the City.

Council Member Green moved to suspend the rules to extend the meeting beyond the scheduled noon recess to complete the agenda, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0490 ADOPTED.

After further discussion of Item No. 69 by Council Members, Council Member Lawrence stated that there was an escalation clause in it and it was not a 15 year thing, so obviously the contract could change.

A vote was called on Item No. 69. All voting aye. Nays none. ORDINANCE 2006-0626 ADOPTED.

70. ORDINANCE approving and authorizing five (5) year Telecommunications License Agreement, with two (2) renewals of five (5) years each, between the City of Houston, Texas, as licensor, and **T-MOBILE TEXAS, L.P.**, as licensee, for Ground Space at Fire Station 50, 4420 Bingle Road, Houston, Texas, in consideration of a license fee of \$1,000.00 per month to be paid to the City, and a similar fee in the event of sub-licensing, for the purpose of licensee's constructing a new communications tower and installing antennas and radio equipment, such tower to become the property of the City at the expiration of the agreement - Revenue - **DISTRICT A – LAWRENCE – (This was Item 16 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBERS GREEN, SEKULA-GIBBS, WISEMAN and JOHNSON)** – was presented. All voting aye. Nays none. ORDINANCE 2006-0626 ADOPTED.
71. ORDINANCE approving and authorizing five (5) year Telecommunications License Agreement, with two (2) renewals of five (5) years each, between the City of Houston, Texas, as licensor, and **T-MOBILE TEXAS, L.P.**, as licensee, for Ground Space at Fire Station 105, 14014 West Lake Houston Parkway, Houston, Texas, in consideration of a license fee of \$1,000.00 per month to be paid to the City, and a similar fee in the event of sub-licensing, for the purpose of licensee's constructing a new communications tower and installing antennas and radio equipment, such tower to become the property of the City at the expiration of the agreement - Revenue **DISTRICT E – WISEMAN – (This was Item 17 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBERS GREEN, SEKULA-GIBBS, WISEMAN and JOHNSON)** – was presented. All voting aye. Nays none. ORDINANCE 2006-0627 ADOPTED.
72. ORDINANCE approving and authorizing the City of Houston to submit the 2006 Consolidated Annual Plan to the United States Department of Housing and Urban Development, including the following 2006-2007 grant applications: 1) 32nd Year Community Development Block Grant in the amount of \$38,315,296.00 (\$30,757,450.00 Entitlement Grant, \$3,000,000.00 Program Income and \$4,557,846.00 prior years funding); 2) Home Investment Partnerships grant in the amount of \$13,980,639.00 (\$13,214,303.00 Grant, \$500,000.00 Program Income and \$266,336.00 from the American Dream Down Payment Initiative [ADDI]); 3) Housing Opportunities For Persons With AIDS Grant in the amount of \$6,039,000.00; and 4) Emergency Shelter Grants in the amount of \$1,317,133.00; and to accept the aforementioned Grant Funds, if awarded – **(This was**

Item 19 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBER WISEMAN – was presented. All voting aye. Nays none. ORDINANCE 2006-0628 ADOPTED.

73. ORDINANCE establishing the north and south sides of the 1100 block of Milford Street and the north side of the 1200 block of Milford 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 – (This was Item 22 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBER CLUTTERBUCK)** – was presented.

Council Member Clutterbuck stated that Item No. 73 would establish the north and south sides of the 1100 Block of Milford Street and the north side of the 1200 Block of Milford Street with a special minimum lot size designation, that she wanted to clarify some of the confusion that happened yesterday, people seemed to be a little bit confused about who was present speaking on which aspect, Ms. Pamela Anders was the first person who spoke and she was opposed to the ordinance, the second person who spoke was in favor of the ordinance and she too was supporting the ordinance, that eight of the ten residences complied with Chapter 42 of the Code of Ordinances in applying for it and they met the minimum requirements, in effect they exceeded the minimum requirements of the ordinance.

A vote was called on Item No. 73. Council Member Wiseman voting no, balance voting aye. ORDINANCE 2006-0629 ADOPTED.

74. ORDINANCE authorizing and approving Compromise and Settlement Agreement between the City of Houston and **SIRIUS ENTERPRISE SYSTEMS GROUP, L.L.C., (“SIRIUS”)** to settle a claim - \$175,000.00 - General Fund – **(This was Item 26 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. Council Member Sekula-Gibbs voting no, balance voting aye. ORDINANCE 2006-0630 ADOPTED.
75. ORDINANCE approving contract between the City of Houston and **MONTY PARTNERS, L.L.P.**, for Litigation Services to assist in defending claims brought by Marsha Farmer in a lawsuit styled United States of America ex rel Marsha Farmer v. the City of Houston and Houston Area Urban League; Civil Action No. H-03-3713 now pending in the United States District Court for the Southern District of Texas, Houston Division - \$375,200.00 - Property and Casualty Fund – **(This was Item 27 on Agenda of June 7, 2006, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented.

Council Member Garcia stated that he wanted to applaud the Legal Department on establishing the relationship with Monty Partners, that he thought it was an extremely good firm.

Council Member Sekula-Gibbs stated that her concern on the item was the size of the potential legal fees involved in the case, \$375,000 in legal fees that would be allocated to Monty Partners, that it was no disrespect to the firm, but it was a significant amount of money and asked Mr. Michel what was the total amount that the City was at risk to lose, and Mr. Michel stated that their estimate right now would be \$1.2 million to the near \$2 million, \$1.7 million to \$1.8 million, it was a very fact intensive case and was going to depend, if there was liability, on the number of emergency home repairs that were wrong and the unauthorized charges or the over charges, and Council Member Sekula-Gibbs stated that since they were found out of compliance in an audit with HUD already, it was her understanding that the audit reflected directly on the facts of the case, did it put the City in any reason to want to settle it, and Mr. Michel stated that it was under two different standards, one was whether the funds were not properly used, the other issue was whether the City had the mental element, essentially where

there was fraudulent activity, and that was a significant part of the case, and really was what all of the factual inquiries went to, so he thought they were really two different things, but they would always evaluate their cases before settlement on a continuing basis to see if the City was better off putting the matter behind it.

A vote was called on Item No. 75. Council Members Wiseman and Sekula-Gibbs voting no, balance voting aye. ORDINANCE 2006-0631 ADOPTED.

76. ORDINANCE appropriating \$29,678,229.87 out of Tax Increment Funds for Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone), Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone), Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone), Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone), Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone), Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone), Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone), Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone), Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone), Reinvestment Zone Number Twelve, City of Houston, Texas (City Park Zone), Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone), Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone), Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone), Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone), Reinvestment Zone Number Seventeen, City of Houston, Texas, (Memorial City Zone), Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone), Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone), Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone), and Reinvestment Zone Number Twenty-One, City of Houston, Texas (Hardy Place) for Affordable Housing, Administrative Expenses, Payment of Project Costs, Payments to the Houston Finance Corporation and certain Redevelopment Authorities as provided herein – **(This was Item 53 on Agenda of June 7, 2006, POSTPONED BY MOTION #2006-462)** – was presented. All voting aye. Nays none. ORDINANCE 2006-0632 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Wiseman stated that she wanted to congratulate the Rice Owls who were going to the championship.

Council Member Wiseman stated that with respect to Solid Waste collection in the Clear Lake area, they had been receiving complaints from constituents who prior to the complaints had been pretty satisfied with the Solid Waste services that the City had been providing, that she thought it was important that the complaints be addressed, that they had complaints not just from the residents but the homeowner associations as well acting on behalf of the people in their communities, that it was a widespread problem and she would ask that Mayor White provide assistance in addressing the matter with Mr. Buck Buchanan and she would follow up with a memo on the item and a response would be appreciated. Council Members Holm and Sekula-Gibbs absent.

Council Member Wiseman stated that she wanted to bring to Mayor White's attention a problem that she believed there was with communicating with the Mayor's office, that she had attempted to bring numerous issues and matters to the Mayor's attention via memorandums and traditional business people tend to respond to them and she was concerned that since she had not received responses to them that there might be a break in communication, that she

checked on her end and they had no record of receipt of the responses and they did verify that the memorandum had been submitted and follow up calls were placed as well to inquire as to the status of a response, that she would appreciate it if Mayor White would check on his end to see where that break may be. Council Members Holm and Sekula-Gibbs absent.

Mayor White stated that there were two parts to that, that first he could think of two instances and one there was a problem with the process on their end, and another there was a problem that delayed an appropriate follow up, and on another it was communication to the Chief which Council Member Wiseman was not copied on, but there was one other that Council Member Wiseman had sent him around the end of April or early May and that one there was an internal process, but he thought they had that corrected. Council Members Holm, Sekula-Gibbs and Green absent.

Council Member Johnson stated that to one of his constituents there was a ticket issued for putting out her trash early, that she put it out on time but they did not pick it up, she called 3-1-1, had a reference number and asked them to come back out and pick it up, they did verify that it was not picked up and a person did come back out and issued her a ticket, the policy was if a ticket was issued by Solid Waste then they were to go to court with the young lady to explain it to the judge so that the ticket could be dismissed but that did not happen therefore the young lady still ended up paying the ticket, that he did not know if it was the City's policy to refund money or what might happen but he believed it was something that certainly needed to be taken a closer look at, citizens that were doing what they were supposed to do but yet were still ticketed because there was no communication between 3-1-1 and the particular department, that he wanted to know how they might be able to address the issue to insure that it did not happen again and then try to find a way for the young lady to have her money reimbursed, that he wanted for someone to get in contact with him to discuss how they might be able to get that done. Council Members Lawrence, Clutterbuck, Holm and Sekula-Gibbs absent.

Council Member Johnson stated that this weekend the Dynamo's would be having a Juneteenth Festival, that Mr. Jose Hernandez, the astronaut, would be coming out to do the first kick at the game, that it was an opportunity that he and Ms. Judy Dubois were working on to raise funds to have soccer in the streets and a Kicks for Kids project in District B, which they were going to be placing at their parks. Council Members Lawrence, Clutterbuck and Holm absent.

Council Member Johnson stated that there would be a Juneteenth Celebration at 6130 Wheatley Street at the Acres Home Beulah Shepherd Building, that Mr. Malonson had been doing it for a number of years, that it was a fantastic outing in which the community had an opportunity to come together and enjoy good music, food and fellowship; that there would be a Second Annual Juneteenth Sports Day and Bar-B-Que Cook Off at Saint Monica's Catholic Church, that he would be a judge; that the Spirit In Life Christian and Deliverance Church would be having a prayer breakfast at 9:00 a.m. at 5026 Langley. Council Members Lawrence, Clutterbuck, Wiseman and Holm absent.

Council Member Green stated that he wanted to remind his colleagues of the next Budget and Fiscal Affairs Committee meeting on Friday, June 30, 2006 at 9:30 a.m. in the Council Chamber, that he wanted to give a special thanks to the Municipal Channel for all of their work in taping the budget hearings. Council Members Lawrence, Clutterbuck, Wiseman and Holm absent.

Council Member Lovell stated that it had been a very stressful week in her neighborhood, a week ago a young man was stabbed and killed at Ervin Chew Park and during the week incredible things had happened, that she wanted to thank the Mayor's staff who had responded

to it immediately, that she wanted to say thank you to the Houston Police Department who stepped up and made sure that the neighborhood and the park felt secure, to Mr. Turner and the people at the Parks Department they were awesome, there were still people out at the park who felt they were secure, the graffiti had been abated and things had been taken care of, that she wanted to point out that they had four teenagers in the City killed, some just standing in their backyard, that it was a problem, she wanted to call out to Lamar High School that the fight started on their campus and it was brewing on their campus and they had to now find some way to reach out to the Houston Police Department and to the community so that they could come together and make sure that the problems that start at school were not pushed out into the neighborhoods where they end up settling their scores at the local parks, the reason that there were golf clubs and bats was because it was heavy trash pickup day and someone had decided to clean out their garage and they were out on the street, that they drove by and saw them and picked them up and took them to the park, so they had to come together and acknowledge that there was a problem and figure out what they were going to do when children were at school most of the day how HISD and all of its schools reaches out to the community and HPD to make sure that they step in before its escalates to what it did the other day, that she also wanted to say to the mother, who had moved out of the neighborhood because she did not feel safe and to the attorney representing the girl, please step forward and name the people that were at the park with her, allow the rest of the neighborhood, and she wanted to say it mother to mother, please allow her children to now feel safe by asking her daughter to name the people who were there so that they could also be held accountable for their actions, but also those teens that were with her were in danger of retribution and the best thing they could do to make something that was very wrong right was to go ahead and name the people that were there, and she was asking mother to mother to make it happen and allow her to feel safe in her neighborhood again with her children. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Lovell stated that it had been an incredible week, that this afternoon they were announcing the formation of a new union, SEIU and AFSME, that she was so proud to have been involved with that and was proud of the two organizations who stepped forward and were going to do what was right for the employees of the City of Houston, she wanted to commend them, the integrity of the process and the spirit in which they came together was something to be admired and was a historical day. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Lovell stated that on Monday evening at Bayland Park she would be coaching the Neartown 9 and 10 year old All Stars, hopefully they would be victorious over West University. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Lovell stated that she wanted to thank Mayor White's staff and everyone for their assistance at what happened at the park, that was something that did not start there, it ended up there, that she wanted everyone to know that their parks were safe, that they were vigilant and they were going to continue to ask people to participate in their parks and stay in their parks and not let the bad element drive out the good in the neighborhoods. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Edwards stated that 1989 when they had a number of killings in the City of Houston there was the usual response of people being arrested and people going to courts but something else happened that was also the response of the community and she along with about 100 citizens of the City met for one year at the Houston Area Women's Center and developed what was now used in police training as far as diversity training and that type of thing, that it was a concerted analysis in looking at what was going on in trying to come up with some type of approaches that would address it systemically, that she thought the similar process should be done regarding the crime and the health epidemics that they saw in the City,

that several schools in the District D area youth organizations had been pushed off campus because the attitude was that they did not want to be bothered with it, that it was the same situation, if they were going to push them off of campus where would the young people go, that she was asking the Mayor to look at the possibility of convening a group that could look at the epidemics of crime and health in the City, the health epidemics in the City were amazing, from Tuberculosis to HIV to Hepatitis C and they address in an episodic manner, a little bit here and there, but she was not aware of an over arching look of what were the causes, what could they possibly do from several perspectives, from the City, the County, the State, the Federal and the community, that she did not know how they could get it started, but she did not think they could just solve the problem by just hiring more police officers, they had to look at what was causing it at some point and time, that she would encourage the Mayor and his staff to get together to see how could they structure a serious look and analysis, that she was really concerned that they needed to look at what was going on. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Edwards stated that Ms. Karen Dupont had taken the bones that were unearthed when the City was building a building and then they sat on a professor's desk for 20 years and the bones would be re-interred in the near future at HPD headquarters located at 1205 Dart, the actual site that had been prepared was approximately 20 feet from the original place where they were removed, that they were working to have a historical marker there to designate that it was an original burial site and that the bones had been re-interred, that she wanted to thank and applaud Ms. Dupont. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Edwards stated that she wanted to thank Mr. Gary Norman and TXDOT for getting her information about OST, that they said they were not responsible for Griggs so she wanted to know who was responsible for Griggs Road. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Edwards stated that she wanted to wish a Happy Father's Day to all of the men in the community. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Garcia stated that he wanted to say a Happy Father's Day to all of the daddy's out there and thanking them for the work that they did day in and day out for their children. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Garcia stated that in March 2006, Mr. Walter Moss was killed in Iraq, he was a bomb technician and was working to disable some of the explosive devices that were used in Iraq and unfortunately his life was taken in doing a great service for his Country, that he was survived by his wife and two children, that on Saturday, June 17, 2006, there would be a benefit golf tournament for the Moss Family at Beacon Lakes Golf Course at 1:30 p.m., that he would ask people to support the golf tournament. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Alvarado stated that they lost someone from the Arts Community, Mr. Luis Jimenez, who was known nationally and internationally, that he was a member of the University of Houston's Art Department, one of his most famous sculptures was at Moody Park, a sculpture of a vaquero, that her condolences went out to his family. Council Members Lawrence, Wiseman, Holm and Green absent.

Council Member Alvarado stated that she wanted to wish her parents, Frank and Ida Alvarado, a happy 59th wedding anniversary. Council Members Lawrence, Edwards, Wiseman, Holm and Green absent.

Council Member Alvarado stated that she wanted to thank Mayor White and Elena Marks and Dr. Wilerson and Dr. Lender for the report that was released yesterday from the task force, that she was disappointed to see the East Harris County Manufactures' Association lame responses, they wanted to participate in a two year study examining chemical exposure in the area and she wanted to say that was pretty lame, that she would hope they would take the study that was released yesterday and act on it. Council Members Lawrence, Edwards, Wiseman, Holm, Garcia and Green absent.

Council Member Sekula-Gibbs stated that she wanted to recognize a member of her staff who was recently a graduate from the Middle College for Technical Careers, Class of 2006, Mr. T Shawn Thomas, who was a member of the Mayor's Youth Council and he represented At Large 3, that he was presented an award from the Houston Independent School District Board of Education, The Most Outstanding Senior, that she thought it was a tremendous honor for T Shawn and showed that he had the character and stamina to do a tremendous amount of work, that T Shawn had been accepted to Howard University in Washington, D. C. and was majoring in Political Science. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia and Green absent.

Council Member Sekula-Gibbs stated that Item Numbers 23 and 24 addressed a future potential need in terms of emergency services should there be a public health emergency, that those two items allowed them to now have agreements with Pasadena and Clear Creek Independent School Districts, to provide services on their facilities in the event of a public health emergency, that she wanted to commend Mayor White and his administration for taking that initiative. Council Members Lawrence, Edwards, Wiseman, Holm, Garcia and Green absent.

Council Member Khan asked Mayor White how he planned to address the budget amendments, and Mayor White stated that he had reviewed each and every budget amendment and a lot of people had proposed budget amendments that were along the lines that they were going to take a source of revenue and dedicate it to something else, that it was a public policy issue and he wanted his colleagues to think about it, that the most transparent to the public and to their staff form of government was where they had a list of all the revenues and all the expenses and then it was clear what they did when they passed the budget every year, or they could pass an ordinance, but the budget superseded ordinances so they would not really be dedicating much of anything to anything or they could say they really meant it and were really going to do it, that he could use the executive order of the Mayor and say that when they put the budget together then they dedicate some General Fund money to that purpose and it would go into some portion of the budget called Special Revenue items and that was what they had with Municipal Channel and HMS, Houston Media Source, where a portion of the franchise fee was dedicated to it, but it was hard from reading the budget books because people forgot because it was not all laid out like that, if people on Council talk to him about it he did not want to pick on anybody or anything, lots of people wanted to dedicate it to certain things or to fire or police, that he just wanted people to tell him what they think, if they did government for the longer run it was probably better to make it clearer and have fewer restricted sources of revenue and it was also less of an illusion, in Congress they went all the way in the other way and it was probably true in their Charter as well, he was one of those people who thought that one Congress ought to be able to plan and have some influence in the budget outside of that budget cycle, but as a matter of constitutional law, that was similar to the Charter, to respect the rights of each Council to make decisions, then they had a rule that they could not bind another Congress with whatever they did in that Congress on appropriations, and they did not allow that type of stuff because the idea was if they were just talking about what this year's budget was talk about what the revenues and expenses were, if they were trying to find future Congresses or future governing bodies then they earmark things forever, but was that good government, because what if they

came to office and everything had been earmarked already for a particular purpose, that he needed help if people were going through that stuff with him, and he did not want to pick on anybody because a lot of people for logical reasons had proposed these things, but one of his inclinations would be just saying no but he needed people back and forth and would do whatever Council wanted to do basically. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she wanted to wish Mayor White a Happy Birthday. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to invite everybody to an event on Sunday, June 18, 2006, for the Republic of Vietnam Armed Forces, that they would honor all of the Veterans of the Viet Nam War, both American and Vietnamese soldiers, there would be a memorial service for soldiers who died during the Viet Nam War and also the Vietnamese people who died in the Indo Chinese Sea on their way seeking freedom, that it was at 7:00 p.m. at the Universal Center, 11360 Bellaire Boulevard, for information they could call 832-876-2876. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to thank Mayor White for bring Item No. 20 on the agenda and thanked his colleagues for approving it, that it was the ordinance where the City of Houston was accepting a sculpture honoring Dr. Jose P. Rizal, who was a hero of the Philippines, that the sculpture would be erected at the International Sculpture Garden at the Houston Garden Center at Hermann Park and everyone was invited for the unveiling of the sculpture on June 17, 2006 at 10:00 a.m. at Hermann Park, that they were also invited to attend the Philippines Independence Day Gala on June 17, 2006 at 6:30 p.m. at the Westin Galleria. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he had the honor of representing the citizens of Houston in Stavanger, Norway for the past couple of days, there were a lot of excellent opportunities for students who went from Houston, one of the highlights, which he was informed of during his visit, was that State Oil, a Norwegian oil company, started their Houston office and would initially be bringing about 70 jobs to Houston and they wanted to thank Mayor White for all of the help his office provided in making that happen. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he appreciated the Mayor's administration, there were a couple of pieces of mail that they felt had not been delivered timely, which caused them a little consternation but understood that Mr. Fontaine had looked into the issue and appreciated the thorough job he did. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that they would have a committee meeting tomorrow for Transportation, Infrastructure and Aviation, Thursday, June 15, 2006 at 2:00 p.m. in the Council Chamber, they would have an update on Digital Houston from Mr. Richard Lewis, that Mr. Dadoush would make a presentation with regard to the Capital Improvement Plan and they would discuss the controversial proposed fuel charge for taxis. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that they would be the host of the Essence Festival, that Yolanda Adams had a foundation called the Voice of an Angel Foundation and their office had been working with her celebrity golf tournament on Friday 30, 2006 and Clyde Drexler, George Foreman, Evander Holyfield, Andre Ware and Council Member Garcia, so far were playing and Council Member Clutterbuck would come by, that it would be a fun time for Houston, that the tournament would be Friday morning. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he wanted to say thanks to Gary Norman, between police and Public Works those were constituent issue departments that they got the most and Mr. Norman was just wonderful at getting back to them, that he called him back last night at 6:30 p.m. and then again at 8:30 p.m. to get an issue resolved, but it was important to a constituent and they sure appreciated that he called them at 8:30 p.m. with an up to the moment response. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that in terms of their Quality of Life they were really making good strides and he was very excited about the downtown central park, it seemed to be really taking shape, they had some green corridors, rails to trails, that were going to expand, that he thought that the downtown transit center was going to be a good thing for everybody in Houston and understood that there was a Historic Preservation Ordinance on the Mayor's desk, that he happened to meet with the developers of the Pavillions and that was a wonderful package of good things happening in the City, that the environmental stewardship and the Mayor had taken a lead in the Clean Air Initiative, which was really good, they needed to work on greenhouse gases a little, that he saw a movement afoot for some green building standards and he thought a kind of Green Houston Movement with an environmental ethos was really emerging, he sensed it not only on the City Council but every where he went in communities, that in terms of Quality Development, in working with Council Member Lawrence he thought there were some good things working there, the permitting, the message he got out there was that it was improving and people were very pleased with it, that he thought it was a very good initiative and they were working on some standards that would improve the quality of development in Houston and help to stabilize neighborhoods and that was great, the same thing could be said about flooding and flood control and he thought an area that had been neglected in the past was nurturing their neighborhoods, Project Houston Hope, the LARA Program, etc., was going to make a big difference and they could show on the ground how they could change the physical environment which hopefully helped to nurture the social environment, that one way or another was going to get back and help them solve the problems that they had of family dysfunction and crime in their neighborhoods, that a lot of good things were happening, the WiFi and he was hoping that they good in the next year begin to knit all those things together with a comprehensive planning process that connected the dots and could be seen as a very effective management tool for coordinating and making the expenditure of tax payer dollars more efficient. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he wanted to salute what Council Members Johnson and Edwards and others had said about the issue of crime in the City, particularly for children and the youth at risk, that he had been having some meetings on it and it was a very perplexing problem, that in his view it was connected very directly with poverty in the City, that he wondered if they could not have a more concerted effort at redirecting their youth. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that After School under Doug Earl on the City County Commission on Children, he thought they were getting more bang for the buck, the recreation facilities were being more widely utilized, he was just talking about the tools they had, that what Linda Clarke was doing with virtually no money from the City was truly remarkable, that there was no government program that would be a substitute for a caring adult or a caring young person and government programs were not cheap, so it was so much of what they did to protect the young people. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she was delighted to be able to congratulate Coach Wayne Graham and the Rice Owls for their tremendous victory in the Super Regional's and their ability to proceed on to the College World Series. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that on Tuesday, June 27, 2006 from 4:00 p.m. to 7:00 p.m. at the Third Ward Multi Service Center at 3611 Ennis and on Thursday June 29, 2006 from 4:00 p.m. to 7:00 p.m. at the San Jacinto Girl Scout Headquarters, 3110 Southwest Freeway there would be the public scoping meetings for Metro for the University Corridor and she encouraged anyone who was interested in having input in the process to attend the scoping meetings and be prepared to submit their statements, that it was going to be more of an open house session to continue dialog, there would be no formal presentation on behalf of Metro and the project team but they would be on hand to solicit comments, she would be there to introduce into the record all of the comments from the nine meetings that they hosted as well as reading into the record the summary of the comments and the conclusions that she and Council Members Edwards and Holm had from their nine public meetings and she knew that Council Member Holm had some before that, that there were several things that they were urging Metro to do in the planning of the line to preserve and protect their neighborhoods and businesses, in particular to guarantee access to all of the these and to commit to having a project schedule where they work only in small increments, a maximum of four block increments and button those up before going on to insure access and insure that they keep the businesses as viable as possible through the process, but then allow them to soar afterwards, the information about the public meetings was on her website as well as the Metro website and she encouraged everyone to continue to give their input. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she wanted to wish everyone a Happy Father's Day. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 1:11 p.m. Council Members Lawrence, Johnson, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary