

City Council Chamber, City Hall, Tuesday, June 5, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 5, 2007, 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, Ronald C. Green and Michael Berry; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present.

Note: Council Member At-Large Position 3 vacant.

At 1:58 p.m. Mayor White stated that presentations would begin with Council Member Garcia; and Council Member Garcia stated that recently officers were given the honorable distinction of being named officers of the year and he had invited them to Council today and invited Officers Emma Rodriguez, Jason Turrentine and Guadalupe Duron to the podium and stated that they had effectively addressed and solved many problems and brought about a more peaceful way of life and presented them Proclamations proclaiming June 5, 2007, as "Emma Rodriguez Day, Jason Turrentine Day and Guadalupe Duron Day" in Houston, Texas. Council Members Lawrence, Khan, Alvarado and Brown absent.

Council Member Garcia invited George Guyton to the podium and stated that he was the son of one of Houston's finest and had participated in a library essay program and received honorable mention and presented him a Certificate of Recognition. Council Members Lawrence, Khan, Alvarado and Brown absent.

Council Member Berry invited Ms. Dawn Ullrich, Ms. Lilliana Rambo and their team forward and stated that free market businesses and restaurant owners all across Houston asked the Parking Management Division to get involved as parking was such a scarce resource; that they had done a wonderful job and they were recently recognized as the Municipal Parking Organization of the Year by the International Parking Institute which was a very big feat and presented Ms. Rambo an award on behalf of the International Parking Institute; and Ms. Rambo stated that she thanked the Mayor and Council for the confidence they placed in her and the Parking Management staff; that she could not have accomplished all goals placed on them without support of Ms. Ulrich, Mr. Lewis and the support staff; that she also thanked the Courts, Public Works and all others who helped them accomplish their goals and asked the Parking Management staff and her two daughters, Briana and Diana, to stand to be recognized. Council Members Johnson and Lovell absent.

The Mayor and Council Members congratulated Ms. Rambo and those in parking enforcement. Council Member Lovell absent.

Council Member Berry stated that it was his pleasure to honor his favorite Houston artist who was called the Concrete Cowboy by the Wall Street Journal; that he was one of the best sculptors with his art known the world over and invited Mr. David Adicks to the podium and stated that Mr. Adicks was truly a Houston legend who believed bigger was better and made art for all to enjoy; that among other works he constructed the 67 foot Sam Houston monument in Huntsville and a similar size tribute the Steven F. Austin near Angleton, the 36 foot cellist named Virtuoso and busts of 42 of the former U. S. Presidents; that he was having an unveiling on June 7th of the Beatles and presented him a Proclamation proclaiming June 5, 2007, as "David Adicks Day"; and Mr. Adicks stated that he liked to do sculpture and would keep doing it as long as he could; and thanked all for the Proclamation. Council Members Garcia and Lovell absent.

Council Members expressed appreciation for his work and thanked him for what he did for Houston. Council Members Garcia and Lovell absent.

Council Member Alvarado stated that as they debated the issue of oil and grease one thing they came up with was to corral the grease and in front of all at the Council table was a container to dispose of oil and grease; that about a million pamphlets were placed in water bills and there was a web site to help educate all on this; that two young individuals put together a video for the Corral the Grease Program which was displayed, and she thanked Trevor Lewis and Justin Anderson who were with the Art Institute of Houston and presented a Certificate of Recognition to each. Council Members Johnson, Garcia and Lovell absent.

At 2:24 p. m. Council Member Wiseman led all in the prayer and pledge. Council Member Garcia absent.

At 2:25 p.m. Mayor White called the meeting to order and the City Secretary called the roll. Council Member Garcia absent.

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

Council Member Berry moved the rules be suspended for the purpose of hearing Mr. Skipper Lee Frazier at the top of the Speakers List, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Garcia absent. MOTION 2007-0524 ADOPTED.

At 2:27 p.m. the City Secretary began calling the public speakers. Council Member Garcia absent.

Mr. Skipper Lee Frazier, 4610 S. Wayside Drive, Houston, Texas 77087 (713-644-1166) appeared, presented information and stated that he was the man who brought a mountain of soul to Houston; that a friend of his, Maurice Hope-Thompson, who was also in radio, KTSU, had Cancer; that the young lady standing with him was a registered nurse and asked him for help so he put a show together, a benefit to help him, it would be held this Sunday, June 10th, 6:00 p.m. at the Center for Hope, Good Hope Missionary Baptist Church located at 3015 North MacGregor Way and he would ask for all those who could come to do so and for those who could not he would ask they send a check. Council Member Garcia absent.

Council Member Edwards thanked Mr. Frazier for all his years; and upon questions, Mr. Frazier stated that checks could be sent to Maurice Hope-Thompson, P. O. Box 741384, Houston, Texas 77274. Council Member Garcia absent.

Council Member Johnson stated that he loved all he had done and for coming today it showed his true selflessness. Council Member Garcia absent.

Council Member Lovell stated that she wanted to introduce Boy Scout Troop 266 and Girl Scouts from the Fay School Culture Elementary St. Agnes and St. Ann were present and also a young man in the group, Daniel Clay, was present; that she coached the Near Town Little League and she had seen him play since T-Ball; that they were recently in a tournament and would have been eliminated if they had lost but he pitched a "No Hitter" and was on base three times and saved their season and asked he stand to be recognized. Council Member Garcia absent.

Ms. Phyllis Frye, 5707 Firenza, Houston, Texas 77035 (713-723-8368) appeared, presented information and stated that she was a resident of Westburry, 5,000 plus homes, in

District C and she was speaking as a resident, lawyer and licensed engineer regarding Agenda Item 19, amending Chapter 28 of the Code of Ordinances and specifically Article X the parking of vehicles on residential property; that this was very much needed, however, as it now appeared there were problems, number one was the definition of impervious surface, number two was the definition of vehicles or equipment, number three was a homeowner could pave over the entire front yard; that she had sent concerns to Mr. Jonathan Newport who she believed was in Council Member Lawrence's office and copies to Council Member Clutterbuck and the four At-Large Council Members and attached to her presentation were suggested revisions. Council Members Garcia and Berry absent.

Council Member Clutterbuck thanked Ms. Frye for coming with constructive suggestions and stated that those she had influenced and who had written her had overwhelming support for her suggestions; that the ordinance would be vital to those who lived in areas that did not have parking in yards prohibited by deed restrictions. Council Members Garcia and Berry absent.

Council Member Lovell thanked Ms. Frye for all she did and her E-mails. Council Members Garcia and Berry absent.

Council Member Edwards thanked Ms. Frye for her comments and stated that she was at a civic club meeting last night in the Hyde Park area and the issue came up because of the mass proliferation of town homes and so forth on very narrow streets they said many times the only place they had to park was in their yard; that parking was a serious issue in Houston and she was adding the one concern from Hyde Park to her list. Council Members Johnson, Garcia and Berry absent.

Council Member Lawrence thanked Ms. Frye for coming and stated that she would put her on their E-blast list; that with such information presented she was sorry she had not known her sooner and they would also like her coming to any committee meetings with her ideas; and Ms. Frye stated that she would be honored to attend and anything she could do to help the city would help the neighborhood and herself. Council Members Garcia and Berry absent.

Council Member Brown stated that as an architect and urban planner he supported all she recommended. Council Members Garcia and Berry absent.

Mr. Anthony Knoppa, no address, no phone appeared and stated that he was one of the least popular visual sites in Houston as he was a member of the homeless; that they were a new organization and calling themselves Homeless in Transition, in that they were the homeless looking for a way out, they wanted jobs, a home and a normal life, unfortunately many things were lacking in Houston such as there were no sanitary facilities where the homeless could go and bathe and maintain personal hygiene and that represented a health risk to all in Houston; that he had also been confronted by police a number of times and told to move on and they were courteous but at some points he would question the Constitutionality of them telling him to move on under certain circumstances, but their concerns were also concerns of others such as health, and eyesores and they were aware when they had a stinking demeanor and were not proud of it and many wanted to move on; that it was easy to tell them where they could not be, but where could they congregate, it was also easy to say there were shelters, but they were inadequate for the number of homeless and there were places which fed them but how did they get to and from them. Council Members Garcia and Berry absent.

Mr. Scott Jern, no address, no phone appeared and stated that he too was a member of the homeless community and to reiterate what his friend said, 14 hours was a very, very long time to walk the streets with no meaningful purpose or constructive activity; that once they left whatever shelter they could find people were reluctant to even speak to them or hire them for

anything, they had no where to go once the soup kitchen kicked them out; that there were not enough labor halls in the entire county to handle the load, there were probably 10,000 homeless in this city with no possible job opportunity and they needed more labor halls; that there were a million jobs such as trash to be picked up, ditches to be cleaned, etc., thousands of people were underachieving when they could be put to useful and meaningful labor to where they could earn an honest living and if they had such places to go to they would not be sleeping on their shoes and some way something needed to be figured out, if they could spend money on sports facilities they could spend money on labor halls and they needed to be available 24 hours a day. Council Members Clutterbuck, Khan, Garcia and Berry absent.

Upon questions by Council Member Edwards, Mr. Jern stated that he had not approached the Homeless Coalition with his idea, but many people had and so far no action was taken; that he was told a large facility was to be built and rumored to be in the works for 5 years and it would encompass all those functions but it had not been done. Council Members Clutterbuck, Khan, Garcia and Berry absent.

Mr. Homer Denson, 9888 United Drive #1202, Houston, Texas 77036 (713-776-3291) appeared and stated that he took a police exam last year in August and when they did his background and credit report it was bad, the reason was he had a child and in the military paid his child support, but it was not being recorded and came up to \$60,000 in arrear payments and he was told he had to take care of that situation first so he wrote to the state of California and did what he could to bring it down and he cleared it, he was found innocent and they took the whole \$60,000 off, but it made him get behind in other things; that 90% of the things on his credit were not his fault and they deleted it off his credit report and he would like another opportunity to have his application reviewed. Council Members Khan and Berry absent.

Mayor White stated that Lt. Jennings was present and would speak with him at this time. Council Members Lawrence, Khan and Berry absent.

Mr. Preston McGowen, 7985 Cinderella, Houston, Texas 77028 (713-675-9371) appeared, presented pictures for viewing and stated that he was having trouble as people on the south side brought trash to the north side and dumped it in the ditch and every time it rained he had to go out and pick up stuff in his yard; that a sign had been put up but Labor Day a whole pile of trash was left by the sign and he was getting tired of it; that he was 89 years old and was not going to fight but he would shoot. Council Members Lawrence, Khan and Berry absent.

Council Member Johnson thanked Mr. McGowen for being as actively involved as he had been and stated that he appreciated him calling his office and each time they tried to be responsive; that they would get Neighborhood Protection out there again and try to catch the person putting the trash out; and Mr. McGowen stated they would never catch him, the trash was proof and he would not fight, but he would shoot and he meant it. Council Members Lawrence and Berry absent.

Council Member Edwards stated that she shared his sentiments as she was having the same issue in front of her house and there was a free city dump just four or five blocks from her, on Sunbeam was a free dump; and requested that they be furnished a listing of dumps and get the sites posted and made more aware of; and Mayor White stated that he would ask those monitoring this to see if they could get the E-mail net work out on that. Council Members Lawrence and Berry absent.

Ms. Carolyn Davis, 5903 Quail Village, Houston, Texas 77053 (281-437-8157) appeared and stated that first she wanted to thank the Mayor and Council for the response she was getting, but she was a disabled veteran and the home she was living in she moved into in 1985

and the first time she heard about the homeowners association was when she received a bill for \$383.00 and she paid it though she did not know what it was for; but the association had been calling her at work and she was almost fired; that now they were talking about foreclosing on her home even though she was paying them; that they gave her a payment plan but she was having trouble and they said nothing could be done; that in 2005 she refinanced and even the money they gave them was not on the books; and she got a letter from Rick Perry showing criteria of what they should do but they were doing what they wanted. Council Members Lawrence, Johnson, Holm, Alvarado, Green and Berry absent.

Council Member Edwards stated that when her office called her today about her appearance they had some conflicting information, but the homeowners agreement was a private contract between her and her and her mortgage company and she did not think there was anything Council could do; that maybe she should go to the NAACP and get legal counsel, they were on Wheeler every Saturday and someone from her office was on their way over if she would like to wait and they would bring information to her regarding Senator Ellis's office and maybe they could get her assistance. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado 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 Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

Ms. Maria Isabel, P. O. Box 498, Houston, Texas 77001 (713-542-0721) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

Mr. James Partsch-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 Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

Mr. Anthony W. Morris, 2400 South Loop West, Houston, Texas 77054 (713-664-5362) appeared and stated that he had a matter which was handled in Municipal Courts by Ryan Green and his assistant but he was bringing another message from the courts, in Court 1 the presiding judge was Judge Cox and he was a superb judicial leader and as he watched he saw justice and due process administered well and he spoke with the judge and said he would come before Council and let them know the system installed was working well. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

Mr. Gregory Foster, 8301 North Willow Place Drive, Houston, Texas 77070 (713-829-4947) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

Mr. Fredrick K. Metoyer, 2525 Windrock, Houston, Texas 77057 (713-782-0964) appeared and stated that he was from the Third Ward and wanted to exercise his research and reading skills and was told he could not do it and it got him upset so he came to Council; that he was asking if someone could find out why he could not use the facilities; that he was kicked out of the house of knowledge and he did not want to be kept from the federal building researching his material. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

Mayor White stated that he thanked him for bringing it to their attention but they had no power over judges or defendants; and Mr. Metoyer stated that when you went into a library you did not say much but to be exited out because you had knowledge of procedures was not right. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

President Joseph Charles, P. O. Box 524373, 77052-4373 (832-453-6376) appeared and stated that he was an official national crime victim and his case was being tampered with; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

At 3:10 p.m. City Council recessed until 9:00 a.m., Wednesday, June 6, 2007. Council Members Lawrence, Johnson, Holm, Garcia, Alvarado and Berry absent.

City Council Chamber, City Hall, Wednesday, June 6, 2007

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, June 6, 2007, 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, Ronald C. Green and Michael Berry; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

Note: Council Member At-Large Position 3 vacant.

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

At 9:27 a.m. Mayor White called the meeting to order. Council Members Wiseman, Garcia and Berry absent.

MAYOR'S REPORT

Mayor White stated that he wanted to visit with them in a different type of conversation than they had on the Mayor's Report about the budget; that he would encourage people to talk back and forth because he really did try to put together a budget that included stuff that people had brought up time and time again; that the budget was complicated and he paid attention to the budget almost every day; that he wanted them to use him as a resource in working through and not mistake an explanation of something for being hard headed or defensive; that if they did not think there was good communication going back and forth to highlight that in the conversations with him or others; that the City was moving forward and one reason was that the budget was getting more predictability, that getting the budget right was in all of their interest and gave them the opportunity to move the City forward on all the other things if they were not worrying about a budget crisis and every action that they took this year on the budget had actions in the out years of the budget, that he thought most of them wanted to accomplish some of the same things and they had limits under State law and other things concerning the revenues that they had, so he would encourage people to talk through it on the budget process and he would make a commitment to them to be accessible. Council Members Wiseman and Berry absent.

Mayor White stated that they would move to the consent agenda. Council Members Wiseman and Berry absent.

CONSENT AGENDA NUMBERS 1 through 43

ACCEPT WORK - NUMBERS 2 through 5

2. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$480,522.62 and acceptance of work on contract with **ICE CONTRACTORS**,

INC for Terminal C-Hazardous Material Abatement at George Bush Intercontinental Airport/Houston, Project 490R, WBS A-000131-0001-4-01 - 21.42% 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. Council Members Wiseman and Berry absent. MOTION 2007-0525 ADOPTED.

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,333,365.71 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION L. P.** for Construction of Hermann Drive Storm Sewer Relief Project - Segment 1 (600 feet east of Jackson Street to Brays Bayou), WBS M-000260-0001-4 0.63% 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 Wiseman and Berry absent. MOTION 2007-0526 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,556,950.31 and acceptance of work on contract awarded to **KINSEL INDUSTRIES, INC (now INSITUFORM TECHNOLOGIES, INC)** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS R-000266-00A4-4 - .80% over the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0527 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,826,893.63 and acceptance of work on contract awarded to **KINSEL INDUSTRIES, INC (now INSITUFORM TECHNOLOGIES, INC)** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method, WBS R-000266-00S7-4 - .46% over the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; F - KHAN; G - HOLM; H - GARCIA and I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0528 ADOPTED.

PROPERTY - NUMBERS 7 through 14

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Rick Gamez of Gamez + Walker, on behalf of Advanced Diagnostics Management, L.L.P. (Lucky Chopra, M.D., General Partner), for sale of fee-owned right of way being part of Lots 2 and 8, in Fractional Block 4, of the West End Addition and out of Fractional Block 5, of the Hadley and Franklin Addition, out of the Obedience Smith Survey, Parcel SY7-128 - **APPRAISERS - DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0529 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Dena Kriticos, South Texas Surveying, Inc., on behalf of Samshi Homes, LLC (Vinay Karna, Chief Executive Officer), declining the acceptance of, rejecting, and refusing the dedication of a 5-foot-wide storm sewer easement within Lot 9, Block 32, of amended plat of Riverside Terrace, Fifth Section, out of the G. P. Foster Survey, Parcel SY7-108 - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0530 ADOPTED.

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Hugh Blanchard, Brown & Gay Engineers, Inc., on behalf of Metro National Corporation (Bill Huntsinger, Vice President), declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide water line easement, a 10-foot-wide fire hydrant easement, and a 10-foot-wide water meter easement, located in the Monarch School Subdivision, out of the A. T. Miles Survey, A-556, Parcels SY7-136A, SY7-136B and SY7-136C - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0531 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-126, located at 10545 Aldine Westfield Road, owned by Earl and Sandra Farrell, for the **ALDINE WESTFIELD PAVING PROJECT from Tidwell to Little York**, N-000577-0001-2-01 **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0532 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 18

18. **CHANNELVIEW SUPPLY COMPANY** for Equipment, Onan Generator Replacement Parts and Services for Various Departments - \$300,550.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0533 ADOPTED.

ORDINANCES - NUMBERS 25 through 40

25. ORDINANCE approving and authorizing contract between the City of Houston and **TALENTO BILINGUE DE HOUSTON**, to provide \$220,000.00 in Community Development Block Grant Funds to allow for the Renovation of a Public Facility located at 333 South Jensen Street **DISTRICT H – GARCIA** – had been pulled from the Agenda by the Administration, and was not considered. Council Member Berry absent.
29. ORDINANCE approving and authorizing Sanitary Sewer Service Contract between the City of Houston and the **BISSONNET MUNICIPAL UTILITY DISTRICT** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0638 ADOPTED.
30. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **CITY OF BUNKER HILL VILLAGE** for the Construction of Sandalwood Area Water Line Replacement Project, WBS S-000035-00D3-2-01 - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0639 ADOPTED.
31. ORDINANCE appropriating \$5,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **OMEGA ENGINEERS, INC** for Neighborhood Street Reconstruction 448, WBS N-000380-0001-4 - **DISTRICTS D -**

EDWARDS and E - WISEMAN – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0640 ADOPTED.

32. ORDINANCE appropriating \$5,000.00 out of Metro Improvements Commercial Paper Series E Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **UNITED ENGINEERS, INC** for Street and Bridge Projects, WBS N-000574-0001-4 - **DISTRICTS B - JOHNSON and E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0641 ADOPTED.
33. ORDINANCE appropriating \$219,600.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Environmental Consulting Services Contract between the City of Houston and **RABA-KISTNER CONSULTANTS, INC** for Design of Environmental Assessments for the City's State Revolving Fund Program, WBS R-000265-0057-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0642 ADOPTED.
34. ORDINANCE appropriating \$5,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **LJA ENGINEERING AND SURVEYING, INC** for Various Small Diameter Water Line Replacement Projects, WBS S-000035-00M7-4 – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0643 ADOPTED.
36. ORDINANCE appropriating \$896,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R & B GROUP, INC** for Dairy Ashford #4 Lift Station Rehabilitation, WBS R-000267-00G2-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0644 ADOPTED.
38. ORDINANCE appropriating \$2,889,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ACM CONTRACTORS, INC** for Westheimer to West Alabama Sewer Relocation, WBS R-002011-0045-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK and D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0645 ADOPTED.
40. ORDINANCE appropriating \$780,094.25 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **MERIDIAN COMMERCIAL, L.P.** for 611 Walker Phase I Interior Renovations, WBS R-000268-0056-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for construction management, Civic Art Program and

contingencies relating to construction of facilities financed out of the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0646 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION for approval of the Fiscal Year 2008 Equipment Acquisition Plan – was presented. Council Member Berry absent.

Council Member Garcia moved to postpone Item No. 1 until the end of the agenda, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0534 ADOPTED.

ACCEPT WORK

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,012,179.03 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for 69th Street Wastewater Treatment Plant Improvements - Package 2; WBS R-000509-0009-4 - 14.60% 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 Member Berry absent. MOTION 2007-0535 ADOPTED.

PROPERTY

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Bryan Miller, Seven Acres Jewish Senior Care Services, Inc., for sale of ±3,490-square-feet of excess fee-owned property within the Braeswood Water Well #1 Site C-116, adjacent to 5900 North Braeswood Boulevard, in exchange for conveyance to the City of a sanitary control easement over the entire area being sold, out of Tract 1A, the H. Aiken Survey, Abstract 98, Parcels SY7-132 and QY7-008 - **STAFF APPRAISERS - DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0536 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ronnie D. Harris of Brown & Gay Engineers, Inc., on behalf of Belle Meade Investment 2006 LP [Grayco Project Sackett GP LLC (John J. Gray III, President), General Partner], for abandonment and sale of a 7-foot-wide sanitary sewer easement between Sackett Avenue and Ferndale Place, at the rear of Lots 3 and 4, Block 19, E. C. Crawford Addition in exchange for the conveyance to the City of a 15-foot-wide access easement, from the new terminus of the sanitary sewer line east along the southern boundary line of Tract 1, Block 5, Kerr's Ferndale Annex to the Ferndale Place right of way, all out of the A. C. Reynolds Survey, South Side Buffalo Bayou, Parcels SY7-058 and AY7-442 - **STAFF APPRAISERS - DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0537 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Belinda King of Metropolitan Planning, L. P., on behalf of Avishai Ron and Villages of Chartres, LLC (Joseph L. Ranieri, Managing Partner), for abandonment and sale of Drew Avenue, from Chartres Street to St. Emanuel Street, located within the Subdivision of Blk 16 Holman Survey, out of the J. S. Holman Survey, A-323, Parcels SY7-105 and SY7-138 - **APPRAISERS - DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0538 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jim Peterson, on behalf of the Estate of R. B. Scott (Arvis Scott Cato, Executor), declining the acceptance of, rejecting, and refusing the dedication of a 10-foot-wide alley from Mulvey Street to Nichols Street, between Lockwood Drive and Harlem Street, out of Block 20, Englewood Addition, Parcel SY7-081 - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0539 ADOPTED.

PURCHASING AND TABULATION OF BIDS

15. **JOHN DEERE COMPANY** - \$167,967.50, **PROFESSIONAL TURF PRODUCTS, L.P.** - \$202,437.64, **EARLE KINLAW AND ASSOCIATES INC d/b/a EKA, INC** - \$54,734.15 and **LANSLOWNE-MOODY COMPANY** - \$55,088.56 for Purchase of Grounds Keeping Equipment through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for Parks & Recreation Department - \$480,227.85 - Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Clutterbuck. Council Member Berry absent. (Note: Council Member Clutterbuck released her tag later in the meeting.)
16. **PHILPOTT MOTORS, LTD.** for Utility Vehicle through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Police Department - \$28,235.30 - Major Accessories Shop 15 Fund – was presented. Council Member Berry absent.

After discussion by Council Members, Council Member Holm stated that she would tag Item No. 16 and wanted an explanation to know what the Major Accessory Shop 15 Fund was. Council Member Berry absent.

17. **ASHLAND, INC** - \$10,800,000.00 and **POLYDYNE, INC** - \$7,200,000.00 for Chemicals, Liquid Polymer Flocculant for Department of Public Works & Engineering - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Berry absent.

Council Member Garcia stated that on Item No. 17 he noticed that they were using the same MWBE for both items and moved to postpone Item No. 17 until the end of the agenda to see if Public Works could provide some insight to why they were using the same MWBE, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. Council Member Berry absent. MOTION 2007-0540 ADOPTED.

ORDINANCES

19. **ORDINANCE AMENDING CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the parking of vehicles on certain residential properties; containing other provisions relating to the foregoing subject; providing a penalty; providing for severability; providing an effective date - was presented, and tagged by Council Members Wiseman and Lawrence. Council Member Berry absent.

After discussion by Council Members, Council Member Edwards requested that they have a committee meeting regarding Item No. 19 and that they bring in Ms. Liliana Rambo to attend, and Council Members Garcia and Edwards stated that they would also tag Item No. 19. Council Member Berry absent.

20. **ORDINANCE CREATING A NEW ARTICLE VIII TO CHAPTER 34 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, TEXAS**, providing for the creation of a Public Safety Video Program; making other findings and provisions related to the subject; providing a severability clause – was presented, and tagged by Council Members Wiseman, Khan and Clutterbuck. Council Member Berry absent.

Council Member Khan stated that he had some concerns, besides the right to privacy issue how would the program be implemented, and was it going to be implemented based on the best needs like some of the hot spots they had in town where the monitoring would be done to combat crime, or as he understood it, whoever could afford the camera would have the monitoring, and Mayor White stated that they would have time during the time to address that legitimate issue. Council Member Berry absent.

Council Member Garcia stated that the ordinance primarily was the framework by which the City and the private sector would collaborate, it was sort of a guideline and policy and procedure type of ordinance that would govern if somebody wanted to give the City of Houston equipment to use for surveillance, that it would be operated under City of Houston and HPD rules and regulations and guidelines and that would be respected as such, so it was not really an ordinance that would say where the surveillance would occur or where the cameras would be implemented. Council Member Berry absent.

21. **ORDINANCE** approving and authorizing contract between the City of Houston and **HARRIS COUNTY, TEXAS**, for the purposes of holding a Runoff Election on June 16, 2007; providing a maximum contract amount - \$900,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Berry absent. **ORDINANCE 2007-0647 ADOPTED.**
22. **ORDINANCE** approving and authorizing the City of Houston to submit the 2007 Consolidated Annual Plan to the **UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT**, including the following 2007-2008 Grant Applications: 1) 33RD Program Year Community Development Block Grant in the amount of \$33,789,209.00 (\$30,789,209.00 Entitlement Grant, and \$3,000,000.00 Program Income; 2) Home Investment Partnerships Grant in the amount of \$13,580,098 (\$13,113,762.00 Grant, \$200,000.00 Program Income and \$266,336.00 from the American Dream Down Payment Initiative [ADDI]); 3) Housing Opportunities For Persons With AIDS Grant in the amount of \$6,579,000.00; and 4) Emergency Shelter Grants in the amount of \$1,326,494.00; and to accept the aforementioned grant funds, if awarded – was presented. All voting aye. Nays none. Council Member Berry absent. **ORDINANCE 2007-0648 ADOPTED.**
23. **ORDINANCE** approving and authorizing contract between the City of Houston and **THE HOUSTON HOUSING AUTHORITY** to provide \$750,000.00 in Community Development

Block Grant Funds for Handicap Accessibility Site Improvements to Kelly Village and Telephone Road Public Housing Developments - **DISTRICTS B - JOHNSON and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0649 ADOPTED.

24. ORDINANCE approving and authorizing agreement between the City of Houston, Whitney Community Development Corporation and **GREATER HOUSTON DEVELOPMENT, INC** to provide a second lien construction loan of Federal “HOME” Funds in the amount of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2007-0650 ADOPTED.
26. ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty – was presented. Council Member Berry absent.

Council Member Wiseman stated that she had some questions on some of the streets that were in her district and would like to visit with Public Works on it and would tag Item No. 26.

Council Member Lawrence stated that there were some streets that they were reducing the speeds on that were six lanes, one particular in District A; that she knew it was a TXDOT study but they had shown TXDOT before when they had done some studies that it was not always the correct signage to put up and they had removed it before so they were trying to get some requests for service and the number of tickets given there and so forth and would tag Item No. 26 also.

Council Member Holm stated that she too would tag Item No. 26 and her questions had to do with the process involved in determining which streets needed to be accelerated or decelerated.

27. ORDINANCE approving and authorizing two Telecommunications License Agreement forms for use in the event that granting a license to a provider of telecommunications services to install equipment on City property is in the best interest of the City; authorizing the Director of the Building Services Department or his or her designee to enter into agreements substantially in the form approved – was presented. All voting aye. Nays none. ORDINANCE 2007-0651 ADOPTED.
28. ORDINANCE approving and authorizing contract between the City of Houston and **AIR PRODUCTS AND CHEMICALS, INC** for Operation and Maintenance of Oxygen Plant, 69th Street Wastewater Treatment Facility for the Public Works Department; providing a maximum contract amount - 3 Years with two one-year options - \$8,492,400.00 - Enterprise Fund – was presented, and tagged by Council Member Alvarado.
35. ORDINANCE appropriating \$150,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an interlocal agreement between the City of Houston and **THE UNIVERSITY OF HOUSTON** for Research of Small Diameter Water Lines, WBS S-000035-00Y2-3 – was presented. All voting aye. Nays none. ORDINANCE 2007-0652 ADOPTED.

37. ORDINANCE appropriating \$3,257,610.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Method, WBS R-000294-0013-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS D - EDWARDS; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2007-0653 ADOPTED.
39. ORDINANCE appropriating \$8,763,700.00 out of Water & Sewer System Consolidated Construction Fund No. 8500, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for 42-inch water line along Holmes, Parcel Three, Uptown, Taintor, and West Airport Boulevard from 4300 feet west of Kirby to Hiram Clarke, WBS S-000900-00AD-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund No. 8500 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2007-0654 ADOPTED.
41. ORDINANCE appropriating \$4,660,000.00 out of Street & Bridge Consolidated Construction Fund (Number N-000663-00RE-2-01), and approving and authorizing purchase of easements and other interests in real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees, for and in connection with, and finding a public necessity for, various projects identified in the body of this ordinance – was presented. All voting aye. Nays none. ORDINANCE 2007-0655 ADOPTED.
42. ORDINANCE appropriating \$209,043.82 out of Street & Bridge Consolidated Construction Fund for Landscaping and Beautification of City Streets and Thoroughfares, WBS N-000675-0006-4; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS; G - HOLM; H - GARCIA and I - ALVARADO** – was presented.

Council Member Holm stated that she would tag Item No. 42; that they had been in discussion with the Parks Department; that they also appreciated the 1% for landscaping that went with capital improvements but thought they needed to make sure the process utilized that money effectively and efficiently.

Council Member Brown stated that he would like to see what landscape and beautification standards they actually had and requested that Public Works provide him for different classifications of streets what was the landscaping standard.

Council Member Lawrence stated that there was a standard, the Inwood area beautified sixty plus esplanades, that the kinds of streets they could plant, sprinkler systems, everything had a standard distance so she thought they would get that.

Mayor White stated that Item No. 42 had been tagged.

43. ORDINANCE No. 2007-633, passed first reading May 30, 2007
ORDINANCE granting to **MOUSER CONTAINER SERVICE, INC, a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **SECOND READING** – was presented. All voting aye. Nays none. ORDINANCE 2007-0633 PASSED SECOND READING IN FULL.

NON CONSENT AGENDA - NUMBER 44

MISCELLANEOUS

44. MOTION to suspend the Council Rules to approve rescheduling presentation of the Monthly Financial and Operations Report for period ending May 31, 2007, from July 3, 2007 to July 11, 2007 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0541 ADOPTED.

MATTERS HELD - NUMBERS 45 through 57

45. REVIEW on the record and make determination relative to the appeal from the decision of the General Appeals Board, filed by **TERESA ARGUETA** on the denial of an Application for a Manufactured Home Hardship Extension at 7911 Brays - **DISTRICT I – ALVARADO** – (This was Item 43 on Agenda of April 4, 2007, POSTPONED BY MOTION #2007-350) – was presented.

Council Member Alvarado moved to postpone Item No. 45 for 30 days, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2007-0542 ADOPTED.

46. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of contract amount of \$1,398,359.40 and acceptance of work on contract with **TROJAN INDUSTRIAL COATINGS, INC** for Rehabilitation of Three Elevated Storage Tanks, WBS S-000600-0030-4 - 8.78% under the original contract amount - **DISTRICTS A - LAWRENCE and B - JOHNSON (This was Item 7 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. All voting aye. Nays none. MOTION 2007-0543 ADOPTED.
47. RECOMMENDATION from Finance & Administration Department to award to **ALL AMERICA SALES CORPORATION** for Road Spike Systems for Police Department \$39,400.00 - General Fund – (**This was Item 17 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER HOLM**) – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0544 ADOPTED.
48. RECOMMENDATION from Finance & Administration Department to award to **TEXAN EQUIPMENT AND TRAILER SALES d/b/a TEXAN TRAILER SALES** for Horse Trailers for Police Department - \$44,750.00 - Police Special Services Fund – (**This was Item 18 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBERS HOLM and CLUTTERBUCK**) – was presented.

After a lengthy discussion by Council Members, Council Member Khan moved to call the question, seconded by Council Member Alvarado and no vote was called as no one remained on the list to be heard.

A vote was called on Item No. 48. Council Members Clutterbuck, Holm, Brown and Berry voting no, balance voting aye. MOTION 2007-0545 ADOPTED.

49. RECOMMENDATION from Finance & Administration Department to award to **MARIO CALDERON d/b/a TEXANS AUTO CENTER** for Vehicle Glider Kit for Department of Public Works & Engineering - \$71,900.00 - Storm Water Fund – **(This was Item 21 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER ALVARADO)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0546 ADOPTED.
50. RECOMMENDATION from Finance & Administration Department to award to **BOAT RIGHT MARINE, INC** for Boats, Motors and Trailers for Various Departments - \$97,898.00 - Police Special Services and Enterprise Funds – **(This was Item 23 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER HOLM)** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Holm voting no, balance voting aye. MOTION 2007-0547 ADOPTED.
51. RECOMMENDATION from Finance & Administration Department to award to **BAILEY'S HOUSE OF GUNS, INC** - \$25,866.89, **PRECISION DELTA CORP.** - \$68,519.00 and **GT DISTRIBUTORS, INC** - \$1,397,339.46 for Ammunition and Accessories for Various Departments General Fund – **(This was Item 24 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER HOLM)** – was presented.

Council Member Holm stated that she did not question the need for the bullets and ammunition, but as she was reviewing some of the other contracts there was not a breakdown of cost per year and there was no clarity and the distribution of it and she wondered if there was anything that limited how much could be spent a year if it was appropriated.

Mayor White stated that they had an aggregate amount and probably for out years there were some estimates, that they would be happy to get her more information.

A vote was called on Item No. 51. All voting aye. Nays none. MOTION 2007-0548 ADOPTED.

52. ORDINANCE **AMENDING SECTION 40-27 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Street Functions – **(This was Item 26 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBERS HOLM and WISEMAN)** – was presented.

Council Member Holm offered the following motion to amend Item No. 52:

"I move to amend Item 52 by making the following change to Section 1 of the proposed Ordinance:

1. In Subsection (k) of Section 40-27, amend subsection 3(b)(2) to read as follows:

- [2] Posting of one or more placards along the major thoroughfare or major collector street where the major function will be conducted; and

- 2. In Subsection (k) of Section 40-27, amend the final paragraph of subsection 3(b)(2) to read as follows:

The SEM may require the applicant to provide or pay for newspaper notices or placards posted and to furnish evidence thereof to the SEM. The notice(s) shall be in a form prescribed by the SEM and shall contain the name of the event, date or dates of the event, streets, roadways, and thoroughfares effected by the event, and a city office telephone number that interested persons may call for further information. The placard shall not contain advertising, including but not limited to any information concerning the name or logo of any sponsor, or any persons making a contribution to, or endorsement of, the proposed major function. If the applicant fails to promptly give the notices or provide security for the notices following the SEM's request, the SEM shall return the application to the applicant."

Mayor White stated that they had no objection to Council Member Holm's amendment and a vote was called on the motion to amend Item No. 52. Council Members Wiseman and Edwards voting no, balance voting aye. MOTION 2007-0548 ADOPTED.

Council Member Garcia offered the following motion to amend Item No. 52:

"I move to amend Item 52 by making the following changes in Section 1 of the proposed Ordinance:

- 1. Change the term "PUBLIC WORKS AND ENGINEERING," everywhere it appears in all capital letters, to read "PWE," in all capital letters.
- 2. Amend Item (4) of Subsection (k) of Section 40-27 to read as follows:
 - (4) Hearings conducted under this subsection, whether for minor functions under item (2) or major functions under item (3) shall be governed by rules established by the SEM, which shall be consistent with principles of due process and shall provide that any party may be represented by legal counsel, may call witnesses and provide evidence and may cross examine witnesses. The burden shall be upon the applicant to demonstrate by clear and convincing evidence that the proposed function will comply in all respects with each requirement of this section. The hearing shall be conducted by a hearing officer appointed by the chief administrative officer who shall issue a decision in writing and shall specify the grounds for denial therein if the application is denied. A copy shall be mailed to the applicant and any intervenors. Upon request of the SEM, the legal department shall act as counsel to the hearing officer."

- 3. Amend Subsection (n) of Section 40-27 to read as follows:

(n) **Hearings.** Where a right of appeal to city council exists, hearings shall be recorded by a court reporter retained by the SEM for that purpose. The SEM may require the applicant to provide security for the cost of recording the testimony as a condition of conducting the hearing.

- (1) If an application for a major function is denied following a hearing, the applicant may appeal the decision to city council. If an application for a minor function is denied following a hearing, the applicant may appeal the decision to city council if the permit application was filed more than 120 days prior to the commencement date of the minor function. If a major function permit is granted, any person who has been given party status as an intervenor may appeal the decision to city council.
- (2) Where a right of appeal to city council is not available, the decision of the hearing officer shall exhaust the applicant's administrative remedies regarding the denial of a permit application for a major or minor function.

Any appeal must be filed with the city secretary within ten days following the date that the SEM mails notice of the decision to the parties. The appeal shall be considered on the record as provided in city council rule 12 (section 2-2 of this Code). The cost of the recording and transcription of the record shall be paid by the appellant, and the SEM or city secretary may require the appellant to provide security therefor as a condition of processing the appeal. Appeals shall be governed by the criteria set forth in subsections (c), (l), and (m) above."

Mayor White stated that they had no objection to Council Member Garcia's amendment and a vote was called on the motion to amend Item No. 52. Council Member Wiseman voting no, balance voting aye. MOTION 2007-0549 ADOPTED.

A vote was called on Item No. 52 as amended. Council Member Wiseman voting no, balance voting aye. ORDINANCE 2007-0656 ADOPTED.

52a. WRITTEN Motion by Council Member Holm to amend Item 52B as follows:

In Section 45-232 of the proposed Ordinance, amend Subsection (f) to read as follows:

- "(f) If a parade permit applicant is required to use city security and traffic control services along a parade route, the applicant must agree to either:
- (1) Pay to the city the total salary cost(s) of providing the designated number of law enforcement officers, required supervisory personnel, and civilian traffic controllers, in which instance the applicant shall furnish a deposit sufficient to cover the cost of the same prior to the event; or
 - (2) Furnish the police chief the proposed number of law enforcement officers certified under the law of this state who will provide security control services during the proposed event; Such law enforcement officers shall be paid directly by the applicant. However, no law enforcement officer who is

regularly employed by the city may be utilized under this item (2) unless the officer executes an understanding of third party compensation provided by the city for working at the event. The understanding of third party compensation shall be in a form approved by the city attorney." – **TAGGED BY COUNCIL MEMBERS WISEMAN, KHAN, GREEN, BROWN, JOHNSON and HOLM**) – was presented.

Council Member Holm stated that her amendment was to move clarity into the funding of the actual parades, that the issue was not about little league parades or street and neighborhood functions or church activities, that it was about where they paid for large, well organized, long term annual parades and where that funding came from, that the amendment was that the funding would come from the parade operators and applicants.

After further discussion by Council Members, a roll call vote was called on Item No. 52a.

ROLL CALL VOTE:

Mayor White voting no	Council Member Garcia voting no
Council Member Lawrence voting no	Council Member Alvarado voting no
Council Member Johnson voting no	Council Member Brown voting no
Council Member Clutterbuck voting no	Council Member Lovell voting no
Council Member Edwards voting no	Council Member Green voting no
Council Member Wiseman voting no	Council Member Berry absent
Council Member Khan voting no	MOTION 2007-0551 FAILED
Council Member Holm voting aye	

52b. **ORDINANCE AMENDING ARTICLE IX OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Parades – **(This was Item 26A on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. Council Member Berry absent.

Council Member Holm stated that she would be voting note on Item No. 52b, that the main item was what interfered with freedom of speech not the funding mechanism of it, that it limited parades in the City of Houston to four a day. Council Member Berry absent.

Council Member Garcia stated that he wanted to thank Susan Christian and John Clum for all of their good work in helping them move forward on the issue.

A vote was called on Item No. 52b. Council Members Holm, Edwards and Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2007-0657 ADOPTED AS AMENDED.

53. **ORDINANCE AMENDING SECTION 44-5 and adding SECTION 44-29 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the exemption of certain historic sites from ad valorem taxation; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause – **(This was Item 27 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Berry absent.

After discussion by Council Members, a vote was called on Item No. 53. Council Member Wiseman voting no, balance voting aye. Council Member Green absent. ORDINANCE 2007-0658 ADOPTED.

54. ORDINANCE approving and authorizing contract between the City of Houston and **AIDS FOUNDATION HOUSTON, INC**, providing up to \$2,190,135.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds for the Operation of Multiple Community Residences, administration of a Short-Term Rent, Mortgage and Utility Assistance Program, a tenant based Rental Assistance Program, a Housing Information and Resource Identification Program, and for supportive services – **(This was Item 38 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Member Green absent.

Council Member Edwards stated that this item had caused a lot of concern and questions; they had a special Housing Committee meeting just on this item and asked people to come and bring their information because she thought the charges that had been levied were very serious and they took them very serious; that as she understood it the Housing Department requested that HUD do an audit of their HOPWA funding and programming and moved to suspend the rules to hear from Mr. Donald Sampley at this time, seconded by Council Member Garcia. (Note: No vote was called or recorded.)

Upon questions by Council Members, Mr. Sampley, Assistant Director, Housing Department stated that the HOPWA area reported through him to the Director; that they had two items separate and apart from each other; the first was that they had their periodic annual audit from HUD on all of their programs which included CDBG, Home, ESG and HOPWA; they received a verbal debriefing on it which indicated there were no additional findings in the HOPWA area; it was his recollection that they in fact did a sight visit to the AIDS Foundation and that report was due back from HUD, but they had not received it at this time; subsequent to that and based on a request of the department HUD engaged an outside firm that did a needs assessment that went through and met all the people in the operation as well with a significant number of their clients and they had yet to receive that back; they had an internal monitoring of the AIDS Foundation that had no findings outstanding, there was one major area of concern which was an accounting issue that was reconciled; they did not have any outstanding findings nor did they expect any as a result of their normal audit and they would see whatever recommendations the consulting firm made as to their staffing needs, etc., in the area; that they believed most of the complaints were without merit, the AIDS Foundation had been very open to them relative to their books and areas outside of the City's contracts with them; that as they knew they received roughly one Freedom of Information Act a week from one of the various individuals involved; that the law did not allow them, as he understood it, to do other than comply with their requests; they had repeatedly asked for face to face meetings or phone calls and all of their dealings were through fax machines and emails; they had yet to find a real individual to talk with about their concerns; that he did not have any recollection of any issues that they looked at that they thought were a problem, he was always reluctant to say something was 100% one way or 100% the other way; that they found nothing that was of concern to them, they had done a recent monitoring visit which viewed both the program and the accounting aspects of their programs that they support of which Item No. 54 was a renewal of and they saw no reason why it should not come forward; they do a good job, their accounting was clean and they were very open and they were extremely in the department supportive of their activities. Council Member Berry absent.

After further discussion by Council Members, a vote was called on Item No. 54. All voting aye. Nays none. ORDINANCE 2007-0659 ADOPTED.

55. ORDINANCE approving and authorizing agreement between the City of Houston, **WHITNEY COMMUNITY DEVELOPMENT CORPORATION** and **RE-WARD THIRD WARD** to provide a second lien construction loan of Federal "HOME" Funds in the amount

of \$700,000.00 for eligible costs in connection with the construction of ten (10) affordable homes - **DISTRICTS D - EDWARDS and I - ALVARADO – (This was Item 42 on Agenda of May 31, 2007, TAGGED BY COUNCIL MEMBER LOVELL)** – was presented.

Council Member Lovell moved to refer Item No. 55 back to the administration, that she thought they needed to put a set of standards in if they were going to be giving somebody some money, to make sure that the lots were purchased of which they were going to be building on and if not to put a timeline in for the purchase of the lots, otherwise they would end up with an organization having a lot of money of which no timeline of which they could recall that money and take it onto other projects and it put them in a very bad position, seconded by Council Member Lawrence. Council Member Berry absent.

After a lengthy discussion by Council Members, Council Member Green stated that this was a second lien construction loan and there was no money that was going to be given to anybody until they had met certain criteria and after they had received the loan had to be repaid.

Council Member Lovell withdrew her motion to refer Item No. 55 back to the administration.

Council Member Khan moved to postpone Item No. 55 for 2 weeks, seconded by Council Member Alvarado.

After further discussion Council Member Green moved to call the question, seconded by Council Member Khan, and there being no further speakers, no vote was called.

A vote was called on Council Member Khan's motion to postpone Item No. 55 for two weeks. All voting aye. Nays none. MOTION 2007-0552 ADOPTED.

56. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Vehicle Car Wash Services for the Houston Police Department - 3 Years with two one-year options - \$1,250,000.00 General Fund – **(This was Item 52 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBERS WISEMAN, HOLM and CLUTTERBUCK)** - was presented.

Council Member Clutterbuck moved to limit the contract to one year at \$250,000, seconded by Council Member Khan.

Council Member Clutterbuck stated that when the item comes back in a year she would be asking for three things at the time, first, an explicitly accurate count of the number of cars washed; second, she would like to urge that there be some competitive bidding on the item, and third, that they look at other ways to work on the contract, that the contract be, for example, specifically for marked HPD vehicles that had weapon security issues and lighting and other types of issues that mandated hand car wash, that there were a number of ways to look at it and she urged a yes vote on her motion.

After further discussion by Council Members, Council Member Edwards asked how do other departments get their cars washed and how much would it cost to do it in house; and moved to call the question.

A vote was called on Council Member Clutterbuck's motion to amend Item No. 56. Council Member Wiseman voting no, balance voting aye. MOTION 2007-0553 ADOPTED.

A vote was called on Item No. 56. Council Member Wiseman voting no, balance voting aye. ORDINANCE 2007-0660 ADOPTED AS AMENDED.

57. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract to **TIBH INDUSTRIES, INC** for Trailer Repair Services for the Houston Police Department - 3 Years with two one-year options - \$412,445.00 - General Fund – **(This was Item 53 on Agenda of May 30, 2007, TAGGED BY COUNCIL MEMBERS HOLM and WISEMAN)** - was presented.

Council Member Holm asked if it would be best to cap this item also at one year and a price and during the course of the year see if they did not have people in the City that were interested in it, or would it be best to delay it a week.

Council Member Wiseman stated that Council Member Holm raised a valid point and given that they had already approved the purchase of new trailers that were under warranty for a few years she did not think they should be spending quite so much on repairs. Council Member Brown absent.

Mayor White stated that he did not see any reason why they could not do that; he did not know if there had been specific dialog with the vendor, but they could go ahead and take the action and if there was a problem they could come back.

Council Member Holm moved to postpone Item No. 57 for one week, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Brown absent. MOTION 2007-0554 ADOPTED.

Council Member Green moved to suspend the rules to extend the meeting beyond the scheduled noon recess, seconded by Council Member Khan. All voting aye. Nays none. Council Member Brown absent. MOTION 2007-0555 ADOPTED.

Items postpone until the end of the agenda.

1. RECOMMENDATION for approval of the Fiscal Year 2008 Equipment Acquisition Plan – was again before Council.

“Motion by Council Member Garcia to amend Item 1 as follows:

Department of Building Services will submit an annual report to Council on manpower to vehicle ratio and functionality detailing average life expectancy standards per department vehicles and environmental standards per department vehicles.” – Tagged by Council Members Wiseman and Clutterbuck

After discussion by Council Members, Mayor White stated that next week he would like to highlight a Mayor’s Report on Equipment Acquisition, that for decades the City had been run where they did the management out of tax accounts; that they treated O&M, because it came from certain types of taxes, different than long life CIP, which came from the ad valorem property taxes, different than equipment, and really all three of those things, and particularly equipment and O&M, were related to each other, and they would get there and it would be something they could be proud of when they came up with a system that could not be gained and it could be easy to do if people did not use the right amortization schedules where basically people manage their O&M and Equipment Budgets within a particular limit, it was no coincidence that last year, and there was not too much debate or discussion, passed pretty much unanimously, they did not have an equipment budget submitted to them until half way through the fiscal year because they were not making the kind of progress that they needed to make; the fact was if they wanted to get back on schedule, if they had to

catch up then they were going to have to make some investments with equipment up front to get back on a schedule to bring it up to the schedule, they were not going to have the money to do that but over a period of time they wanted to do something, they wanted to adopt a five year rolling equipment budget, just like they did in the CIP, and they wanted the departments to have some ability to manage between O&M expenses and equipment within that; that they would have a full Mayor's Report. Council Member Berry absent.

Council Member Edwards stated that on the CHODO that was referred back, she needed to know who was going to take the point on what they were going to do on that; were they looking for the committee to have a special committee meeting, was it going to be Housing or the Mayor's office, she did not know where they were going with that. Council Members Holm and Berry absent.

Mayor White stated that it was a flawed process and he would bare some personal responsibility for that because there were some questions posed to him by the Council Member that he did not have the adequate answers to, so he would take personal responsibility in the next week to working with Council Member Edwards in getting it back on the agenda and making sure that they were able to answer the type of questions. Council Members Holm and Berry absent.

Council Member Wiseman stated that she would tag Item No. 57 also. Council Member Berry absent.

Council Member Lawrence stated that she would like to see cars, parking and software with one person at the top of the pyramid, different departments could say what they wanted but one person to answer the tough questions of what software was compatible with other software, and what vehicle could be at what level, that there were a lot of things that they did not realize came on vehicles that the City could be saving money and that was where she was going, treating big items under one person because that was what businesses did. Council Member Green absent.

17. **ASHLAND, INC** - \$10,800,000.00 and **POLYDYNE, INC** - \$7,200,000.00 for Chemicals, Liquid Polymer Flocculant for Department of Public Works & Engineering - Enterprise Fund - was again before Council, and tagged by Council Members Wiseman and Khan. Council Member Green absent.

Council Member Clutterbuck stated that she would release her tag on Item No. 15.

15. **JOHN DEERE COMPANY** - \$167,967.50, **PROFESSIONAL TURF PRODUCTS, L.P.** - \$202,437.64, **EARLE KINLAW AND ASSOCIATES INC d/b/a EKA, INC** - \$54,734.15 and **LANSLOWNE-MOODY COMPANY** - \$55,088.56 for Purchase of Grounds Keeping Equipment through the Interlocal Agreements for Cooperative Purchasing with Houston-Galveston Area Council and the Texas Local Government Purchasing Cooperative for Parks & Recreation Department - \$480,227.85 - Equipment Acquisition Consolidated Fund - was again before Council, previously moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2007-0556 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Garcia stated that Geovanni Garibay, his friend and coworker, lost his grandmother earlier in the day, Ms. Dolores Montemayor was a long time resident of the Second Ward and had a full life at 84 years, and asked for a moment of silence for Ms. Montemayor and her family. Council Members Lawrence, Johnson, Wiseman and Khan absent.

Council Member Holm stated that she wanted to thank Mayor White for his comments during the Mayor's Report and appreciated the availability to have the different discussions; that he made a comment about people bringing amendments forward without his knowledge and that it was disrespectful and if she was one of the people it would never be her intent to be the least disrespectful, but as they went through the items and at the last minute there were times that for whatever reason she felt it was imperative to bring those items forward. Council Members Lawrence, Johnson, Wiseman, Khan, Garcia and Lovell absent.

Council Member Holm stated that she appreciated Mayor White's concern as they were getting to the end of the year and she wanted to thank her office staff, Sara Shimmer, Amy Yancy, Yvonne Clayton and Brittany Phillips and wanted to introduce Ms. Phillips who had joined their staff and was doing a great job. Council Members Lawrence, Johnson, Wiseman, Khan, Garcia and Lovell absent.

Council Member Holm stated that the citizens of the Westside were very much concerned about the crime that was going on, that Westside Command who had the largest land area and covered the most population had 302 officers assigned to it, that was 100 officers short of where they should be, and while they did get some overtime money she was really concerned about the capacity of physical bodies, of people being able to work a full shift and then a full shift of overtime and then be called out for other events, that was her concern when they talked about special events; that she thought as they went through it over and over there would be continued questions on the spending element and the components. Council Members Lawrence, Johnson, Wiseman, Khan, Garcia and Lovell absent.

Council Member Alvarado stated that she wanted some follow up, and Council Member Edwards raised the issue on the CDC issue they were talking about earlier and she agreed that there needed to be a process and some consistency, so she welcomed any input on that and looked forward to working with the department on that issue. Council Members Lawrence, Johnson, Wiseman, Khan, Garcia and Lovell absent.

Council Member Alvarado stated that last week they lost a very important person who had spent so many years on homeless issues, Sally Shipman, and asked for a moment of silence for Ms. Shipman. Council Members Lawrence, Johnson, Wiseman, Khan, Garcia and Lovell absent.

Council Member Green stated that this afternoon they would resume their budget hearings, that the Controller's office would start at 1:30 p.m. and at 2:00 p.m. they would have the City Council Budget along with the Mayor Pro Tem, and at 2:30 p.m. would be the Mayor's Office, the HEC Center and Affirmative Action; that they voted on Item No. 44 which allowed them to hear the MOFAR on July 9, 2007, so they should make a note that there would be no Budget and Fiscal Affairs Committee meeting the first week of July, they would have it on Monday, July 9, 2007, at 2:00 pm. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Lovell absent. (No Quorum Present)

Council Member Green stated that the Houston Juneteenth Multicultural Festival would take place on Saturday, June 16, 2007, at Tom Bass Park from 12:00 p.m. to 6:00 p.m., for more information they could go to www.houstonhealthfestival.org. Mayor White and Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia and Lovell absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Brown stated that they needed to do a better job of recycling grease; it cost the City millions of dollars when residents and apartment dwellers and others throw the grease down the drain or into the kitchen sink; that they could get a coffee can save the grease

and it could be recycled; that the City had a new program, which Council Member Alvarado introduced, called Corraling the Grease and the City would provide them with a special container to save the grease; that they needed to stop pouring grease down the disposal. Mayor White and Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Lovell and Green absent. Acting Mayor Pro Tem Berry presiding. (No Quorum Present)

Council Member Brown stated that he went to an interesting presentation at the Greater Houston Partnership yesterday about growth change and taxes in the City; that there was a presentation by a noted urbanist, Joel Cotkin about the future of the City and other young growing cities; that another real famous urbanist was coming to Houston on June 26, 2007, Andre Stwani, who was the founder of the new urbanism, and he would be in Houston for 10 days conducting a workshop on three major projects in Houston and developing concepts and standards by which the higher density, mixed use, traditional neighborhoods could proceed in the City of Houston, that he would be giving a lecture at the Museum of Fine Arts, Brown Auditorium; that the Greater Houston Partnership, his office and others were sponsoring a breakfast workshop at the Greater Houston Partnership on Thursday, June 29, 2007 and would encourage his colleagues and interested staff members and department heads to attend. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (No Quorum Present)

Council Member Brown stated that going back to the Houston Galveston Area Regional Transportation Plan 2035 they had until July 22, 2007 to make the City's input to the plan; that on June 14, 2007 from 5:30 p.m. to 7:30 p.m. at the HGAC on Timmons Lane there would be a public open house where citizens and the City Council and others could make input to the plan. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (No Quorum Present)

Council Member Berry stated that he preferred to say nice things and reward City employees who did a good job and they had about four files for City employees who had done wonderful jobs, that a lot of those came out of 3-1-1 that had really seen remarkable improvement since that service started up; that unfortunately he was disturbed by a situation that he thought had been resolved now but it was unfortunate that they had to tell they were popping off about it to get the issue resolved; they had a constituent email them on May 18 that they had a dead dog on the road, that it was a stray dog in the neighborhood and they kept checking back with the constituent and on May 23 they called and emailed Solid Waste, they had made the request on May 18 and the dead dog had been logged and they had a file on it so Solid Waste knew, that their policy was 24 hours which was reasonable, that on May 23 it still had not been picked up, that there was some result by May 30 or if it was never resolved, that the answer came and he guessed the good news was that it was not Solid Waste that was in charge of picking it up, the bad news was that it was an agent of Solid Waste, Republic, which was apparently losing their contract at the end of the month; that he hoped they could imbue each of their departments with the idea that the customer comes first. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he would like to get a one page from Solid Waste as to who was dispatched and if they had dealings with a rendering company, from beginning to end, from the call intake to the disposition, how do they do that, that he would appreciate it and any Council Member who wished to see it. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she had asked for quite a while to have information on the Houston Galveston Area Council and TML, how do they as a body get access to what

was pertinent, could they get a briefing as to what the groups were doing and what was important to the City. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Garcia, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that the meeting on Tuesday, June 12, 2007, was called because of a lot of concerns regarding the mapping and flooding and issues that were coming out of Chapter 19, that on June 12 at 10:00 a.m. in the Council Chamber they would have FEMA representatives discussing the mapping process, the how, when and why and how constituents could appeal; they would have a subsequent meeting regarding whatever possible changes the City needed to address buyouts or compensation or whatever issues pertaining to the ordinance, that she would encourage any citizen to attend, that there would also be representatives from Harris County Flood Control District as well as representatives from Public Works. Council Members Lawrence, Johnson, Wiseman, Khan, Garcia, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that illegal dumping in District D was still rampant; that it was a partnership issue and the City had some responsibilities; that she wanted to make sure that people knew that there was a place where they could take their trash for free if they were a resident of the City of Houston, that in the District D area the address was 5100 Sunbeam; that the depositories were open from Wednesday through Sunday from 10:00 a.m. to 7:00 p.m., excluding holidays, that they had to have either a Texas Drivers License or Texas ID and/or a water utility bill to show they were a citizen of Houston, Texas; that they had to unload it by themselves at the dumpsite. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that they still had an issue with the MLK gatherings and the community was working on it; they had two task forces going in the community, one was headed up by Pastor Allen of Miracle Land Church and the other by Charles X. White; that Pastor Allen was trying to work with the young people and talk with them and also to get the businesses not to be complacent in the activity; that Mr. White was organizing the ministers in the community and they were planning a march or rally to show that people were concerned; that she wanted to thank the police for what they had been doing; that she would encourage anyone who was hanging out over there to please stop, they did not want to have officers get to a point to where they were going to start using tasers and that type of thing. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Mayor White stated that if Council Member Edwards would work with him on what they could do then maybe both of them could figure out the right form. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that they passed the item on T-Mobile Cell Phone, that Sharon Mosley on their staff had found information about cell phone towers and how in some cities and States they hid the towers in artificial trees, so a lot of things that Council Member Brown brought up constantly and that she thought was valid on how they developed a standard for what they knew, that everybody she knew had a cell phone and they were the same people who complain about cell phone towers, that she did not know who to refer the information to but she wanted to make sure that they share the information, that she thought it would be great to have a conversation with whoever was doing it. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she knew their budget amendments were due quickly and she was still waiting for answers to questions that they asked at the individual hearings and a lot of those questions would help shape her amendments so she would encourage the departments to get those answers to her to help her as they move forward with their amendments. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that today was the anniversary of D-Day, the invasion of Normandy during World War II, that one of the first things he worked on when he came into office was getting a street marker for Alvino Rodriguez, who lived in his district, that he was one of the courageous young men who stormed the beaches of Normandy, that to America's greatest generation he wanted to say thank you. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that as they were talking about the budget and the challengers the Mayor was working to resolve in regards to Solid Waste and the issue regarding recycling, that he believed at City Hall, the Annex and 611 Walker were the only City facilities that he could think of where there were recycling receptacles, so he would like to ask the Mayor to consider that a much more comprehensive citywide of city facility approach and respect be given to recycling and establishing those receptacles in all City facilities; that he understood that an aspect of recycling was a sensitive topic for private industry but thought there was an opportunity to make sure private industry was doing their part by at minimum encouraging them to report to the City how much recycling they were doing, that he thought they needed to work to communicate that. Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Brown, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that on the issue of the crime rate there were a lot of reasons as to why they had the crime rate and the crime they had, some of it they could control and some they could not, but he did not want to lose sight of the men and women who were dedicated to addressing the issue of crime in general; that he was at the Exxon Mobile Community Summer Jobs Program and Mrs. White was present, and Exxon Mobile was committing a tremendous amount of money encouraging young people to do internships into the social service arena and the agencies who were part of Exxon Mobile's initiative were wonderful organizations and the kids who were stepping up to be part of those internships gave him hope that young people were not losing sight of the fact that quality of life was public safety and also helping those people who for whatever reason their lives had taken a particular turn; that they were caring individuals who wanted to help and give of themselves and it was a tremendous piece of the equation to affecting the crime rate; that he knew the Mayor's Anti Gang Office worked hand and hand with social service agencies who were working with young people and their families and doing a tremendous amount of that work and he had always advocated and believed that working with those agencies was a part of that crime solution to a great extent. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that on June 13 and June 17, 2007 the CONCACAF Gold Cup would be back at Reliant Stadium, that on June 13 it would be Cuba versus Honduras and on the June 17 Mexico versus Panama, that in 2005 was the last time the Gold Cup was held at Reliant Stadium they had over 105,000 fans participate in watching those games. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that when they thought about the Fourth Ward they thought about a geographical area, but the impact and effect of Jack Yates and his leadership

during that time, that Emancipation Park was the oldest park in the City of Houston, it was acquired in 1872 with \$1,000 that Pastor Yates had collected through his membership and through the members of the community, that she would like to get that historical demarcation made known and public with the historic preservation that it represented and the way they were moving as a City; that they celebrated Juneteenth there for three days; that it was the first Emancipation Park in the State of Texas, that she wanted to see if they could get some work done to where they could get that park upgraded. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that in reviewing the Fourth Ward TIRZ budget they did have some capacity within that and when he went through the SNAP list in some detail he thought they needed to take a real hard look at what they could do and if Council Member Edwards should help them think how they bubble it up so they had something concrete they could get it on the agenda real soon; that he would ask Mr. Turner and Ms. Jewett and some others how they could come up with something that would upgrade that park. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:58 p.m. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Khan, Holm, Alvarado, Brown, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary