

City Council Chamber, City Hall, Tuesday, August 8, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 8, 2006, 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, Carol Alvarado, Peter Brown, Sue Lovell, M.D.; Ronald C. Green and Michael Berry; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Ms. Debra Dillard, Citizens Assistance Office; Ms. Marty Stein, Agenda Director present. Council Member Adrian Garcia absent on personal business. Council Member Shelley Sekula-Gibbs absent on city business.

At 2:08 p.m. Acting Mayor Pro Tem Berry called the meeting to order and called on Council Member Lovell who invited Ms. Lynn Edmondson to the podium and stated that when she read of Ms. Edmondson she took time to go to the Historic Houston warehouse and it was full of history; that she saw a need, stepped in and found a solution and now many structures in Houston were preserved and she looked forward to helping her in the future; that historic preservation enhanced the lives of all; and presented Ms. Edmondson a Proclamation proclaiming August 8, 2006, as "Historic Houston Day" in Houston, Texas. Mayor White, Council Members Johnson and Wiseman absent.

Acting Mayor Pro Tem Berry stated that most knew what a special place in his heart Carl Davis had and he was the type who you wanted more of in your community and so they named a Carl Davis Community Scholarship and the first group to receive the \$1,000.00 scholarship was amazing; and he called each recipient to the podium and presented them a Certificate of Recognition. Council Member Wiseman absent.

At 2:16 Council Member Johnson invited Pastor Keith Williams of the Grace Temple Baptist Church to lead all in prayer and Council Member Johnson led all in the pledge. Council Member Wiseman absent.

At 2:18 p.m. the City Secretary called the roll. Council Member Wiseman absent. Council Member Garcia absent on personal business. Council Member Sekula-Gibbs absent on city business.

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

At 2:19 the City Secretary began calling the public speakers. Council Member Wiseman absent.

Mr. Bruce Hotze, 5219 Shady River, Houston, Texas 77056 (713-664-7333) had reserved time to speak but was not present when his name was called. Council Member Wiseman absent.

Ms. Nene Foxhall, 1600 Smith, Houston, Texas 77002 (713-324-5140) appeared and stated that she was present on behalf of Continental Airlines and her coworkers; that they were proud to call Houston their worldwide corporate headquarters and largest hub and asked all those with her to stand to be recognized. Ms. Foxhall further stated that they were present to support Mayor White's proposal to allow Houston voters the opportunity to modify the City Charter to ease effects of Proposition 2; that it was important to remove the Aviation Enterprise Fund from city revenue sources used to calculate revenues for the purpose of the revenue cap for spending limitation in that proposition as it made no sense to include the fund in that calculation; that the self sustaining revenue source for the Houston Airport System was funded

entirely by air carrier rents and landing fees and by their customers payments for parking and concession fees and federal grants; that at Intercontinental 70% of the customers were connecting through Houston and did not pay taxes at all, federal law prohibited the city from using funds at the airport for any off airport purpose including taxpayer rebates and any attempt to use the funds for any off airport purpose would jeopardize hundreds of millions of dollars in federal grants and Proposition 2 placed the City of Houston in the position of having to stop airport development in order to limit the revenue coming in to pay for projects so they would not have to reduce necessary spending for police, fire and emergency services; that they understood priorities but the cost to the city was tremendous if airport development fell behind; that Continental was proud of the role it played in the \$4 billion and estimated 60,000 job impact Bush Intercontinental generated for the regions economy and since 1995 Continental alone had invested \$1 billion in facilities at Intercontinental and paid their major share of another \$2.4 billion the airport system invested; that they appreciated the airport system worked with them as a partner every step of the way and results were dramatic, but the trend could not continue if development at the airport had to stop and the bottom line was the City of Houston should not have to choose between the region's economic development fostered by world-class air service and public safety. Council Members Wiseman and Lovell absent.

Mayor White thanked Ms. Foxhall and her coworkers for being present and for what they did for the City of Houston. Council Members Wiseman and Lovell absent.

Council Member Edwards thanked Ms. Foxhall and all at Continental for what they did on a daily basis which was very good and wise. Council Members Wiseman and Lovell absent.

Council Member Holm stated that Continental was so important to the City of Houston and what she pointed out clearly was they should not make a choice between public safety and economic development and the way Proposition 2 was worded it put them in that position; that she absolutely supported looking at capping revenues and the responsibility of it so that portion of it she thought was good to understand, but on the heels of last night and five meetings in District G when they talked of increased combined revenues of inflation and population for that to go into public safety expenditures crime was number one everywhere and at this time she found it hard to justify; that they had the largest area to serve with the most citizens and the highest crime rate and at any given time were 35 to 100 officers short and the message she heard loud and clear from the police department was that was the way it was in the big city and so until they get answers it did not matter to her how money got to public safety if they were not using it right and addressing citizens needs; that after walking out of the meeting of 400 people last night in less than 6 blocks away and within 30 minutes a man was killed and she knew it happened everywhere but there was no excuse for them to be where they were and not able to address it and to throw money at it was not solving the problem or addressing it. Council Members Wiseman and Lovell absent.

Council Member Khan stated that he was a proud user of Continental; and upon questions, Ms. Foxhall stated that improvements were absolutely necessary to their adding particularly international destinations and they planned to continue adding them, but the airport had to grow with the plans which was why it was so important to modify Proposition 2 and allow for that development. Council Members Wiseman and Lovell absent.

Ms. Sherry Alex-Butler, 2901 Fulton #300, Houston, Texas 77009 (713-224-6206) had reserved time to speak but was not present when her name was called. Council Members Wiseman and Lovell absent.

Mr. Ira McBride, 3255 Elgin, Houston, Texas 77004 (832-633-7008) appeared and stated that he worked hard for what he bought and what was on his property and then some called

Neighborhood Protection if they did not like you and the City wanted you to sell to the junkyard and he was not giving his vehicle to the City of Houston or any junkyard, it was his property and his vehicle and it should be able to sit there until he decided to sell and if they wanted to remove it they needed to buy it. Council Members Lawrence, Wiseman and Lovell absent.

Mr. Trent Winters, 7967 West Airport, Houston, Texas 77071 (832-882-7761) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Wiseman and Lovell absent.

Ms. Christi Weems, 7811 Fuqua, Houston, Texas 77075 (832-445-3038) appeared and presented pictures for Council to view and stated that she hoped to prevent her situation from happening again; that a couple of months ago she was walking her dog and it was attacked by two Pit Bulls which belonged to her neighbor; that sadly he was basically ripped to shreds and no one wanted to be accountable; that the City of Houston sent out an agent to assist her and retrieved one animal, but the other animal he could not get as the tenant was not cooperative and her children ran off with him; that the agent waited as long as he could for HPD so maybe they could get her to turn the dog over but that did not happen, she knew she could sue for her pet's vet bills, but another dog who mutilated her animal was still out there and no one seemed concerned; that she also contacted the owner of the townhomes but he seemed to be irritated she was bothering him on his weekend; that the patio was broke and that was how they got out and no adult was there when the incident occurred and the dogs were left with children; and it was so frightening to see an animal tear another animal apart. Council Members Wiseman and Lovell absent.

Upon questions by Council Member Edwards, Ms. Weems stated that the attack dogs were Pit Bulls and they had been on a patio playing with children moments before the incident occurred, but the fence was broke and that was how they got loose; that when the owner came home she said they were not her dogs, but they had been in their care the past few months; and basically the person from the city said she could sue the tenant for her vet bills, but unfortunately because she was not attacked they could not do anything else; and Council Member Edwards stated that if they did not have their tags she would like someone from BARK or someplace to tell her what the process was for having an unlicensed dog in the City of Houston, especially Pit Bulls, she did not understand why her only recourse was in a civil court; and she was sorry for Ms. Weems problems and would like to speak to her further once she had received more information; and Mayor White stated that he would be happy to get the information; that he knew Council Member Lawrence and perhaps others had given thought to this issue and this was one thing where they needed judgment from Council Members because there was a variety of approaches to take which ranged from the owner's liability to something as broadly defined as dangerous animals to species specific; that he wanted to do the right thing in balancing the interests of citizens and he wanted Council's help. Council Members Clutterbuck, Holm, Lovell and Green absent.

Upon questions by Council Member Berry, Ms. Weems stated that the idea one of the dogs was still out in someone's neighborhood and that they were with children frightened her; that she knew HPD had a lot to take care of, but she wanted to tell Council her story and would like the dogs off the street; that the vet bill was a concern for her but the fact no one was being held accountable; and Council Member Berry stated that he was sorry this happened and she should give information to Council Member Edwards. Council Members Clutterbuck, Holm and Green absent.

Council Member Lawrence stated that for the last 6 or 7 months the city had been inundated by Pit Bulls and a lot of breeds attacking people and her concern was two men were now carrying guns because they could not get Pit Bulls picked up and they said if they ran at

them again they would not run at anyone else; that the committee passed an ordinance and they were waiting for it to come on the Agenda where those dogs would be picked up on the fact they made aggressive moves and she did apologize for what happened to her dog; that it was not so much the breed but the owners not taking care of them and the ordinance would address that fact so if you wanted to keep a dangerous dog you would have a 6 foot fence requirement with a concrete barrier around it and a \$100,000 umbrella policy and a lock on your gate so such things would not happen; and she appreciated her coming and reiterating such an ordinance was necessary. Council Members Clutterbuck, Holm and Berry absent.

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

Mr. Kenneth Montgomery, 8026 Scott, Houston, Texas 77051 (713-731-1956) appeared and stated that there was a problem, clean air alternative fuel vehicles were destined to be ending as citizens could not get fuel; that he felt the Mayor and Council were in a unique position to be able to do something as in his opinion the promotion of clean air vehicles had not been done by the city or the state and he spoke to the Mayor previously about a law and he seemed to be in agreement they were a good thing, but the law would not cost and serve a purpose; that when he first got his natural gas vehicle there were about six gas stations and now there was one and on the other side of town and by the time he got home he was on three quarters of a tank; and he was present to see if something could be done. Council Members Clutterbuck and Holm absent.

Upon questions by Council Member Edwards, Mr. Montgomery stated that he was not aware of meetings held on air quality but was supposed to be going with Congressman Green and others to Austin; and Council Member Edwards stated that she was working with Congressman Green and others in his area as they thought there was a serious air quality problem there, but did not seem to be able to convince state officials and they would love him to join them in their efforts. Council Members Clutterbuck and Holm absent.

Council Member Brown stated that the Mayor had taken a strong initiative for hybrid vehicles in the city's fleet and in other cities if you had a hybrid vehicle you were exempt from putting money in parking meters and you could get on the toll road without paying a fee and on an HOV lane without two people in the car; and upon questions, Mr. Montgomery stated that those were wise moves because without enough cars there was no reason to have the gas and the proposals were excellent to get people to purchase such cars. Council Members Clutterbuck and Holm absent.

Upon questions by Council Member Lawrence, Mr. Montgomery stated that the fuel was natural gas, the same fuel used in stoves; the difference was right now there were two processes for alternative fuel vehicles of natural gas and that was compressed natural gas and liquefied natural gas. Council Members Clutterbuck and Holm absent.

Ms. Margaret Gondo, 209 Vincent, Houston, Texas 77009 (713-734-1924) appeared, presented information and stated that she thanked the Mayor and Council for taking an interest in the Bureau of Animal Regulation and Care (BARC) and had two issues; that the State of Texas had mandates on the creation of an animal shelter advisory committee and currently the City of Houston ordinance provided for the minimum membership as required, but that excluded concerned citizens from being a part of the committee and from having a voice in what went on there; that the city of Dallas had 15 members including 12 citizens representing each district on the committee and San Antonio and Austin had similar makeup's on committees and she was aware they were working on amending the ordinance to include two positions for concerned

citizens, however, it was still short in light of trends being set in other major Texas cities and today she was asking the number be extended so each Council District could have a representative and was also asking the committee be given authority to ensure recommendations set forth by the committee were followed by the BARC management team; that her second issue was the volunteer application form; that BARC was in the form of transition and many policies and procedures were not in written form and yet the volunteer form stated a volunteer must follow all procedures at all times or be terminated and it was unfair to ask they follow something they were not aware of and management could come up with rules on the fly and expect volunteers to intuitively follow them or be bared from the facilities and in addition there was a confidentiality clause and while she understood some things must remain confidential BARC's history of mismanagement required extreme vigilance on the part of all involved and as currently written that clause did not give volunteers an outlet to discuss anything they might have witnessed and she was asking the current volunteer application be exchanged for a standard liability waiver for now and that the animal advisory shelter advisory committee be reformed to include the citizen representation from each Council district and then when the advisory committee was reformed it should be given the job of creating a volunteer application appropriate for circumstances surrounding BARC. Council Members Clutterbuck and Holm absent.

Council Member Berry stated that Ms. Gondo was extremely persistent and he wished there were more like her; and upon questions, Ms. Gondo stated that she turned in two forms, first there was the volunteer initiative form; and Council Member Berry stated that if someone had a problem with BARC they needed to go to the governing agency of BARC and that was Council and he was not sure he wanted any volunteer in any department being a participant against this city, but he did not think anyone was trying to hush her in going to Council with problems there and because of that it was how he found out there was problems there; and upon questions Ms. Gondo stated that to her knowledge the animal shelter advisory committee was composed of three members all belonging to animal welfare not profit organizations so basically everything done with BARC was run by those nonprofit groups who did not have BARC in their best interests; and Council Member Berry stated that he did not know setting them up by Council districts would be the easiest or most effective, but she may be right they needed more general citizens and he thought that may be a good idea and he appreciated her coming. Council Members Clutterbuck, Holm and Alvarado absent.

Mr. Terrance Finner, 4130 Ebbtide, Houston, Texas 77045 (281-841-2848) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Holm and Alvarado absent.

Ms. Sheila Caesar, 501 Greens Road #1416, Houston, Texas 77060 (832-922-9390) appeared with her grandson and stated that she had experienced racism recently; that an incident occurred August 4th, she had arrived at 1100 Greens Parkway, The Texas Department of Human Services looking for assistance as she was recently let go from a position she held seven years; that she had never received assistance from anyone but went there as someone said she may possibly be qualified; that her grandson was with her and they waited in line 45 minutes and she had spoken to him before going in reminding him there was a private and public way to behave and as Council had seen today they had been present since 2:00 p.m. and he had not moved until they came forward; that she was called up to explain why she was present. Council Members Clutterbuck, Holm and Berry absent.

Upon questions by Mayor White, Ms. Caesar stated that it was at the Texas Department of Human Services; and Mayor White stated that her time had expired and the state departments did not report to the City of Houston; and Ms. Caesar stated that they represented the city when they had to get assistance and if they had no respect for individuals she had a concern and just

wanted them to know what happened; and Mayor White stated that he just wanted her to know this body had no power to tell those with the state how to treat folks, but he appreciated her making them aware; and if she would like Ms. Dillard was present and would take her information at this time. Council Members Clutterbuck, Holm and Berry absent.

Mr. Joseph Ballard, 1203 Gregg, Houston, Texas 77020 (281-446-4134) appeared and stated that he was present on behalf of his nephew who was killed a week ago on the corner of Parker and Homestead; that his sister, who was his nephew's mother, and their pastor were standing with him; that they were present wanting to increase patrol in the area.

Ms. Kathy Ballard appeared and stated that it was her son who was killed last weekend and at this point it looked like a case of mistaken identity; that it was a senseless killing with him coming out of a store; that Council Member Holm said she was told it was that way in a big city and it was until it happened to you, she too had become desensitized with television, but now it happened to her; that her heart was not hardened by the person who killed her son but she would like justice though they were present because more accountability was needed by the stores; that her son was killed Sunday night and her brother and fiancé went to the store Monday in the morning and afternoon and her son's blood was still not cleaned up and he kept saying he would get to it; that they did not know protocol to get ordinances passed but they would now be seeing them regularly. Mr. Ballard stated that at the same store there were seven people now killed at the location. Council Members Clutterbuck, Holm and Berry absent.

Mayor White stated to Ms. Dillard that if seven people were killed at one location he would ask the FAST Unit in HPD to give him a report about that number of homicides and if they had looked at it; and he appreciated them coming. Council Members Clutterbuck and Holm absent.

Council Member Lovell stated that on behalf of all of Council they were very sorry for her loss and secondly she was amazed at her courage as if it were her son she would not have been able to; that a lot of money was put into the next budget cycle for cadet police classes and hopefully there would be more officers on the street and that would not happen to other Moms, other families, and as the Mayor said it was being looked into and thanked her for coming. Council Members Clutterbuck and Holm absent.

Upon questions by Council Member Khan, Ms. Ballard stated that her name was Kathy Ballard; and Council Member Khan stated that he also offered his condolences and he admired her courage; and upon further questions, Ms. Blueford stated that her son was 20 years old; that the incident was on Sunday between 10:00 p.m. and 10:30 p.m. and they did not come and pick him up until around 4:30 a.m., but when her brother and fiancé went back the next day each time the blood was still there and she thought more responsibility was needed by stores; that also underage youth went in and were able to buy single cigarettes; that it was in the 7100 block of Parker, the A and A Mart. Council Members Clutterbuck, Holm and Green absent.

Council Member Johnson stated that it was her son today and someone else's tomorrow and they had been fighting with this a longtime; that he thanked the Mayor for making sure the FAST Team was getting out there and the single cigarettes and alcohol sales to juveniles and allowing prostitutes and drug sales, such had gone on far too long and good people in the community were saying they could not do this anymore and they did have to take a stance; that from a city's point they may not could make them clean the blood but from a citizen standpoint they could stand outside the door and say don't shop there because it was not good for the community because it did perpetuate a certain mentality which destroyed their quality of life; and Ms. Ballard stated that was a part of their plan; and Council Member Johnson stated that he would stand right there with them; that there was an individual who was out praying on women and it took the community to bring him to justice and they were going to have to work with

police, putting more on the street would help, but it was truly going to take community effort to really eradicate a lot of what was going on and he thanked her for not being afraid and for standing up and saying enough was enough; and Ms. Ballard stated that they would like to make an arrangement to meet with him so they could see what they could do to help clean up; and Council Member Johnson stated that he would be out and someone from his office would be down to make arrangements. Council Members Clutterbuck and Holm absent.

Council Member Edwards stated that her son was also killed in the streets and she knew her pain as a mother, but there was a group who might be able to help her and that was Parents with Murdered Children, it was a support group of parents who had been through the same and she encouraged her to speak with others who had gone through the same to help her; that the issue of crime in Houston would have to be handled the old-fashioned way and people would have to get out and reclaim their communities, they could not just go in their houses in the evenings and pull down shades and think it was not their kids, but she joined in her grief and was happy she was pulling on that energy and doing something and not just felling sorry; and again encouraged she get in touch with the organization as they worked with the whole family; and she would be praying with her and for her. Council Members Clutterbuck, Holm and Green absent.

Mr. Ballard stated that at that particular corner there were three particular stores and it had been bad for years; that people did what they wanted there anytime of the day or night and police needed to be there and people should have to carry identification and make the job of police easier; and Mayor White stated that he would ask Ms. Dillard to put a circle around those intersections and if he could get a report from the firm on tax delinquencies concerning tax delinquent properties and then they needed to mention to Chief Lumpkin to look at compliance of code and he could mobilize forces throughout the city on code compliances on the apartment complex there; and school identifications; and in the northeast officers were working very hard and they were probably the most productive group of officers in the U. S. of America; that the circle of dangerous places was closed in but it was not eliminated yet. Council Members Clutterbuck, Holm and Green absent.

Mr. Steven Stanzo, 10507 Mayfield, Houston, Texas 77043 (713-948-4909) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Holm and Green absent.

Mr. James Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Holm, Alvarado and Green absent.

Mr. Trent Winters, 7967 West Airport, Houston, Texas 77071 (832-882-7761) was recalled and appeared and stated that he was present as he was concerned with what was going on with the murder investigation and why the reward for a serial killer was so low; that he believed if it was Whites in River Oaks the reward would be more; and urged Council Members to go ask business for money to help. Mayor White, Council Members Johnson, Clutterbuck, Holm, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Winters stated that he thought \$50,000.00 was appropriate that he based the amount on nothing, but \$20,000.00 for six murders seemed low; and Council Member Edwards stated that whoever knew him you would think would do it for \$20,000.00 and rewards were put together by family members and churches, etc., and when a reward was found in the Third Ward it was them going out and raising the money and then a person turned them in, but she would suggest he go speak with

their families and churches; and she did not think someone was sitting there waiting for the reward to go up nor was she convinced it was one person; and \$20,000.00 was pretty big for Crime Stoppers as it usually started around \$1,000.00. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that all knew he was being fatally attacked and tortured as a slave; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

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

Mr. Steven Stanzo, 10507 Mayfield, Houston, Texas 77043 (713-948-4909) was recalled and appeared, presented information and stated that in January 2004 a house caught fire and in May of 2004 the builders quit so the house sat today still 40% complete and he went through all proper channels including 311 with no response; that the individual pulled permits to get the house done so the City of Houston would not fine him, but he was not doing any work whatsoever, his one year permit would expire in September and he did nothing and he would be doing the same thing again; that he wanted the Mayor and Council to create an ordinance which would in such situations have a 30 day permit to issue with 6 month or 12 month fees as that would help the homeowners and their property values and it was also a money generating revenue for the City of Houston; that last year three protested their taxes and all got them down by 10% and this year 6 of them would be protesting and that house was their protest and that was revenues the city and county was losing. Mayor White, Council Members Johnson, Clutterbuck, Khan, Holm, Alvarado, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that they were looking at the structure of permitting and her office had talked with everyone and even the Mayor had seen his pictures; that Public Works had the permit due on August 31, 2006, and hopefully they could move this up so first you had a year and then 6 months and if nothing was done in that time and the fee stayed the same something was going on; that this with the rats and all was their quality of life and they were seeing what they could do to have that ordinance changed; that even Chief Lumpkin had been by to look and nothing could be done and the only thing she could think of was to change the permitting structure. Mayor White, Council Members Clutterbuck, Khan, Holm, Alvarado, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Berry stated that he was looking through his file and he could teach a course on how best to advocate as he had all he spoke with including phone numbers, etc., but it looked like Council Member Lawrence's office had him cued up and was close to being resolved; and Mr. Norman was present and he could speak with him if he would like. Mayor White, Council Members Clutterbuck, Khan, Holm, Alvarado, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

At 3:35 p.m. City Council recessed until 9:00 a.m., Wednesday, August 9, 2006. Council Member Garcia absent on personal business. Council Member Sekula-Gibbs absent on city

business. Mayor White, Council Members Clutterbuck, Khan, Holm, Alvarado, Brown and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, August 9, 2006

The Houston City Council reconvened at 9:00 a.m. Wednesday, August 9, 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. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Stella Ortega, Agenda Office, present.

At 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:26 a.m. Mayor White called the Council meeting to order and stated that the first order of business was a brief Mayor's Report. Council Members Wiseman, Holm, Garcia and Green absent.

MAYOR'S REPORT

Mayor White stated that there had been a number of questions from Council Members and very recently one in the media on the topic of the redistricting of City Council Districts and there had been some information that he had been accumulating, that the City Charter, as many of them knew, was amended at the conclusion of the lawsuit that created single member districts to comply with a settlement agreement that was part of that lawsuit following extensive litigation, that the language that was in the Charter stating that what happens if the City's population, by best information available to them, exceeded 2.1 million as a result of that particular agreement and it was in the Charter, that the best that he could tell in about August 2006, which they were in right now, the census would release the American Community Survey, which was an extensive survey that was used as a basis of updating the estimates of the population of urban areas, as of 2005, that some of them may remember that they released something some weeks ago that was just a cross section of that based on some interviews where they estimated the evacuee population that was now their new residents, that they had a lot of new permanent residents who came to Houston after the evacuees, so many of them had been residents for longer than others in their community, if that number was more than 2.1 million than based on the advise of the City Attorney he thought they would have an obligation to redistrict before the next election, whether there were pros or cons or if it was desirable or not, whether it satisfied the same purposes that were contemplated 25 years ago, he was just telling them that was the opinion of the City Attorney and he intended to comply with the City Charter expeditiously, with the assistance of many of the Council Members who would be participants in the process, that input was welcome from all of them, that they would try to do it expeditiously so that individuals who would be potential candidates were not left hanging to the last possible moment, they would do it in a transparent and fair way based on principles articulated in advance, which he thought should represent the best consensus of the Council, he would ask various Council Members to take some special responsibility just because it was hard to work as a committee as a whole, they may need to engage some consultants and experts to make sure that they try to extract down of the 30,000 survey sample done by the census, the best estimates that they had that would yield district by district figures, that a goal to him, if they had to do redistricting, if the number did exceed 2.1 million, that it be done in a way where citizens could say that they did it in a way that they could respect, that redistricting had been done in different ways than that in the past, as they all knew, so those were some salient points and decisions that they may face on redistricting, that he mentioned that to them particularly inasmuch if the news came out on a particular day that it was less than 2.1

million or more than 2.1 million they would respond in accordance with the terms of the City Charter and they would do so expeditiously. Council Members Wiseman and Green absent.

Mayor White stated that he was proud to serve with some of the colleagues on City Council who had worked towards a goal of trying to build as much public consensus as they could on the routing of new mass transit for an option for the citizens to get from place to place, done sooner rather than later, done in a manner that was cost effective, done in a manner that served the needs of the residents and employers of the City for the long run, not just the short run, it was on the 30 some odd miles of rapid transit, which was in the next phase of funding, supported the summer of 2004 with their agreement, with their unanimous House delegation as well as the Senate delegation, that from that day on Metro got started planning, that he could not believe how much work was done to build consensus where there were many different views in the southeast, from the University of Houston through past Main Street, by Council Member Edwards and the contributions of Council Members Clutterbuck and Holm, and going to so many community meetings, he thought had been incredible of having people confront the fact, there were choices that needed to be made and doing nothing was an unacceptable choice, saying no to everything whether they be streets, rail or rapid transit buses, was not an option for a growing community, a growing community must say yes to a lot of things that enhanced their transportation, the process sometimes was not always pretty because people did not always agree, that there was such a thing as diversity abuse but it was better that people look at alternatives and get them out on the table, and in particular he wanted to commend his colleagues on Council, it went through four Council Districts, those three Council Members plus Council Member Khan, to try to make sure that people got alternatives on the table and talk about them and talk with each other and not about each other, and the way they had done that had really been amazing, that he wanted to say thank you. Council Members Wiseman, Green and Berry absent.

After discussion by Council Members, Mayor White requested the City Secretary to call the consent agenda.

CONSENT AGENDA NUMBERS 1 through 27

MISCELLANEOUS - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON DOWNTOWN MANAGEMENT DISTRICT BOARD OF DIRECTORS**:

Position One	-	MR. TRAVIS M. OVERALL , appointment, for a term to expire 6/1/2008
Position Two	-	MR. SHAN SIDDIQUI , reappointment, for a term to expire 6/1/2008
Position Three	-	MR. OSCAR CHARLES GREENLEAF , reappointment, for a term to expire 6/1/2008
Position Four	-	MR. JAMES J. SMITH , reappointment, for a term to expire 6/1/2008
Position Five	-	MS. LESLIE GARCIA ASHBY , reappointment, for a term to expire 6/1/2008
Position Six	-	MS. VALERIE MARSHALL WILLIAMS , reappointment, for a term to expire 6/1/2008
Position Seven	-	MR. STEWART O. ROBINSON , reappointment, for a term to expire 6/1/2008
Position Nine	-	MS. SHARON MICHAEL OWENS , reappointment, for a term to expire 6/1/2009
Position Ten	-	MR. GEORGE Y. GONZALEZ , appointment, for a

- term to expire 6/1/2009
- Position Eleven - **MR. GILBERT ANDREW GARCIA**, reappointment, for a term to expire 6/1/2009
 - Position Twelve - **MR. H. MILTON HOWE**, appointment, for a term to expire 6/1/2009
 - Position Thirteen - **MR. ERNIE M. FLOHR**, reappointment, for a term to expire 6/1/2009
 - Position Fourteen - **MR. PAUL H. LAYNE**, reappointment, for a term to expire 6/1/2009
 - Position Fifteen - **MR. GREGORY A. BROTHERS**, reappointment, for a term to expire 6/1/2009
 - Position Twenty - **MS. JACQUELINE CURLEY TRAYWICK**, appointment, for a term to expire 6/1/2010
 - Position Twenty-Four - **MR. ROBERT (BOB) L. BRADFORD**, reappointment, for a term to expire 6/1/2007
 - Position Twenty-Five - **MS. IRMA G. GALVAN**, reappointment, for a term to expire 6/1/2007
 - Position Twenty-Six - **MS. JERI A. BALLARD**, reappointment, for a term to expire 6/1/2007
 - Position Twenty-Seven - **MR. GARY L. MARKS**, reappointment, for a term to expire 6/1/2007
 - Position Twenty-Eight - **MR. THOMAS (J.T.) CHENG**, appointment, for a term to expire 6/1/2007
 - Position Twenty-Nine - **MS. PATRICIA B. LODEN**, appointment, for a term to expire 6/1/2007
 - Position Thirty - **MR. FRANK G. STAATS**, appointment, for a term to expire 6/1/2007

- was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0699 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of **MR. ALFRED H. BENNETT**, to Position 5 of the **BOARD OF DIRECTORS OF THE HOUSTON REINVESTMENT ZONE NUMBER SEVEN also known as the OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE**, for a term to expire May 6, 2007 - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0700 ADOPTED.

- 2a. REQUEST from Mayor for confirmation of the appointment of **MR. ALFRED H. BENNETT**, to Position 5 of the **BOARD OF DIRECTORS OF THE OLD SPANISH TRAIL/ALMEDA CORRIDORS REDEVELOPMENT AUTHORITY**, for a term to expire May 6, 2007 - was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0701 ADOPTED.

Mayor White stated that Mr. Bennett was present and thanked him for serving on the board. Council Member Holm absent.

ACCEPT WORK - NUMBER 4

4. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$46,209,290.24 and acceptance of work on contract with **W. W. WEBBER, LLC (previously known as CHAMPAGNE-WEBBER INC, TEXAS)** for 8L-26R Connector Taxiways, Bridges and Off-Site Drainage at George Bush Intercontinental Airport/Houston,

Project 522G, CIP A-0304, A-0058 - 00.99% under the original contract amount - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0702 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 14

7. **BAGLEY'S FLOOR SERVICES, LTD.** for Ceramic Tile Installation Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Building Services Department - \$40,911.55 and contingencies for a total amount not to exceed \$42,957.13 - In-House Renovation Revolving Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0703 ADOPTED.
8. ORDINANCE appropriating \$18,000.00 out of Parks Consolidated Construction Fund for Asbestos Abatement and Mold Remediation at the Godwin Park Multi-Purpose Room for the Parks & Recreation Department, CIP F-0509 - was presented. All voting aye. Nays none. ORDINANCE 2006-0817 ADOPTED.
- 8a. **AAR, INCORPORATED** for Emergency Purchase of Asbestos Abatement and Mold Remediation Services at the Godwin Park Multi-Purpose Room for Building Services Department - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0704 ADOPTED.
9. **NATIONAL ELECTRICAL SYSTEMS, INC** for Trailer-mounted Generators for Building Services Department - \$419,271.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0705 ADOPTED.
10. **BECKMAN COULTER, INC** - \$536,700.00 and **BIO-RAD LABORATORIES, INC** - \$745,272.40 for Medical, Diagnostic and Virological Test Kits for Health & Human Services Department General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0706 ADOPTED.
11. **WILLIS DEMOLISHING COMPANY** for Asbestos Abatement, Demolition and Site Clean-up Services for the Police Department - \$29,800.00 and contingencies for a total amount not to exceed \$31,290.00 - Dangerous Building Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0707 ADOPTED.
12. **AMEND MOTION #2003-1044, 8/27/03, TO EXTEND** expiration date from August 26, 2006 to November 25, 2007 for Chemical Sodium Hypochlorite Contract for Department of Public Works & Engineering, awarded to **ALTIVIA CORPORATION** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0708 ADOPTED.
14. **FIRE PROTECTION SERVICE, INC (Bid No. 2)** - \$176,551.41 and **H.M.T. SERVICES CORPORATION** - \$91,628.09 for Fire Extinguishers for Various Departments - \$273,652.55 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$268,179.50 - General, Fleet Management and Enterprise Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0709 ADOPTED.

ORDINANCES - NUMBERS 20 through 25

20. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to provide a grant in an amount not to exceed \$193,415.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Data Base and other Homeless related Information Services, which amount includes a limitation on additional funding in the amount of \$181,000.00 - 1 Year – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

24. ORDINANCE appropriating \$303,201.91 out of Water & Sewer Consolidated Construction Fund and \$210,000.00 out of Affordable Housing Uptown Series 2004D Fund and approving and authorizing Developer Participation Contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Umland Park Subdivision, WBS S-000800-00H3 & R-000800-00H3 **DISTRICT D - EDWARDS** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

25. ORDINANCE appropriating \$189,194.47 out of Water & Sewer Consolidated Construction Fund and \$106,740.96 out of TIRZ Affordable Housing Fund and approving and authorizing Developer Participation Contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Umland Park Subdivision, WBS S-000800-00H9& R-000800-00H9 - **DISTRICT D - EDWARDS** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. RECOMMENDATION from Director Department Public Works & Engineering to accept the July 2006 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program and to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$9,188,163.69 to Revenue Bond Debt Service as recommended in the Report – was presented, and tagged by Council Member Wiseman.

PROPERTY

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Danny and Betty Hengst, for encroachment agreement for a ±9-square-foot building encroachment into Watonga Boulevard, located at 4409 Libbey Lane, adjacent to Lot 19, Block 23, Oak Forest Section 15 subdivision, out of the Samuel McClelland and David Henson Surveys, Parcel ENY7-001 - **DISTRICT A – LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Lawrence. (Note: Council Member Lawrence released her tag later in the meeting.)

PURCHASING AND TABULATION OF BIDS

6. **FLOYD THOMAS, LLC** for BMC Software Licenses through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Airport System - \$169,923.75 Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0710 ADOPTED.
13. **TOTER, INCORPORATED** for Automated Refuse Carts from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department - \$109,900.12 Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. MOTION 2006-0711 ADOPTED.

ORDINANCES

15. ORDINANCE ordering a Regular Election to be held on November 7, 2006, for the purpose of submitting to the qualified electors of the City of Houston, Texas, a proposition amending the City Charter retaining certain limitations on property taxes and water and sewer rates, and making certain changes applicable to city revenues - was presented, and tagged by Council Members Wiseman, Holm, Sekula-Gibbs and Khan.

Council Member Wiseman stated that she had some questions and would like to visit with a member of the administration to discuss them in regards to the public safety aspect of the proposed revision so if it would be possible to schedule an appointment this week to review it she would appreciate it.

Council Member Sekula-Gibbs stated that she had some questions on the language of the proposed Charter Change amendment, that basically she wanted to hear from City Legal if the amendment essentially rework both Proposition 1 and Proposition 2 or was it more directed toward Proposition 2, and what would be the financial impact based on the last year's revenues, which was the first year they operated under both Proposition 1 and Proposition 2, the impact that would be in place if the Charter Change amendment had been in place this year.

Mayor White stated that he would suggest that they get a brief response in writing promptly to all Council Members on those two questions.

16. ORDINANCE consenting to the addition of 7.9574 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 84**, for inclusion in its district - was presented. All voting aye. Nays none. ORDINANCE 2006-0818 ADOPTED.
17. ORDINANCE authorizing the Mayor to accept an additional Federal Aviation Administration (FAA) Airport Improvement Program (AIP) Grant offer up to \$5,000,000.00 for Project 614, Taxiway "H" Pavement Rehabilitation at Ellington Field; declaring the city's eligibility for such grant - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. ORDINANCE 2006-0819 ADOPTED.
18. ORDINANCE amending Ordinance No. 2002-0328, to approve and, subject to HUD approval, authorize the execution of certain loan modification documents for the restructuring of the City's Second Lien Section 108 Loan on the **MAGNOLIA HOTEL** and

to approve the allocation of up to \$7,384,849 of additional EDI Grant Funds to protect the City's position on its Section 108 Notes; and to authorize the Mayor to negotiate with HUD for the allocation of additional EDI Grant Funds up to such amount and to execute a first amendment to the contract for Section 108 Loan Guarantee Assistance between the City and HUD relating to the project approving such modification of the loan to the borrower and such allocation of such additional EDI Grant Funds **DISTRICT I - ALVARADO** - was presented. Council Member Clutterbuck absent.

Council Member Khan stated that he appreciated the efforts by a lot of people on the item especially Mr. John Walsh, that he had a lot of questions about the deal and still had a lot of reservations but Mr. Walsh had worked very hard, that he wanted to thank Mr. Walsh for serving the citizens of Houston so well, that one of the things that he had asked Mr. Walsh and Director Wilson to consider was that one of the main problem with the two loans was that the City was second lien holder, that it was done quite a bit prior to this administration, that as they knew it did not mean anything if there was a problem with the service of the loan and he just wanted some kind of indication that they would try their best not to be in second lien positions in the future. Council Member Clutterbuck absent.

Mayor White stated that based on two years and eight months of learning on some of these things this administration had not been in the business of hotel loans, his charge was to rework them like they were commercial second lien holder, that second, when it came to the use of grants under CDBG or Housing he had come to the conclusion that in part for the reason that Council Member Khan had indicated and in part so that they were competitive with other cities and other regions in tax credit financing they ought to look at the funds that they had as grants and say they were grants and have some grant criteria at the beginning and not have something that looked like a loan but which would not be repaid, that he thought it was better to have a grant and call it a grant and have outright criteria for that grant. Council Members Lawrence, Clutterbuck and Garcia absent.

Council Member Edwards stated that she would like to have a list of the positions that were created, that she did not need the whole listing of applications and jobs and so forth, she would like to know the positions that were created as a direct result of the two contracts, what did the City benefit from all of the effort, and Mayor White stated that they would get that to her. Council Members Lawrence, Clutterbuck, Garcia and Lovell absent.

A vote was called on Item No. 18. All voting aye. Nays none. Council Members Lawrence, Clutterbuck, Garcia and Lovell absent. ORDINANCE 2006-0820 ADOPTED.

19. ORDINANCE amending Ordinance No. 1999-1186, to approve and, subject to HUD approval, authorize the execution of certain loan modification documents for the restructuring of the City's Second Lien Section 108 Loan on the **CROWNE PLAZA HOTEL (formerly the Whitehall Hotel)** and to approve the allocation of up to \$3,984,818 of additional EDI Grant Funds to protect the City's position on its Section 108 Notes; to authorize the Mayor to negotiate with HUD for the allocation of additional EDI Grant Funds up to such amount and to execute a first amendment to the contract for Section 108 Loan Guarantee Assistance between the City and HUD relating to the project approving such modification of the loan to the borrower and such allocation of such additional EDI Grant Funds; authorizing the Director to seek HUD's consent to an extension of the City's EDI Grant Agreement - **DISTRICT I - ALVARADO** - was presented. Council Members Lawrence, Clutterbuck, Garcia and Lovell absent.

Council Member Khan stated that he again wanted to appreciate Mr. Walsh for working so diligently for this deal also. Council Members Lawrence, Clutterbuck and Lovell absent.

A vote was called on Item No. 19. All voting aye. Nays none. Council Members Lawrence, Clutterbuck and Lovell absent. ORDINANCE 2006-0821 ADOPTED.

21. ORDINANCE approving and authorizing contract between the City of Houston and **AKIN GUMP STRAUSS HAUER & FELD, LLP**, for Professional Legal Services; providing a maximum contract amount - \$200,000.00 - Property and Casualty Fund – was presented, and tagged by Council Member Sekula-Gibbs.

Council Member Sekula-Gibbs stated that she asked for some additional information regarding the hiring of Akin Gump for professional services in a situation related to the audit that they had with HUD in which they were found to be deficient in at least three areas, on the backup they only mentioned the \$2.1 million in CDBG and HOPWA Funds that were considered to be perhaps ineligible or not utilized correctly for the recovery campus but it was her understanding that the matter was much larger than that and she did not have back up on what actually the contract would cover, the other part was in terms of how they were going to work with HUD going forward so that they would be given an opportunity to somehow balance out the serious contributions that the City of Houston had made toward the Katrina evacuees in a way that would not require new money from HUD and this was one of the ways that she had been hopeful that HUD would see their way to basically erasing the obligation that the City had to returning the large amounts of money to them, it would be a very appropriate thing for them to do so she was a little bit concerned about raising the ante and hiring a prestigious and very effective law firm to get in the mix when she had hoped that with the Mayor's expertise and negotiations and the good will that should be there towards Houston that they would be able to settle it without hiring an outside law firm.

Mayor White stated that he thought one reason why it had prompted was that he had not been able to get a straight legal answer, that Mr. Wilson and his team were working very hard and were honest public servants, but when you ask a legal question sometimes you need a legal answer and the legal issue of what remedies did HUD have rather than punishing the victims, they had funds that were intended to help homeless disabled people, people with HIV/AIDS, why cut funding on those programs if there had been somebody who had stolen from the City, why punish the beneficiaries of the programs, there had to be a better answer than the one he was getting from the regional office of HUD, that they were trying to figure out what the law was, and Mr. Michel stated that was correct, and Council Member Sekula-Gibbs asked if they could bring her up to speed on the communication, and Mr. Michel stated that he would get from the director the information she was talking about.

Council Member Khan stated that they had a very detailed discussion on the item at the committee meeting and they must appreciate what they had accomplished during Director Wilson's tenure.

22. ORDINANCE approving and authorizing contingency fee contract for Legal Services with **GILMAN AND PASTOR, L.L.P.** with regard to a claim against Beazer East, Inc., for the Roof of the Everett Collier Library - **DISTRICT A – LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-0822 ADOPTED.
23. ORDINANCE approving and authorizing a lease agreement between **BNC SOUTH LOOP ASSOCIATES, L.P., A Delaware Limited Partnership, as Landlord** ("Landlord"), and the City of Houston, Texas, as tenant (the "City"), for approximately 6,204 net rentable square feet of office space at 2636 South Loop West, Houston, Harris County, Texas 77054, for forty-eight (48) months at a monthly rental of \$8,013.50, with a single payment of up to \$20,552.00 for tenant improvement costs, for use by the Sign Administration

Group of Code Enforcement, Public Works and Engineering Department – was presented. All voting aye. Nays none. ORDINANCE 2006-0823 ADOPTED.

26. ORDINANCE approving and authorizing amendment to an Untreated Water Supply Contract between the City of Houston and **VALERO REFINING COMPANY - TEXAS, LP** - Revenue – was presented. All voting aye. Nays none. ORDINANCE 2006-0824 ADOPTED.
27. ORDINANCE appropriating the sum of \$125,000.00 out of the Public Library Consolidated Fund and approving and authorizing a Professional Services Contract between the City of Houston and **NATALYE APPEL + ASSOCIATES ARCHITECTS, LLC FOR ADA RENOVATIONS** (WBS E-000157-0001-3); Containing Provisions Relating to the Subject; and Declaring an Emergency - **DISTRICTS A - LAWRENCE; B - JOHNSON; E - WISEMAN; G - HOLM and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0825 ADOPTED.

NON CONSENT AGENDA - NUMBERS 28 and 29

PROPERTY

28. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Reid C. Wilson of Wilson, Cribbs & Goren, P.C. on behalf of Jim R. Smith, for abandonment and sale of Look Road from Old Katy Road to Bunker Hill Road, out of Thomas A. Hoskins Survey, A-342, Parcel SY6-096 - **APPOINT TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT A – LAWRENCE** – was presented.

Council Member Lawrence named Mr. Sheila Stewart and Mr. John Chambliss as appraisers and Mr. Patrick O'Connor as alternate appraiser, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0712 ADOPTED.

29. RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sealed bid sale of the following properties:
Parcel SY6-104 - 3600 Block Beulah - **DISTRICT D - EDWARDS**
Parcel SY6-107 - Oak Meadows at Howard - **DISTRICT E - WISEMAN**
Parcel SY6-111 - 12949 Westella - **DISTRICT G - HOLM**
Parcel SY6-105 - 522 Crosstimbers - **DISTRICT H - GARCIA**
and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount - **APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER**

Council Member Edwards stated that pursuant to Parcel SY6-104 she named Ms. Sheila Stewart and Ms. Jasmine Quinerly as appraisers and Mr. Samuel Stewart as alternate.

Council Member Wiseman moved to divide the question to separate Parcel SY6-107 and would tag the parcel, seconded by Council Member Alvarado.

Council Member Holm moved to amend Council Member Wiseman's motion to add SY6-111 and Mayor White stated that if there was no objection the motion would be to separate out the parcels in Districts E and G and hearing no objection to Council Member Holm motion to amend it was so ordered. Council Member Edwards absent.

A vote was called on the question to divide out Parcels SY6-107 and SY6-111. All voting aye. Nays none. Council Member Edwards absent. MOTION 2006-0713 ADOPTED.

Council Member Holm stated that she would tag Parcel SY6-111. Council Member Edwards absent.

Council Member Garcia named Mr. Michael Copland and Mr. Frank Flores as appraisers and Mr. John Fox as alternate appraiser for Parcel SY6-105 and moved approval of the recommendations, seconded by Council Member Khan. All voting aye. Nays none. Council Member Edwards absent. MOTION 2006-0714 ADOPTED.

MATTERS HELD - NUMBERS 30 through 32

30. **ORDINANCE AMENDING THE CITY OF HOUSTON FIRE CODE and CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to use of propane in, on, or in conjunction with Mobile Food Units; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefor; providing for severability; providing an effective date – **(This was Item 17 on Agenda of August 2, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, SEKULA-GIBBS and CLUTTERBUCK)** – was presented.

After discussion by Council Members a vote was called on Item No. 30. Council Members Wiseman and Sekula-Gibbs voting no, balance voting aye. ORDINANCE 2006-0826 ADOPTED.

31. ORDINANCE ordering a Regular Election to be held jointly on November 7, 2006, for the purpose of submitting to the qualified electors of the City of Houston, Texas, certain propositions for the issuance of Public Improvement Bonds for various purposes; designating the location of each polling place and the hours that the polls shall be open – **(This was Item 18 on Agenda of August 2, 2006, TAGGED BY COUNCIL MEMBERS ALVARADO and WISEMAN)** – was presented. All voting aye. Nays none. ORDINANCE 2006-0827 ADOPTED.

32. ORDINANCE amending Ordinance No. 2005-405, which approved contract with **SAP PUBLIC SERVICES, INC** for an Enterprise Resource Planning System to increase the maximum contract amount - \$1,600,000.00 - Central Service Revolving Fund – **(This was Item 39 on Agenda of August 2, 2006, TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS, KHAN and HOLM)** – was presented.

After discussion by Council Members, a vote was called on Item No. 32. Council Members Sekula-Gibbs, Holm and Wiseman voting no, balance voting aye. Council Members Brown and Berry absent. ORDINANCE 2006-0828 ADOPTED.

Item received during meeting.

20. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to provide a grant in an amount not to exceed \$193,415.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Data Base and other Homeless related Information Services, which amount includes a limitation on additional funding in the amount of \$181,000.00 - 1 Year – was presented. All voting aye. Nays none. Council Members Brown and Berry absent. ORDINANCE 2006-0829 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Sekula-Gibbs stated that this was National Community Health Center week and once again the State of Texas and the Gateway to Care Organization for their continued efforts to increase the number of community health centers in the City, that six clinics had been awarded incubator grants that were assisting grants from the State of Texas to help clinics either become federally qualified health centers, community clinics or expand their services. Council Members Wiseman, Alvarado and Lovell absent.

Council Member Sekula-Gibbs stated that there was a back to school immunization program that was occurring soon and it was called Immunize On Time Every Time and would be available at the Children's Museum on August 10, 2006, Thursday, and would be an opportunity to take their children there and have immunizations there, toddlers to school age and would be from 5:00 p.m. to 7:00 p.m., that children who qualify could also receive a gift if their parents enroll them in the vaccine registry, which was a great way to keep track of their children's vaccination. Council Members Wiseman, Garcia, Alvarado and Lovell absent.

Council Member Khan stated that he wanted to thank Jill Jewett who was helping with the Asian Arts Festival, that he hoped that the issues got resolved because they did not want any group out there thinking that Houston was not cognizant of the contributions which every ethnic community was making in the City. Council Members Wiseman, Garcia, Alvarado, Lovell and Sekula-Gibbs absent.

Council Member Khan stated this coming week the Indian American Community and the Pakistani American Community would be celebrating the 59th Independence Day of India and Pakistan, that the Pakistani Independence Day was on August 14, 2006 and the Indian Independence Day was on August 15, 2006, that he wanted to congratulate all of the members of both communities on their historic events; that the Pakistani Community, on August 12, 2006 at Sam Houston Race Park, would be holding their annual celebration, that they had contracted with an international television network called ARY TV and would be broadcasting that program live in over 130 countries around the world. Council Members Lawrence, Johnson, Garcia, Alvarado, Lovell and Sekula-Gibbs absent.

Council Member Green stated that the Second Bi Annual Small Business Conference, sponsored by the Excel Team, a non profit in Houston who helps businesses realize their potential, that the event would take place at the Houston Community College, the Administrative Building located at 3100 Main Street on August 31, 2006 from 8:30 a.m. to 3:00 p.m., for information they could visit www.theexcelteam.org, that they encourage business owners to take part in that. Council Members Lawrence, Johnson, Garcia, Alvarado, Lovell and Sekula-Gibbs absent.

Council Member Green stated that there was a story recently in the news regarding the Houston Food Bank and it basically said that Houston's elderly were losing out on free food, that 8,500 seniors in the Harris County area were eligible to get monthly food boxes in the summer but many would not, the Food Bank had hoped to reach 8,500 people but fewer than 4,000 signed up and the problem was in getting the word out to the neighborhoods and letting elderly people know that they could qualify for the boxes of food, that seniors in the Houston area could still sign up and perhaps reclaim some of those slots before neighboring cities were able to get them, if they wanted to sign up for the program they could call the Food Bank at 713-223-3700. Council Members Johnson, Clutterbuck, Garcia, Alvarado and Sekula-Gibbs absent.

Council Member Green stated that the next Budget and Fiscal Affairs Committee meeting would be on August 29, 2006 at 10:00 a.m. in the Council Chamber, that they would be discussing not only the normal Fiscal Affairs issues but would take up some of the Municipal Court issues. Council Members Johnson, Clutterbuck, Garcia, Alvarado and Sekula-Gibbs absent.

Council Member Green stated that he wanted to wish his Chief of Staff, Chris Brown, a Happy Birthday today. Council Members Johnson, Clutterbuck, Garcia, Alvarado and Sekula-Gibbs absent.

Council Member Berry stated that he wanted to remind his colleagues on the TIA Committee and Council Member Edwards, who was always there, that the meeting was tomorrow at 2:00 p.m., that they were taking up blast mitigation projects at Hobby Airport and Intercontinental Airport as well as an environmental consulting contract, that it should be a brief meeting. Council Members Johnson, Clutterbuck, Garcia, Alvarado and Sekula-Gibbs absent.

Council Member Berry stated that on the issue of red light cameras he thought there was a lot of uncertainty about a project that he would have expected they would have received more public support for and he suspected there was a lot of quite public support for it, but that was undertaking related purely to public safety and thought they all needed to be on the same page and doing a great job of informing the public of what they were doing and why they were doing it. Council Members Garcia, Alvarado and Sekula-Gibbs absent.

Mayor White stated that they had a bunch of Council Members who were communicating with the public individually and any suggestions Council Member Berry had on how they would do that better would be much appreciated, that he personally would urge citizens if they did not like the idea of anybody making any money off of red light cameras then engage in a massive boycott of running red lights. Council Members Garcia, Alvarado and Sekula-Gibbs absent.

Council Member Brown stated that he wanted to thank all of those who came forward and raised awareness about historic preservation in the City, about saving their heritage, he thought it was a great outpouring. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Brown stated that he was very supportive of Mayor White's efforts to straighten out the conflicts between Proposition 1 and Proposition 2, that he would like to suggest that Mayor White consider, under the banner of public safety, that flooding was an enormous threat to the safety of the City and he would like to see an exclusion that included investments they made in flood and drainage improvements, that he would send Mayor White a note on that. Council Members Garcia, Sekula-Gibbs and Green absent.

Mayor White stated that if they did not exempt out the Water Sewer Enterprise Fund they would not have funding for drainage projects, because if they had a low water year that meant they had to drop it to raise that level and if they had a wet year the revenues had to drop by that amount and then they were limited in their ability to recover back to normal or a year beyond, they were not going to cut debt and not going to cut operation and maintenance of the water system and they were not going to cut point line repair so they were going to have to cut the drainage out and that was why every thinking person ought to be for exempting out that enterprise fund, that he wanted Ms. Johnson to brief Council Member Brown, but these source of funding of drainage was cash flow that was thrown off of the Water and Sewer Enterprise Fund and he thought that it would be fair to say if the revenues of that Water and Sewer Enterprise Fund were cut then that would cut, because of the way they created the bond covenants, the whole bond covenants the money went first to water and sewer, whatever they needed, and then the surplus went to drainage, or the excess could go to drainage depending

on their appropriation, that he would ask Ms. Johnson to trace through for him and the Council Members exactly the effect of that. Council Members Edwards, Garcia, Sekula-Gibbs and Green absent.

Council Member Brown stated that he was very supportive of Mayor White's Quality of Life Bond issue and thought that last week they mentioned that Mayor White would send the Council Members some talking points so when they were out in the public they could advance the public's understanding of why it was very important for the City to pass the bond issue, and Mayor White stated that they would check during the Council meeting, that they were finished yesterday and Ms. Stein would call and make sure they were emailed and maybe a hard copy could be brought down to all Council Members of the one page on talking points on the bond issue. Council Members Edwards, Garcia, Sekula-Gibbs and Green absent.

Council Member Brown stated that he would be taking a vacation and next Wednesday he would be sitting on a terrace overlooking the Mediterranean. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Clutterbuck stated that she wanted to thank Council Member Brown for asking for a few specifics and talking points on the bond referendum, and would ask that on the Charter issue they were dealing with relating to the changes to Proposition 2, if Mayor White could also in the responses that he was preparing for all of them include an explanation for why he was asking for it, she thought it was something that the citizens would appreciate hearing and knowing about and would help to make a more persuasive case. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Clutterbuck stated that she wanted to thank Mayor White for his comments earlier on Metro, that as they all knew it was the most important mobility decision that Houston would make for the next fifty or so years and would have tremendous impact on their neighborhoods and businesses and personally believed that it was essential that Metro study all possible alternatives for the route and it was the right time to do it in the federal scoping process, so that at the end of the process when Metro submitted to them their locally preferred option that they could say with confidence that Metro examined all of the routes and that they had found the best proposal around which they could build consensus, that she wanted to thank all of the good citizens of Houston who had voiced their opinions. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Clutterbuck stated that she attended the funeral of a good long time friend, Ms. Vera Carheart, who was active in political circles and active in her community. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that in response to her first request, within 10 minutes or so he would have a hard copy and it would be emailed to each Council Member's office on the bond issue. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Wiseman stated that Mr. Doug Cyril contacted her office regarding his thanks for the good work done by Mr. Bob Oakes of Code Enforcement, he worked very hard in Mr. Cyril's neighborhood to address issues related to new construction by Mr. Gil Ramirez, that she wanted to pass along those kudos. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Wiseman stated that recently in the Sky Scrapper Shadows Subdivision a constituent of hers was approached at his home by a man that he believed was posing as a Neighborhood Protection Officer, the individual asked to enter his yard and home to inspect for

violations and asked for very personal information including the constituent's social security number, that she was very concerned that this was going on and was very grateful for the quick response by Chief Lumpkin in attempting to address it and had assured them that all of their offices used City vehicles and were appropriately identifiable, that she wanted the community to be aware that this was going on. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Wiseman stated that she wanted to thank Mr. Art Kidder for his hard work on an issue with Lakewood Heights, that they had been dealing with localized flooding in Lakewood Heights and there were members of the community that felt that the flooding issues there had been exacerbated by construction related to waterline replacement and the addition of new waterlines in the area, that Mr. Kidder had worked very hard in trying to find solutions long term and temporary solutions for the residents of Lakewood Heights and she appreciated it very much and hoped that Public Works would continue to find ways to address the flooding. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Johnson stated that they had a great Summer Swing at Lincoln Park in the Acres Homes Community on Saturday, that over 800 different assortments of backpacks and school supplies were passed out to the children of that community and they had a great turnout, and that was the day they actually picked up the perpetrator in the Acres Homes Community and was the time when the community came together and rejoiced in their efforts, that he wanted to thank State Representative Sylvester Turner who was co-sponsor of the event and wanted to thank the sponsors who were there, that he wanted to acknowledge his office staff who did a fantastic job in putting the event together. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Johnson stated that last Monday they had a townhall meeting in the Fifth Ward Community at which they talked about the MDI site, it was a site that obviously the community was very interested in and wanted to make sure that they were actually involved in the development of that particular community; that there would be a townhall meeting on Saturday at the Shadydale Elementary in the North Forest Independent School District, at 10:00 a.m.; that tonight he would be hosting a Meet and Greet for Tracy McDaniels at the Red Cat Jazz Café from 6:00 p.m. to 8:00 p.m. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Lawrence stated that she wanted to release her tag on Item No. 5. Council Members Garcia, Sekula-Gibbs and Green absent.

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Danny and Betty Hengst, for encroachment agreement for a ±9-square-foot building encroachment into Watonga Boulevard, located at 4409 Libbey Lane, adjacent to Lot 19, Block 23, Oak Forest Section 15 subdivision, out of the Samuel McClelland and David Henson Surveys, Parcel ENY7-001 - **DISTRICT A – LAWRENCE** – was again before Council, previously moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia, Sekula-Gibbs and Green absent. MOTION 2006-0715 ADOPTED.

Council Member Lovell stated that about a month ago they had a press conference at which they announced an HCC Grant out of the Katrina/Rita Fund and yesterday morning they started their first class, that Dr. Lee Murdy and his staff, who had been tremendous in putting it together, had reported that the class was all women and were all evacuees from New Orleans, and the attitudes of the clients were positive, excited and appreciative of the opportunities that

had been given to them, that she wanted to commend them for their efforts and wanted to thank Mayor White for his leadership. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Lovell stated that in regards to the rail issue, she was in a unique position of being a constituent in the neighborhood where the most controversial part of the proposed University line was, it seemed to be between probably the Spur and then down to Kirby, the two blocks off of Richmond, it was very important to her what happens, that she concurred with her Council Members that they needed to encourage every option to be looked at and put on the table so when the announcement was made they could say they looked at everything and what was being proposed was the best option for the City and for the neighbors, that it would be a disaster if in some way they did not get the public transportation that they needed through that area. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Lovell stated that she wanted to congratulate her son Roby for being accepted to the Gifted and Talented Program at Lanier, that she was looking forward to him having a very good sixth grade year at Lanier. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she had a general concern about the BP pipe corrosion regarding the fuel coming from Alaska and asked if there was any impact or concern for the City of Houston citizens, besides prices going up, and if somebody could give her information if it was germane to their City business and their citizens. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that on Metro, one of the things they had been very fortunate in District D was to have citizens stand up and not only to complain and ask for things, but take the responsibility in trying to make those things happen, and one of those was the Metro Task Force that was developed about a year and a half ago under the leadership of former Council Member Carroll Robinson and Mr. Keith Wade and a number of other citizens, that the group of 15 to 20 citizens in District D had developed one of the plans that was going to hopefully be implemented in the MLK, Palm Center and Texas Southern University area, and she wanted to take the time out to thank them for the many nights and many meetings that they had in the community. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she wanted to thank the Flooding and Drainage Committee, that they moved out of the committee, with recommendations for approval by the Council, Chapter 47, which was dealing with sewer, and Chapter 19, which dealt with flood plains, flood way type of building things, that she would encourage City Council Members who may not be up to speed if they did not have a copy of the ordinance to please contact Kaitlan of their office or DeAnn in Public Works to get a copy so when it came to Council for approval it would not be their first time seeing it. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she talked about possible National Night Out activities for apartment complexes because they talked about the crime in the area, they were going to be working with one of the apartments in District D which had about 500 families in it and that was probably larger than any civic club configuration, they were going to try to work a process to where there was a National Night Out format where apartment people get to learn who was in their apartment complex, the same type of benefit of the National Night Out. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that as to the Chocolate Bayou Festival they had confirmed for the festival the O Jays and Latoya Lockett, a young Houstonian who was one of

the original Destiny Childs and had reemerged as a star on her own, that she was going to be one of the headliners at the Chocolate Bayou Festival, that the goal at the festival this year was to present their scholarships at the festival, that it would be October 7, 2006 at Sunnyside Park. Council Members Garcia, Sekula-Gibbs and Green absent.

Council Member Lawrence stated that the last eight months they had been talking to retired police officer groups and their desire to help out with the crime issue in the City of Houston, that she received a letter on August 2, 2006 from Chief Hurtt and she wanted to compliment him on reacting, they had 199 retired law enforcement people and of that 190 were HPD officers who had said they wanted to work for the City of Houston, so they had the 190 HPD plus 9 other officers coming on board and she wanted to compliment the retired officers group who had been persistent with her. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Lawrence stated that late yesterday at public session they had a gentleman come up with some pictures and she had asked Public Works for the last eight or nine months to revise their residential permitting, they had a fire over on Mayfield and the gentleman who had the house kept continuing to come back and she had shared with them the pictures of the rats, bricks and atrocities in that backyard that the nice neighborhood had to live with and they needed to look at that, that his permit was coming back August 31, 2006 to be renewed and that meant he could get another renewal for a year and Neighborhood Protection could do nothing about it so Public Works had said they would look at that and hopefully they could come up with something for the next committee meeting and get it put on the agenda because for two and a half years that neighborhood had to put up with it. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Holm stated that she wanted to thank Mayor White for his comments earlier about Metro, that she and her colleagues had worked hard to build consensus, understanding and address the need and that was the role of a District Council Member. Council Members Edwards, Garcia, Brown, Sekula-Gibbs, Green and Berry absent.

Council Member Holm stated that last Monday night was the last of five meetings of which had numerous discussions, they talked with the administration and the Police Department and at that time she made a promise to follow up on some things that the district wanted and deserved, they had an appointment with the Chief and would be talking to him, that one of the things that they really wanted to see and to hear was a public meeting with Mayor White and that was on their calendar and set for August 30, 2006, that one of the things that she thought would be very effective was the closeness they had to coming to an ordinance about addressing the apartment security and requiring apartment owners to take responsibility for the actions and provide the security over and above for the actions that went on, but those things had to be moved forward and they had to address them, that crime was the number one issue and their job was to provide a safe environment and address it. Council Members Edwards, Garcia, Brown, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that he liked the way that the Council had stuck together in saying that they would provide the money but wanted the results, that he was going to work with the City Council and others on behalf of the citizens to make sure they saw results. Council Members Edwards, Garcia, Brown, Sekula-Gibbs, Green and Berry absent.

Council Member Alvarado stated that she and Council Member Edwards had been working together on some things in Fourth Ward, primarily preserving the bricks on Andrews Street and they just learned that part of that street was over laid with asphalt and they did not know that until it was aired on one of the television stations last night, that it was something that

they were very vocal on and was not something that had been hidden, they had tried to preserve every bid of history on Andrews Street, that she had been getting some conflicting information and would like for Public Works to give her and Council Member Edwards an answer on how the street got over laid, that they needed some clarification. Council Members Holm, Garcia, Brown, Sekula-Gibbs, Green and Berry absent.

Council Member Edwards stated that she could not express her amazement on how a street in Fourth Ward could be over laid in such a cavalier way, that she did not know if there could be a policy or memorandum to make sure that the guy who was actually having to do the work knew if there were implications, that she would like to ask the community to work with them on those issues. Council Members Holm, Garcia, Brown, Sekula-Gibbs, Green and Berry absent.

There being no further business before Council, the City Council adjourned at 11:56 a.m. Council Members Holm, Garcia, Brown, Sekula-Gibbs, Green and Berry absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary