

City Council Chamber, City Hall, Wednesday, September 6, 2006

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, September 6, 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 9:28 Mayor White called the meeting to order and called on Council Member Garcia for the prayer and pledge, and Council Member Garcia invited Reverend Steve Gatland of the Bethel Community Church for the prayer and Council Member Garcia led all in the pledge. Council Members Wiseman, Alvarado, Green and Berry absent.

Mayor White requested the City Secretary to call the roll. Council Member Wiseman absent.

Council Members Khan and Green moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED.

At 9:31 a.m. Mayor White stated that they would proceed with the public session.

At 9:32 a.m. the City Secretary began calling the public speakers. Council Members Wiseman, Alvarado and Green absent.

Ms. Laura Brady, 827 E. Rogers, Houston, Texas 77022 (713-696-0144) appeared and stated that she was with Liberty Cab and supported the shared ride program but not the contract as it was a monopoly; that they had provided Council Members with the Liberty Cab Shared Ride Proposal; that the proposed 15 passenger vans were one of the most dangerous on the road with roll overs and the Federal National Highway Safety Transportation Authority had issued three warnings and federal law prohibited use of them for school transportation for high school age and younger; that information was on the NHSTA website and the EPA score showed health problems and was on the EPA website, the seven passenger vans got better scores; and urged a no vote on Agenda Item 38a. Council Members Wiseman, Garcia, Sekula-Gibbs and Green absent.

Ms. Joni Jones, 827 Fosbak, Houston, Texas 77022 (713-696-0199) appeared and stated that the shared ride program was a major concern; that she agreed with the shared ride program but studies were done on cargo vans and rollovers and it showed the ones which would be used for shuttle contracts were very unsafe; that the schools and churches could no longer be insured with 15 passenger vans, they were unstable and not crashworthy resulting in deaths when there should have been survivors and they opted to use mini vans; and consumers should have a choice;. Council Members Clutterbuck, Wiseman, Garcia, Sekula-Gibbs and Green absent.

Mr. Jarvis Clark, 5517 Park Road, Houston, Texas 77016 (832-656-9683) appeared and stated that he was against the shuttle program and the way it was introduced as it was representing a monopolized government; that many taxi drivers relied on the trips to and from the airport and this contract would hurt them and the City of Houston. Council Members Clutterbuck, Wiseman, Garcia, Sekula-Gibbs and Green absent.

Ms. Doretha Duncan, 9955 Bammel North Houston Road, Houston, Texas 77086 (832-423-1605) had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Wiseman, Garcia and Green absent.

Mr. Daniel Teal, 1810 Bluebonnet Place Circle, Houston, Texas 77019 (832-453-4628) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Wiseman, Garcia and Green absent.

Mr. Ben Tesfamariam, 5959 Westheimer.# 212, Houston, Texas 77057 (no phone) appeared and stated that he was manager for Texan Shuttle; that Council recommended this item go back to the Administration of the Airport for reconsideration, however, it was back to Council with no public hearing or amendment and it would create a monopoly which would lead to poorer customer service and higher fares; that if the contract passed it would put them out of business as they could not operate indefinitely inside the loop and many others would eventually be out of business; and urged Council help the small businesses and vote no. Council Members Wiseman, Garcia, Green and Berry absent.

Council Member Johnson stated that now he was operating at the airport and a grace period was given through March 31, 2007; and upon questions, Mr. Tesfamariam stated that he was not involved in any discussion and as of May 19th Yellow Cab terminated their service and Texan was the only company serving the airport at this time; that they were serving the public now and if this passed it would put them out of business and no one had contacted them at all. Council Members Wiseman, Garcia, Green and Berry absent.

Mr. Katsina Monguno,, 5910 Cascadera, Houston, Texas 77086 (832-498-4836) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Garcia, Sekula-Gibbs, Green and Berry absent.

Mr. Raymond, Mbala, 5959 Westheimer #212, Houston, Texas 77057 (469-556-7299) appeared and stated that he was present on behalf of Texan Shuttle and against Agenda Item 38a which was an exclusive contract for shared ride with Yellow Cab and Super Shuttle; that it was his understanding Mayor White had indicated previously he had no desire to usher in an exclusive contract and at this point the contract had not changed and he was asking Mayor White to reevaluate it; that Council was rewarding a company with an exclusive contract and they had abandoned the market, Yellow Cab left without any notice to anyone and Texan stepped in and provided service for three months; that exclusive contracts were against fundamental principles of competition and people deserved a choice. Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Mohammed Bedru, 8902 Earnestwood Drive, Houston, Texas 77083 (713-459-3442) appeared and stated that if a city employee abandoned his job he would not be rehired and Yellow Cab abandoned the city over night with no notice and did not deserve the contract; that they tried showing their corporate muscle and it was the wrong business ethics and should not be rewarded; that Texan was a small company and they never said they could serve Houston by themselves but wanted a shared program; that they spent thousands for lawyers suing the City and Yellow Cab just to try and stay in business; and urged when voting to consider the small businesses. Council Members Lovell, Sekula-Gibbs, Green and Berry absent.

Upon questions by Council Member Khan, Mr. Bedru stated that he was with Texan Shuttle and they had 11 men and 2 women drivers; that an extension did not help them, they had spent millions of dollars on the company and 3 extra months did not do anything; that if they were put out of business it would be very unlikely they would be able to come back; that they

tried to talk with Yellow Cab and work together but no one called back. Council Members Lovell, Sekula-Gibbs, Green and Berry absent.

Mr. George Sears, 13100 Stonefield. #205, Houston, Texas 77014 (281-451-2674) appeared and stated that he was an independent contractor since 1991 and was opposing Yellow Cab and Super Shuttle based on an infringement of his livelihood; that he was for the shared ride program and he was a 7 passenger vehicle operator and thought it would work. Council Members Khan, Lovell, Sekula-Gibbs, Green and Berry absent.

Mr. Randle Kallinen, 1406 Castle Court, Houston, Texas 77006 (713-320-3785) had reserved time to speak but was not present when his name was called. Council Members Khan, Lovell, Sekula-Gibbs, Green and Berry absent.

Mr. Travis Kerschen, 5005 Georgia Lane, Houston, Texas 77006 (713-344-0409) had reserved time to speak but was not present when his name was called. Council Members Khan, Lovell, Sekula-Gibbs, Green 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 Lovell, Sekula-Gibbs, Green and Berry absent.

Mr. Sammie Jones, 1415 West Gulfbank.# 211, Houston, Texas 77088 (no phone) had reserved time to speak but was not present when his name was called. Council Members Lovell, Green and Berry absent.

Council Member Garcia moved to suspend the rules to hear Mr. Jerry Brady and Ms. Leigh Hollins out of order, seconded by Council Member Lawrence. All voting aye. Nays none. Council Members Lovell, Green and Berry absent. MOTION 2006-0780 ADOPTED.

Mr. Jerry Brady, 827 East Rogers, Houston, Texas 77022 (713-696-0177) appeared and stated that he was president of Liberty Cab and present asking for a no vote on the monopoly contract, Agenda Item 38a, that he supported the shared ride service to the airport but there was a better way to do it and customers deserved a choice. Council Members Lawrence, Lovell, Green and Berry absent.

Ms. Leigh Hollins, 2009 Kane Street, Houston, Texas 77007 (713-861-4337) appeared and stated that she was from the Old Sixth Ward and present with fellow members of the community; that Council Member Garcia supported extending the civility ordinance to their area as a tool to be used to promote the health, safety and welfare of citizens and she was requesting Council follow his lead and approve the item; that she also wanted their TIRZ 13 budget released so they could move forward on protecting the district. Council Members Lawrence, Green and Berry absent.

Council Member Garcia stated that the residents of the Old Sixth Ward had tremendous support for issues related to their TIRZ and time after time progress by folks in charge was impeded when there was opposition and he was trying to find base lines for determining whose efforts were supported when both sides had done their work; and Mayor White stated there needed to be criteria or principles to use in judging; that obviously in a community there were things they did not do which required unanimity as this was a diverse city and that included opinions, but they did strive for consensus and fairness for rights of minority views and that was why he had been seeking his judgment for the right balance, but he did understand his point that they might as well try and establish principles earlier rather than later in the process and he

would work with him to get it done; and Council Member Garcia stated that he would appreciate it. Council Members Sekula-Gibbs, Green and Berry absent.

Council Member Brown stated that something very positive did need to be done about historic preservation and in the case of their TIRZ he knew they were delayed and he supported trying to get their project plan and budget approved as soon as possible; that he drove the streets there and met with the opposing group and personally thought what was missing was a plan for the Sixth Ward and he thought if they had a plan to conserve the Sixth Ward they would get consensus, but he did not think having winners and losers was the way to go and this could be a model neighborhood plan. Council Members Lawrence, Sekula-Gibbs, Green and Berry absent.

Mr. Louie Garvel, 2100 Tanglewilde #109, Houston, Texas 77063 had reserved time to speak but was not present when his name was called. Council Members Lawrence, Sekula-Gibbs and Green absent.

Mr. Jerry L. Asher, 2401 Lazy Hollow #113-A, Houston, Texas 77063-2570 (713-702-5407) appeared and stated that a few weeks from now Council would dedicate a magnificent new park near the convention center and he was present to propose it be named in honor of Mr. Joseph Chappell Hutcheson, one of the finest Congressmen to ever represent the City of Houston in the U. S. Congress; that he was one of the most dedicated in bringing funding for the dredging and construction of the Houston Ship Channel and what would Houston be without its port; that he also thought it appropriate to honor Mr. Hutcheson in this way because as of now his name was on no monument, etc., anywhere in Houston and he had been a major contributor in making the city what it was today; that in the late 1890's he persuaded members of the Rivers and Harbors Committee of Congress to come and look at the bayou's potential and even that long ago Houston lived up to its reputation for hospitality, so lavish were the many dinner parties given in the grand mansions of Main Street and McKinney Avenue that when they left those committee members told the press in the City of Houston enjoying hospitality was not the problem, it was surviving it. Council Members Sekula-Gibbs and Green absent.

Upon questions by Mayor White, Mr. Asher stated that he spoke to Mr. Peterson of the Parks Department and if he knew who to send his request to he would be happy to do so; and Mayor White stated that the information as to where to send his proposal would be given to him; and he appreciated his bit of history as well as his proposal; and Mr. Asher stated that Houston had such a brilliant future because of its brilliant past. Council Members Garcia, Sekula-Gibbs and Green absent.

Mr. Anthony Collins, 6202 Starlake, Humble, Texas 77396 (832-644-6453) had reserved time to speak but was not present when his name was called. Council Members Garcia, Sekula-Gibbs and Green absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that September 6th was full moon in Pieces; that he was present announcing his candidacy for Houston At-Large Council Position 2 in 2007 and he encouraged others to run for that and all Council seats as the White Administration was corrupt; that Hispanics were the majority in Houston and yet did not have one At-Large Council seat; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Holm, Garcia, Lovell and Sekula-Gibbs 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, Johnson, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that all were guilty; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Brown, Lovell, Sekula-Gibbs 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 he was the official U. S. President and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Brown, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Minister Maurice Edwards, 919 Caperton, Houston, Texas 77022 (713-697-6217) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Brown, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Pastor J. B. Boykin, 919 Caperton, Houston, Texas 77022 (713-697-6217) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Brown, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

At 10:12 a.m. the City Secretary stated that completed the public session. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Holm, Garcia, Brown, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

MAYOR'S REPORT

At 10:14 a.m. Mayor White stated they would move to the consent agenda. Council Members Clutterbuck, Garcia and Brown absent.

CONSENT AGENDA NUMBERS 1 through 26

ACCEPT WORK - NUMBERS 2 through 4

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,367,108.21 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for On-Call Drainage System Repair and Rehabilitation Contract, GFS M-0126-52-3 (M-0126-52) - 02.86% under the original contract amount **DISTRICTS A - LAWRENCE; D - EDWARDS; F - KHAN; G - HOLM and H – GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Garcia and Brown absent. MOTION 2006-0781 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,295,101.32 and acceptance of work on contract with **CRAIG, SHEFFIELD & AUSTIN, INC** for Sims Bayou Wastewater Treatment Plant and Sludge Processing Facility Improvements, GFS R-0299-02-3 (WBS R-000299) (4746) 03.64% over the original contract amount - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Garcia and Brown absent. MOTION 2006-0782 ADOPTED.

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,227,045.50 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Replacement in OST-Yellowstone Area, GFS S-0035-A8-3 (WA10768) - 01.16% over the original contract amount - **DISTRICT D - EDWARDS** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Garcia and Brown absent. MOTION 2006-0783 ADOPTED.

PROPERTY – NUMBER 6

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ke Chen, K. Chen Engineering, on behalf of Glasmic, Ltd., [Glasmic Management, LLC, (Dr. Gerardo Bueso, Manager), general partner], for abandonment and sale of a storm sewer easement and a prescriptive sanitary sewer easement in exchange for the conveyance to the City of a 20-foot-wide storm sewer easement, all located at 5711 Alameda Road, Block 39, Riverside Terrace Subdivision, Section 7, and the H. F. MacGregor Estate, Riverside Terrace Subdivision, Section 5, out of the G. P. Foster Survey, A-273, Parcels SY6-086A, SY6-086B and LY7-021 - **INDEPENDENT APPRAISERS - DISTRICT D - EDWARDS** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Garcia and Brown absent. MOTION 2006-0784 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 11

9. **PELTIER BROTHERS CONSTRUCTION, LTD.** for Repair/Rehab of the Sagemont Wastewater Treatment Plant Clarifier No. 3 for Department of Public Works & Engineering - \$462,479.00 and contingencies for a total amount not to exceed \$485,602.95 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck and Brown absent. MOTION 2006-0785 ADOPTED.
10. **FERGUSON WATERWORKS** for Boxes, Plastic Meter for Department of Public Works & Engineering - \$1,975,018.52 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck and Brown absent. MOTION 2006-0786 ADOPTED.
11. **PEPPER-LAWSON CONSTRUCTION, L.P.** for Diffuser Repair for Department of Public Works & Engineering - \$81,000.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck and Brown absent. MOTION 2006-0787 ADOPTED.

ORDINANCES - NUMBERS 13 through 21

13. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two excess portions of West Fuqua Road right of way, Parcels SY5-049A and SY5-049B, vacating and abandoning said easements to Kenneth Manesh and wife, Sandra Manesh, the abutting owners, in consideration of their conveyance to the City of a combination drainage and water line easement, Parcel QY6-002, and their payment of \$19,634.00 and other consideration to the City; the two abandonment parcels and the conveyance parcel all being located within the James Bailey Survey, A-145, and/or the C. V. Uglow Survey, A-819, Harris County, Texas - **DISTRICT D**

- **EDWARDS** - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0910 ADOPTED.

20. ORDINANCE awarding contract to **SUPERIOR BUILDING SERVICES, INC** for Window Cleaning Services for Convention & Entertainment Facilities Department; providing a maximum contract amount - 3 Years with two one-year options - \$299,804.00 - Enterprise Fund - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0911 ADOPTED.
21. ORDINANCE awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Lateral and Service Connection Replacement Services Part II for the Public Works & Engineering Department; providing a maximum contract amount - \$581,293.13 - Enterprise Fund - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0912 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

DAMAGES

1. RECOMMENDATION from City Attorney for settlement of lawsuit styled **MCBRIDE, HOWARD** v. City of Houston and Therone Pitre, Jr. in the 113th Judicial District Court of Harris County, Texas; Cause No. 2005-56799 - \$36,500.00 - Property and Casualty Fund - was presented, and tagged by Council Member Wiseman. Council Member Brown absent.

PROPERTY

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Shelley Barrett, R. G. Miller Engineers, Inc., on behalf of Northline Mall Limited Partnership [NLB Subsidiary, Inc. (Stephen M. McParland, Vice President), General Partner] and Houston Community College Systems (Gloria J. Walker, Vice Chancellor, Finance and Administration), for abandonment and sale of two 5-foot-wide water line easements and a 10-foot-wide prescriptive sanitary sewer easement in exchange for the conveyance to the City of a 35-foot-wide storm sewer easement, all located in the O. P. Kelton Survey, Abstract 493, Parcels SY6-081A, SY6-081B, SY6-103A, SY6-103B, SY6-103C, LY6-14 and LY7-001 - **STAFF APPRAISERS - DISTRICT H - GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0788 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Findley of Contract Land Staff, Inc., on behalf of Andrew A. and Annette Schatte, declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide sewer easement, located in Lot 2, Block 1, Shadyside Lot V Replat, out of the Joseph Gamble Survey, A-309, Parcel SY7-007 - **DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0789 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY5-041, located at North San Jacinto at Allen Streets, owned by John M. Anderson and Virginia Celeste Bowman, for **HERITAGE CORRIDOR TRAILS**

EAST HIKE AND BIKE TRAIL PROJECT, CIP N-0420-16-2 (N-000420-0016-2) - **DISTRICT H - GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0790 ADOPTED.

PURCHASING AND TABULATION OF BIDS

12. **SANTEX TRUCK CENTER LTD.** - \$223,240.00 and **TEXAS WASTE EQUIPMENT, INC., d.b.a HEIL OF TEXAS** - \$296,016.00 for Cabs & Chassis and Rear-Steer Heavy Trash Loader Bodies through the Houston-Galveston Area Council for the Solid Waste Management Department General and Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0791 ADOPTED.

ORDINANCES

14. ORDINANCE approving and authorizing first amendment to lease agreement between **L. S. DECKER INVESTMENTS, INC, a Texas corporation, as landlord (“Landlord”)**, and the City of Houston, Texas, as tenant (the “City”), for approximately 5,115 net rentable square feet of office space at 1702 Seamist, Suite 300, Houston, Harris County, Texas 77054, for sixty (60) months at a monthly rental of \$5,541.25, for use by the Public Works & Engineering Department - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0913 ADOPTED.
15. ORDINANCE approving and authorizing first amendment to lease agreement between **W. P. INC., a California Corporation, as landlord (“Landlord”)**, and the City of Houston, Texas, as tenant (The “City”), for a one-story office building, approximately 22,801 net rentable square feet of office space at 2931 West 12th Street, Houston, Harris County, Texas 77008, for sixty (60) months at a monthly rental of \$20,250.00, for use by the Houston Fire Department - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0914 ADOPTED.
16. ORDINANCE relating to Emergency Application to change water rates by Texas American Water Company as temporary manager of Vergil D. Martin dba H&J Utility aka MATCO within the City of Houston, Texas; setting a hearing to determine just and reasonable rates to be observed within the City of Houston that shall constitute the legal rates of H&J Utility aka MATCO until changed as provided by the Texas Water Code; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer - **DISTRICT A – LAWRENCE - HEARING DATE - WEDNESDAY - SEPTEMBER 20, 2006 - 9:00 A.M.** – was presented.

Council Member Lawrence stated that this involved a subdivision named Wrenwood in the western part of the City, that the City continued to have problems with water districts and hopefully State legislators would correct some of the problems, that personally she would like to see districts like this set standards to the nearest municipality and basically they were having a hearing because the water district owner left town and the people had to boil their water and had all kinds of problems out there, the TCEQ had appointed another entity to temporarily run the water district so that was where they were on the situation.

A vote was called on Item No. 16. All voting aye. Nays none. ORDINANCE 2006-915 ADOPTED.

17. ORDINANCE approving and authorizing contract between the City of Houston and **MASTERWORD SERVICES, INC** for Professional Translation Services; providing a

maximum contract amount - \$40,000.00 - General Fund - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0916 ADOPTED.

18. ORDINANCE amending Ordinance No. 2001-998 to increase the maximum contract amount for the contract for Water Resources Investigations in the Houston Metropolitan Area between the City of Houston and the **GEOLOGICAL SURVEY DIVISION OF THE UNITED STATES DEPARTMENT OF THE INTERIOR** - \$1,000,000.00 - Enterprise Fund - was presented.

Council Member Clutterbuck stated that the item drew her attention because of the large amount and wondered if Mayor White could enlighten her on why it took a million dollars for the US Department of Interior to do this type of water testing.

Mayor White stated that the alternatives were first, there was a technical explanation that he would botch if he gave it and they had the alternatives of delaying it for one week or delaying it to the end of the agenda so that somebody more qualified could give her that information.

Council Member Clutterbuck moved to postpone Item No. 18 to the end of the agenda, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0792 ADOPTED.

19. ORDINANCE approving and authorizing agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Fiber Optic Network Interconnection - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0917 ADOPTED.
22. ORDINANCE awarding contract to **BFI WASTE SERVICES OF TEXAS, LP DBA ALLIED WASTE SERVICES OF HOUSTON** for Collection, Transportation, and Disposal of Solid Waste for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$3,517,578.89 - General, Enterprise and Other Funds - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0918 ADOPTED.
23. ORDINANCE approving and authorizing contract between the City of Houston and **THE HOLMAN LAW FIRM, P.C.**, for Professional Legal Services in connection with the appeal of the City of Houston v. Sam Levingston in the Texas Supreme Court; providing a maximum contract amount \$58,000.00 - Property and Casualty Fund - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0919 ADOPTED.
24. ORDINANCE approving and authorizing Professional Landscape Architectural and Engineering Services Contract between the City of Houston and **LAUREN GRIFFITH, INC** for Hermann Park Trail Improvements - \$274,677.66 - Grant Fund - (WBS F-000550) - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0920 ADOPTED.
25. ORDINANCE amending Ordinance 2005-0241 to increase the maximum contract amount; providing for an allocation of funds from the Central Service Revolving Fund for contract between the City of Houston and **FULCRUM POWER SERVICES, L.P.** for Professional Energy Management Services relating to the City's Electricity Contract - \$500,000.00 - was presented, and tagged by Council Members Wiseman and Holm.

26. ORDINANCE appropriating \$43,831.00 out of Solid Waste Consolidated Construction Fund and approving and authorizing an amendment to Professional Design Consultant Contract (approved by Ord. No. 05-0706, Contract No. 57036) between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for the Design of Southwest Environmental Service Center (WBS L-000036) - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. Council Member Brown absent. ORDINANCE 2006-0921 ADOPTED.

NON CONSENT AGENDA - NUMBER 27

MISCELLANEOUS

27. MOTION to set a date not less than seven (7) days from September 6, 2006 to receive nominations for Position 7 on the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY** for a two-year term – was presented.

Council Member Garcia moved to set Wednesday, September 13, 2006 to receive nominations for Position 7 on the Port of Houston Authority of Harris County, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0793 ADOPTED.

MATTERS HELD - NUMBERS 28 through 32A

28. ORDINANCE relating to **HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1**; consenting to the inclusion of certain land within the district; providing conditions for consent of the city to the creation of, and inclusion of land within, the district - **DISTRICT G – HOLM** – **(This was Item 58 on Agenda of August 23, 2006, POSTPONED BY MOTION #2006-762)** – was presented.

Council Member Holm moved to refer Item No. 28 back to the administration, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0794 ADOPTED.

29. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Finance & Administration Department for renewal of membership in the **NATIONAL LEAGUE OF CITIES** - \$37,218.00 - General Fund – **(This was Item 2 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, SEKULA-GIBBS and LAWRENCE)** - was presented.

After a lengthy discussion by Council Members, a vote was called on Item No. 29. Council Members Wiseman, Lawrence, and Sekula-Gibbs voting no, balance voting aye. MOTION 2006-0795 ADOPTED.

30. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering to expend funds for traffic signal operations and maintenance on the Metro Light Rail Traffic Signal System pursuant to the Operations and Maintenance Agreement between the City of Houston and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** - 1 Year - \$178,500.00 General Fund – **(This was Item 4 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBERS BERRY, WISEMAN and HOLM)** – was presented.

Council Member Berry moved to refer Item No. 30 back to the administration, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0796 ADOPTED.

31. RESOLUTION approving an application requesting financial assistance from the Texas Water Development Board – **(This was Item 14 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. RESOLUTION 2006-0013 ADOPTED.
32. ORDINANCE **AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a portion of Old Sixth Ward as a designated area covered by such article; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability - **DISTRICT H – GARCIA – (This was Item 16 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN and KHAN)** – was presented.

After discussion by Council Members, Council Member Garcia stated that he was open to holding a discussion of how they further address it in his committee and also wanted to plant the idea and ask the Legal Department, if Mr. Michel could assist him, on an Anti Urban Camping Ordinance.

A vote was called on Item No. 32. Council Member Edwards voting no, balance voting aye. Council Members Wiseman and Green absent. ORDINANCE 2006-0922 ADOPTED.

33. ORDINANCE **AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a portion of Avondale as a designated area covered by such article; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability - **DISTRICT D – EDWARDS – (This was Item 17 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN and KHAN)** - was presented. Council Member Edwards voting no, balance voting aye. Council Member Wiseman absent. ORDINANCE 2006-0923 ADOPTED.
34. ORDINANCE **AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a portion of Greater Hyde Park as a designated area covered by such article; containing findings and other provisions relating to the foregoing subject; providing an effective date; providing for severability - **DISTRICT D – EDWARDS – (This was Item 18 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN and KHAN)** - was presented. Council Member Edwards voting no, balance voting aye. Council Member Wiseman absent. ORDINANCE 2006-0924 ADOPTED.
35. ORDINANCE **AMENDING ARTICLE III OF CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Hotel Occupancy Tax Transaction Records; containing other provisions relating to the foregoing subject; providing for severability – **(This was Item 19 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Wiseman moved to postpone Item No. 35 for one week, seconded by Council Member Berry, and after discussion by Council Members a vote was called on Council Member Wiseman's motion to postpone Item No. 35. All voting aye. Nays none. Council Member Green absent. MOTION 2006-0797 ADOPTED.

36. ORDINANCE approving and authorizing the submission of the budgets for Bureau of Nutritional Services, Women and Children (WIC), Tuberculosis, Title V-Part A, Associateship for Family Health Services. Titles V, XX & X for Family Planning Services, and the Immunization Program for the 2006-2007 Contracts with the Department of State Health Services (TDH Contract No. 7460011640-07); authorizing the Director of the Health

and Human Services Department to accept the initial funding and applicable contract change notices and expend approved funding; to accept any supplemental change notices during the grant period; declaring the City's eligibility for such grants; authorizing the use of Interim funding from the General Fund, not to exceed 15% of the requested level of funding for the WIC Program, and declaring intent to reimburse the General Fund from proceeds received from the Department of State Health Services for the WIC Program; authorizing the Director of the Health & Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any – **(This was Item 21 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

After discussion by Council Members, a vote was called on Item No. 36. Council Member Wiseman voting no, balance voting aye. ORDINANCE 2006-0925 ADOPTED.

37. ORDINANCE approving and authorizing first amendment to Contract #FC57195 between the City of Houston and **O'BRIEN OIL POLLUTION SERVICE, INC** for Bioterrorism Exercise Consulting Services – **(This was Item 22 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented.

After discussion by Council Members, a vote was called on Item No. 37. All voting aye. Nays none. ORDINANCE 2006-0926 ADOPTED.

38. ORDINANCE **AMENDING SECTION 9-54(a) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Commercial Carrier Service at the City's Airports – **(This was Item 32 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, JOHNSON, EDWARDS, LAWRENCE, GARCIA, KHAN AND BROWN)** – was presented.

Council Member Green moved to postpone Item No. 38 for one week and stated that he would offer an amendment to Item No. 38a, seconded by Council Member Garcia.

After a lengthy discussion, Council Member Clutterbuck asked if taxicabs, under this ordinance, still offer shared ride on demand, and did the ordinance also limit on demand shuttle service as well, and Mayor White stated that they would get her those answers.

After further discussion by Council Members, Council Member Berry stated that on Monday at 2:00 p.m. they would have a committee meeting on the subject.

After further discussion a vote was called on the motion to postpone Item No. 38 for one week. All voting aye. Nays none. MOTION 2006-0798 ADOPTED.

- 38A. ORDINANCE approving and authorizing Shared Ride Concession Agreement by and between the City of Houston, Texas and **ADAMS SYSTEMS, L.L.C., d/b/a SUPERSHUTTLE HOUSTON** Revenue – **(This was Item 32 on Agenda of August 30, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, JOHNSON, EDWARDS, LAWRENCE, GARCIA, KHAN, BROWN AND GREEN)** – was presented.

Council Member Green offered the following written motion to amend Item No. 38a:

"I. Section 3.1.19 Agreement is amended to substitute \$100,000 in place of \$178,000 as the amount of the Minimum Annual Guarantee for the first year of the agreement and for each successive year, the greater of \$100,000 or eighty-five (85%) of the Percentage Fee paid to the City for the immediately preceding agreement year.

II. The first sentence of Section 5.1.1 of the Agreement is deleted in its entirety and replaced with the following:

This Agreement shall become effective on the Effective Date and unless sooner terminated in accordance with Article XII, shall expire three years after the Effective Date.”, tagged by Council Members Wiseman, Johnson, Lawrence, Alvarado, Khan, Garcia and Green.

Council Member Green moved to postpone Item No. 38a for one week, seconded by Council Member Khan.

After further discussion by Council Members, a vote was called on Council Member Green’s motion to postpone Item No. 38a for one week. All voting aye. Nays none. MOTION 2006-0799 ADOPTED.

Council Member Green moved to remain in session beyond the scheduled noon recess to complete the agenda, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0800 ADOPTED.

Item postponed until the end of the agenda.

18. ORDINANCE amending Ordinance No. 2001-998 to increase the maximum contract amount for the contract for Water Resources Investigations in the Houston Metropolitan Area between the City of Houston and the **GEOLOGICAL SURVEY DIVISION OF THE UNITED STATES DEPARTMENT OF THE INTERIOR** - \$1,000,000.00 - Enterprise Fund – was again before Council. All voting aye. Nays none. ORDINANCE 2006-0927 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Berry stated that they had a neighbor who was violating a number of City codes, the neighborhood was upset and they forwarded it to the Public Works Department and Mr. Noel Freeman, the morning that he received the notice, had the issue resolved by noon, that he was very professional, that he wanted to thank Mr. Gary Norman for quarterbacking that deal and wanted to say that he was generally very happy with the leadership at Public Works from the level he interacted with in responsiveness to their questions, willingness to answer questions for constituents and willingness to try to find a solution that worked out the best for the community. Council Members Lawrence, Alvarado and Green absent.

Council Member Brown stated that he wanted to second what Council Member Berry said about the Public Works Department and throw in also the Planning Department, they had some new initiatives going that he thought were really going to put the City in a much better position to build a great City. Council Members Lawrence, Alvarado, Lovell and Green absent.

Council Member Brown stated that he had passed out a copy to each Council Member of a brochure on the Urban Market Place, that everybody was invited to a free lunch on Friday at the Hilton Americas, that it was the Urban Land Institute’s Urban Market Place where experts in the development of cities came from around the country and shared ideas. Council Members Lawrence, Khan, Lovell, Green and Berry absent.

Council Member Brown stated that in comparing Los Angeles to Houston, Los Angeles was a city of 420 square miles, Houston was a city of 620 square miles, yet Los Angeles had a population of 4.5 million and Houston had 2 million, that they were more than double the density

of Houston and in terms of securing the city they had 9,000 police officers and Houston had 4,800, but their crime rate was one third of what they had in Houston and what that said to him was that there was an urban development issue, that they had more territory to police and to provide services to than a city like Los Angeles, that they had a tough job and that ought to be part of the consideration of how they went forward to develop those portions of the City that were yet to be developed. Council Members Lawrence, Khan, Lovell, Sekula-Gibbs, Green and Berry absent.

Council Member Clutterbuck stated that she had some unpleasant experiences at the airport recently and had been corresponding with Mr. Vacar about them but thought she would bring them to Mayor White attention as well, that she thought it was essential that any time they as a city let extremely lucrative contracts out in a competitive bid that then hold the vendors accountable to maintain certain minimum standards and she brought it up because she was traveling out of town on Friday and they stopped at one of the restaurants in Terminal B and to describe how horribly unsanitary and disgusting it was she quite frankly could not do it at the Council table but food on the floor, a host left it there for half an hour and when she asked if he had a broom he just shrugged his shoulders and said it would require moving the table, all of that five feet from a welcome to Houston sign and it dawned on her that it was not the first experience she had this summer at the airport, whether it was that or in Terminal E a disgusting bathroom with trash overflowing and dirty diapers and things like that on the floor and then a third experience very similar, if their vendors could not meet minimum sanitary standards and if their employees at the airport were not holding the vendors accountable then she thought something needed to be done, either about the employees at the airport or about the vendors and maybe putting in a termination clause in the contracts if the vendors insisted on maintaining the cleanliness rather than letting the City do it then they needed to hold them to a certain level of standards and she would suspect that Mr. Vacar's staff had a checklist, and Mayor White stated that Mr. Vacar had a lot of people working there and if somebody had an excuse that they could not check the bathrooms because of the staff it was not true, that people had to make sure that what they said was accurate, and Council Member Clutterbuck stated she hoped that as they were trying to do their very best, whether it was expanding their airport or getting more business in, when they did say welcome to Houston that they meant it and that the food was prepared adequately and in safe conditions and served in a way that they would not have to eat with their feet on gum wrappers and French fries, and Mayor White stated that on cleanliness and bathrooms, only the management of Aviation was responsible, that he assumed they were cleaner than they used to be, but he would tell them that the service standards and cleanliness and the investment in the airport concessions was something that people on the Council could help him with because he had never seen anybody so aggressive in lobbying as the people for the airport concessions, and if people thought they would not be held accountable because they had certain relationships with the elected representatives they would conduct themselves in that manner and a number of people had reported that there were some deteriorations in restaurant services that had occurred, so the Council could help him and help the City by not making commitments and expressing their concerns that the investment be made and the level of service be maintained regardless of who showed up at what event. Council Members Lawrence, Johnson, Lovell, Sekula-Gibbs and Green absent.

Council Member Clutterbuck stated that she had noticed multiple times in multiple terminals that there was a nice gray kiosk that said Welcome to Houston, the Houston Visitors Bureau, which was always empty and wondered if they were not going to staff it if they could perhaps clear it out of the way, it was frankly just a big beacon showing that it was un-staffed, much frankly like some of the shuttle service, she saw an out of town visitor standing at one of shuttle counters unattended this week and that was extremely disturbing to her as well, so if the Convention and Entertainment Bureau or whoever happened to have jurisdiction over that particular kiosk could just move it if they were not going to staff it she thought it would clear up

and make things look a little bit more spacious. Council Members Lawrence, Johnson, Lovell, Sekula-Gibbs and Green absent.

Council Member Clutterbuck stated that this week she attended the passing of a vision statement to the Braes Oaks Management District, that it was the only management district that passed last year and they were finally getting underway and it was so exciting to see both private organizations such as the Houston Architecture Foundation, who had worked with leaders in the community in coming together with a vision plan for southwest Houston and then combining their resources and then delivering supplemental police service and added security and beautification efforts, it was an example of a particular part of town taking their neighborhood back, that she was looking forward to working with the Braes Oaks Management District and the new Braeswood Revitalization Association in seeing that they could do all they could to make southwest Houston wonderful. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she had an issue that she had been looking into ever since Katrina happened last year and that was Homeland Security and dollars that they got for the City of Houston, that she wanted to thank Cheryl Murray and Ann Travis and Mr. Storemski, that it kind of validated her concerns, that they gave her a very detailed accounting and there were several funding issues that she had concerns with as far as Houston was concerned where they had been determined by the Department of Health and Human Services as one of the major targets for terrorism and so forth, they had been seeing a steady decline in the allocation of funding to the City of Houston and she would like to know what that impact was, she did not need to know the gory details, when they had declined from the USASI Funding from a high of \$23 million to \$16 million, when they had declined in the area of other allocations she was just concerned, they had experienced dramatic declines from the State Homeland Security allocations and she would like to know what the impact, in spite of those declines their City had been doing quite well, but she would assume that the amounts of declines that were in the report she would like to know what was happening with that; what were the consequences of those declines, was it affecting what they could be doing and how they could be doing better and she was still not clear as to why the City of Houston was not allocated as a State like Los Angeles and Chicago and New York and so forth as she understood they were, the dramatic decline, they received region funds and they were allocated with four different areas and she would like to ask again how did that impact what they had to provide from a City funding basis to make up for the work that had to be done because the work still had to be done, so if she could get someone to give her that information or maybe through the Public Safety Committee have a report on how those funds were made up, if it was not too sensitive, how much money were they being cut each year. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that they had a lot of episodic voting on hike and bike trails throughout the City and if Lilly Beth could come and give them a comprehensive look at what all the hike and bike trails connected up and what was the City looking like as those hike and bike trails hook up and how far were they in the process of getting the whole City into place. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she would like a discussion on Houston Hope. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she wanted to thank Council Member Alvarado for Dr. De Noble at the breakfast yesterday, that he made some statements that she did not necessarily agree with but thought the essence of his comments were something that they had to look at from a committee standard and from a city standard, that she did not realize that

cigarette smoke was not under the jurisdiction of the EPA, while they could comment on what happened at the Ship Channel and all that and the same basic ingredients were in cigarette smoke but they had no authority over what happened in buildings, the other issue was how tobacco was not regulated by the FDA, whereas the FDA could recall Celebrex or whatever after it had been out there and they figured it was harmful and she thought more people had died from cigarette smoke than from Celebrex and they were able to pull that off of the market but then they found out that tobacco was under the auspices of Firearms and she did not understand the regulation of that so she was going to ask Chairman Alvarado if she would give them more opportunity to discuss that and what that meant to the City of Houston and as they moved the Smoking Ordinance how do they wrap their arms around it, even if they got the Smoking Ordinance done who could enforce it, who would regulate it and how could tell and figure it out. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she had the opportunity of speaking before the Astrodome Rotary Club this morning and they volunteered to help in any way they could with their programs from clean air to curfew to youth programs, however they could use them they said they were ready so she was taking them up on that. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that the issue that was discussed at the townhall meeting last week she had gotten numerous phone calls from across the Country, that CNN picked up on the issue, but she just wanted people to know that she thought people had fears, she did not think it was representative of Houston as a racist city, that they had done a lot of work and she thought people were confused and thought they were concerned and frustrated, but she did not think they were racist, they might have racist individuals but there was nothing that would indicate to her that the policy of the City and the majority of it's citizens tended to be racist, she was disturbed by the number of calls she got from across the Country and did not know how they could address it but thought they had to be real careful on Council as to how they addressed issues at Council because they had kind of put everything as being the Katrina folks or because of illegal immigration, so she thought they had to be very mindful of how they framed up issues. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that for the last 15 years she had been on KBXX 97.9, which was part of the Radio One Family and they had moved her from 97.9 to their new religious station, Praise 92.1 and they were on Saturday mornings from 7:00 a.m. to 10:00 a.m., that for all of the month of September they were having a voter registration drive and would be out at the Breakfast Klub at Alabama and Travis so if anybody had moved or not registered and were eligible to register they could come down between 7:00 a.m. and 10:00 a.m. to register for the November election coming up. Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that District D had been blessed to have some really great people work in their office and one of their people was going to be leaving and going to Austin, that Ms. Katlin Murphy had been selected to go to Austin and work in the Austin office of Senator Rodney Ellis and would be leaving within a month or so, that she was really proud of her, but they were looking for an agenda director, communications director and flooding and drainage expert. Mayor White and Council Members Lawrence, Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated that on Monday, September 11, 2006 they would be having a Public Safety and Homeland Security Committee meeting in the Council Chamber and

encouraged them to attend. Mayor White and Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that tomorrow there would be a press conference to talk about the need to effectively promote the proper use of 9-1-1, that it was overwhelmed with calls that could be better served in other arenas. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Holm stated that she wanted to thank Mayor White and Chief Hurtt for attending last Wednesday night's meeting at Grace Church where there were 1,700 participants that continued to share their concerns for the crime issues in the City and their community and they were aggressively addressing it, that she wanted to thank Constable Glen Cheek and his office for the dramatic positive impact they had on the community as a part of that, that one of the concerns that continued to remain with her were part of the housing issues that were related to the Hurricane Katrina, that she was having trouble finding the specific strategy they were using to assist individuals as eviction notices were scheduled and with that delivery what assistance they had other than just presenting the eviction notices, that she knew Mayor White continued to work with the State of Louisiana and she thought it was important but she thought it was important that they as a city also have their own tools that they could really assist the Katrina guests in their desire to journey home, if they could get some criteria on that. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she wanted to congratulate Mr. Michel who would be honored on September 8, 2006 by MALDEF for excellence in legal service, and Ms. Helen Chang of the Mayor's office who was receiving the International Leadership Award from Asia Houston and it was also on Friday. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he also wanted to congratulate Ms. Chang and Mr. Michel. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to invite everybody to a 9-1-1 Concert on Monday, September 11, 2006, the fifth anniversary of the horrible tragedy in 2001, that Mayor White would be hosting the concert and it would be organized with the sponsorship of Sister Cities International, that he wanted to thank Ms. Susan Christian and Ms. Delaine La Flore for putting it all together, it would be on the steps of City Hall at 11:00 a.m. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that regarding the apartment complexes, besides the crime issues and other areas there were a lot of complaints they got about the overflow of the dumpsters in the apartments, that one of the recent ones were the Ashley Apartments on Carvel Street, that the residents were saying that the dumpsters were constantly overflowing and the trash flies into their yards and the stench was unbearable, the complaint was sent to Neighborhood Protection and Solid Waste and Veronica Hernandez in the Citizens Assistance Office was also involved and they did send an inspector and they received three citations and he would request that they look into that and if there was some way to address the issue on a permanent basis he would appreciate it. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that there was another issue of night clubs, they were protesting the liquor license of the Esmeralda Night Club in their district and requested others to join in the protest, that there was another one that the FAST Unit was working on and they would be joining that protest also, it was called the Michoicana Night Club and they were just nightclubs popping up in strip centers, that there were several reports of these businesses which were popping up and were really a front for sexually oriented businesses, modeling studios and massage parlors, that they would appreciate their looking into that to see what permanent solution they could find in that regard. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he also wanted to express his concern that when they talked about Katrina and people who came to our City from New Orleans that he wanted to request everybody to be mindful that most of the people who came from Louisiana after Katrina were law abiding decent citizens and not involved in any illegal activities of any nature and were trying to get back on their feet, there were bad apples in every group and there were bad apples in that group also and they needed to deal with them appropriately but it would be wrong for them to blame everything which they felt challenged about on Katrina guests. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:39 p.m. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Wiseman, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Green 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