

City Council Chamber, City Hall, Tuesday, September 15, 2009

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 15, 2009, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Edward Gonzalez, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega and Jolanda "Jo" Jones and; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; and Ms. Marty Stein, Agenda Director present. Council Member Ronald C. Green absent on city business.

At 1:59 p.m. Mayor White called the meeting to order and stated that Council Member Noriega would begin presentations. Council Members Johnson, Sullivan, Khan, Gonzalez, Rodriguez, Brown and Jones absent. (NO QUORUM PRESENT)

Council Member Noriega invited Ms. Dorothy Caram to the podium and stated that she was an active volunteer; read a list of the many programs she contributed her time to in education and culture and she was named a Woman of Distinction in the Houston Post and was a recipient of the 2009 Mayors Hispanic Heritage Lifetime Achievement Award and presented her a Proclamation proclaiming today as "Dorothy Caram Day" in Houston, Texas; and Ms. Caram stated that she was honored and joined by many volunteers and thanked all for the recognition. Council Members Lawrence, Johnson, Sullivan, Rodriguez, Brown and Jones absent.

Council Members Clutterbuck, Holm, Gonzalez and Khan congratulated Ms. Caram on a well deserved recognition and thanked her for all her good works. Council Members Lawrence, Johnson, Sullivan, Rodriguez, Brown and Jones absent.

Council Member Adams invited Mrs. Libby Mack to the podium and stated that she was excited with this presentation because according to the word of God, "God said He gave us three score and ten" and if made past that it meant they were blessed and Ms. Mack must be blessed three times over; that a birthday was an important milestone in one's life and celebrating with family and friends was traditional and Ms. Mack was born outside Gitting's, Texas, on September 27, 1905, and she was 104 years old, wished her a happy birthday; and presented her a Proclamation proclaiming today as "Libby Anderson Mack Day" in Houston, Texas; and Mayor White stated that Ms. Mack's life was almost two-thirds the entire life of this city; and Ms. Mack stated that all this made her feel so good, just to see the smiles from everyone made her feel so good to be present. Council Members Lawrence, Johnson, Sullivan, Rodriguez, Brown and Jones absent.

Council Members Lovell and Khan thanked Ms. Mack for coming; wished her a wonderful birthday and stated that she should come every year to celebrate. Council Members Lawrence, Johnson, Sullivan, Rodriguez, Brown and Jones absent.

At 2:14 p.m. Mayor White called on Council Member Holm who invited Reverend Larry Hall of the St. John Divine Episcopal Church to lead all in prayer and Council Member Holm led all in the pledge of allegiance. Council Members Johnson, Rodriguez and Jones absent.

At 2:17 p.m. Mayor White requested the City Secretary call the roll. Council Member Green absent on city business. Council Members Johnson and Jones absent.

Council Members Khan and Lovell moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Green absent on city business. Council Members Johnson, Holm, Brown and Jones absent.

At 2:18 p.m. Mayor White requested the City Secretary to begin calling public speakers. Council Members Johnson, Holm, Brown and Jones absent.

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) appeared and stated that he was present with a deep concern of potential fraud in Houston and ask for a thorough investigation of the local ACORN housing activities; that over the past 10 days there was an undercover video released of conversations with ACORN housing officials in Baltimore, Washington and Brooklyn depicting improper advice being given by them to a man and woman seeking HUD funds to set up a brothel which would house undercover Salvadorian girls illegally brought into the U. S. and a fourth video was to be aired this afternoon on FOX news and they were posted on the internet at www.biggovernment.com; that last night the U. S. Senate voted 83 to 7 to ban any fiscal year 2011 HUD funds from being distributed to ACORN housing and last Friday the U. S. Census Bureau severed all ties with ACORN and there was a question as to whether ACORN was a criminal enterprise; that the city was currently working with ACORN and since the current Administration was on its fourth director of Housing and Community Development who really knew if falsified documents had been submitted for HUD funds; that the city had been asked to return up to \$25 million to HUD as a result of the waste, fraud and abuse which occurred during the last Administration and he would ask that the Controller be asked to conduct a thorough investigation of ACORN housing and look into several other randomly selected nonprofit entities. Council Members Johnson, Holm and Brown absent.

Council Member Clutterbuck thanked Mr. Bazan for bringing an important issue to the Chamber; and to Mayor White she would again renew her request that they have a report on what exactly had transpired with ACORN and the contract the City of Houston had; and Mayor White stated that he said at the Council table he would get a status report on that and he watched one of the U2 videos and what he brought to their attention did raise a red flag and was totally appropriate. Council Members Johnson and Holm absent.

Council Member Lawrence thanked Mr. Bazan for coming and stated that he had always come and shared his feelings and that was the only way to know what constituents really felt; and asked that he complete his statement; and Mr. Bazan stated that in conclusion a rally was conducted on the steps of City Hall and a number of ACORN people were bussed in with signs, etc., and he hoped HUD funds were not diverted to sponsor and pay for a political rally. Council Members Johnson and Holm absent.

Ms. Keaira Turner, 6240 Antoine Drive #239, Houston, Texas 77091 (713-682-4604) had reserved time to speak but was not present when her name was called. Council Members Johnson and Holm absent.

Ms. Kathy Walters, 9955 club Creek Drive #136, Houston, Texas 77036 (214-960-2905) appeared, presented information and along with an interpreter stated that she was the Deaf Awareness Chairperson for Houston and present to speak on their celebrating the DAW during September 20 through 26; that they would start by serving the deaf and hard of hearing at churches announcing their activities; that they had several open houses including Houston Center for Independent Living, Communication Access Ability Group, Career Recovery and Resources, etc., that the big event was September 26th, the Deaf Empowerment and Awareness Fair to be held at Woodhaven Baptist Church from 10:00 a.m. to 4:00 p.m. with several vendors and activities throughout the day; and displayed their proclamation making their Houston DAW Day official. Council Members Johnson and Holm absent.

Council Member Noriega thanked Ms. Walters for coming and stated that Council appreciated their attention being drawn to issues in the community and this community was often underserved. Council Members Johnson and Holm absent.

Council Member Khan thanked Ms. Walters for coming and stated that he would do anything he could; and upon questions, Ms. Walters stated that the address of the location was 9920 Long Point. Council Members Johnson, Holm and Lovell absent.

Council Member Jones thanked Ms. Walters for coming and stated that she appreciated what they were doing; that she was working to have signing in Council Meetings and be more responsive. Council Members Johnson, Khan, Holm and Lovell absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak but was not present when his name was called. Council Members Johnson, Khan, Holm and Lovell absent.

Ms. Lashanda Francis, 915 South 7th Street, Richmond, Texas 77469 (281-773-2117) appeared and stated that she was present as she would like a law passed to place surveillance cameras in classrooms and hallways of all schools to benefit the children and teachers; that many things could cut down if cameras were present in all areas of the schools such as bullying, inappropriate relations with students, etc., it could also be linked to police stations for situations such as Columbine where so many were injured. Council Members Johnson, Holm, Lovell and Jones absent.

Mayor White thanked Ms. Francis for coming and stated that he had taken notes of the cameras in schools, but there were public meetings at school districts and generally things related to schools would be done by the school district than composed by the City of Houston; and Ms. Francis stated that some school districts already had it in place like Lamar Consolidated ISD and it worked well; and Mayor White stated that individual school districts would have to make that decision; and Ms. Francis stated that she wanted a Bill passed to make it required in all school districts around the nation. Council Members Johnson, Holm, Lovell and Noriega absent.

Mr. James Bethea, 202 Grace, Houston, Texas 77003 (832-884-8175) had reserved time to speak but was not present when his name was called. Council Members Johnson, Holm, Lovell and Noriega absent.

Ms. Chandra Williams, 5900 Selinsky #180, Houston, Texas 77048 (281-706-0534) had reserved time to speak but was not present when her name was called. Council Members Johnson, Holm, Lovell and Noriega absent.

Mr. Rodney Garza, 16966 Northchase, Houston, Texas 77060 (832-386-6277) had reserved time to speak but was not present when his name was called. Council Members Johnson, Holm, Lovell and Noriega absent.

Mr. David Mears, 5107 Tidewater, Houston, Texas 77045 (713-433-0563) appeared, presented information and stated that he was present to speak on home ownership, having pride in one's property; that his mother had owned her home over 40 years in Southwest Houston and recently the City of Houston decided to do a Public Works project which had taken her yard, top soil and damaged and took part of the driveway; that the design was not consistent with the existing neighborhood, it was intended for new development; that anyone would be offended to have a contractor come to their home and do a sloppy or improper job; that his first handout was emails and letters he sent to Public Works and the second was a chain of emails so they could see who he corresponded with and there was a response from Mr. Tim Lincoln who hung up on him yesterday because he did not want to discuss the issue and in addition to damaging the driveway, yesterday they took additional top soil and six inches of the inlet from the edge of the curb and he considered it a taking and his photos showed the property before and after the taking. Council Members Lawrence, Johnson and Noriega absent.

Council Member Adams moved the rules be suspended for the purpose of hearing Mr. Daniel Menendez of Public Works, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on city business. Council Members Lawrence, Johnson and Noriega absent. MOTION 2009-0667 ADOPTED.

Council Member Lovell stated that on a point of personal privilege she wanted to wish Ms. Marty Stein a happy birthday. Council Members Lawrence, Johnson and Noriega absent.

Mr. Menendez was now present and Mayor White stated that this was a little unusual and they would not have a public debate so if he could just state his awareness of the situation and what Public Works had done; and Mr. Menendez stated that the project being discussed was a 42 inch water line along Tidewater Drive and it was impacting significantly the driveways along the route and Public Works made the determination it was better to replace the driveways as they were impacted so much; that they were required to build in accordance with the Americans With Disabilities Act and therefore when building roadways they had to adhere to a sidewalk across the driveway which would provide a level sidewalk and the preexisting conditions sloped steadily from the roadway gutter up to the property; that Mr. Mears had concerns with that and what he discussed on property takings was they smoothed out the yard for an even smooth appearance tapering into the new construction; and all construction had been done on private right-of-way. Council Members Lawrence, Johnson, Lovell and Noriega absent.

Council Member Adams thanked Mr. Menendez and Public Works for their diligent work; that one question Mr. Mears had was regarding a water line about a year and a half ago; and Mr. Mears stated about a year and a half ago Public Works put in drainage culverts on the opposite side of his street and they dug it out as they had his street, but replaced and did not put in ADA compliance sidewalks, etc., so they replaced it as they found it and where they did that work there were two residents in their 80's who would fit with the ADA requirements; and Mr. Menendez stated that construction done previously had the utility closer to the middle of the roadway and did not impact the driveways as much as current construction and that was why they decided not to replace all driveways on that side; that they did try to let constituents know of upcoming work by door hangers and they wanted them to be proud of the work when done and they would continue to work with Mr. Mears to look for positive solutions.

Council Member Jones stated that she hears there were pictures and she had seen no pictures and would like to; and upon questions, Mr. Menendez stated that they had the expectation that when they completed the projects the constituent would be made whole; that they did want proper access and had certain standards for design for different scenarios and what was constructed was clearly in that standard. Council Members Lawrence and Khan absent.

Upon questions by Council Member Brown, Mr. Menendez stated that it was a 42 inch water line and just inside the pavement section of the curb and from the curb to one foot on the other side of the right-of-way was 16 feet; that on the opposite side of the street had been a storm sewer and he did not have those dimensions with him; that they were two independent projects. Council Members Lawrence and Khan absent.

Council Member Sullivan brought up a point of order on the time; and Mayor White called to go to another speaker. Council Members Lawrence and Khan absent.

Ms. Anna Williams, 930 Grenshaw, Houston, Texas 77088 (713-631-7555) appeared and stated that she was present to take a stand to facilitate the return of the ten commandments to the public places especially public schools; that today people had no moral compass and did not know or seem to care what was right or wrong; that crime and immorality had multiplied and

the degradation of society was seen daily on the evening news; that this country was once known as a Christian nation, but the Supreme Court in 1962 outlawed God as the ethical standard and under the misrepresentation standard of the "so-called" law of separation of church and state; that one woman pressured an activist judge to make the erroneous change in the law; that in the Constitution of the U. S. of America the original intent clause of separation of church and state was to keep government out of religion and not religion out of government; that was why founders of this country left England, to seek freedom to worship apart from government interference and control; that after the establishment of this country schools were Christian schools; that even when she was in school time was set to honor God and country and it was imperative to get back to God, by the fear of the Lord men departed from evil; and when change was made in the human heart change came in human behavior; and urged Council's help in allowing people to vote in the next general election for the return of the ten commandments to public schools and public places. Council Members Lawrence, Johnson, Khan, Brown and Noriega absent.

Mayor White thanked Ms. Williams for appearing; that it was a legal issue and there were deadlines for placing items on the ballot of the general elections; that at this time it was opportunity for he and Council Members to hear views from constituents and some problems they could resolve but others they could not. Council Members Lawrence, Johnson, Khan, Brown and Noriega absent.

Council Member Jones thanked Ms. Williams for coming and stated that she was requesting something from the school system; that the city had no direct authority over the school system; and Ms. Williams she wanted this to be a movement in all cities to get the law overturned, this law was instituted by government not by the people; and Council Member Jones stated that she might want to contact a lawyer, but she did not know the process in getting it on the ballot. Council Members Lawrence, Johnson, Khan, Brown and Noriega absent.

Mr. Donald Burns, 2016 Main, Houston, Texas 77002 (713-888-0307) appeared and stated that he was present to resolve a lawsuit filed in this Administration, the dilemma began October 10, 2004, they had a volunteer civic club which recorded deed restrictions in November 2002 and you had 90 days to opt out, but on January 16th the president sent out the notices and he did not get 90 days, he had 72 hours, his letter had been sent to an invalid address and 10 other properties he held the mortgage on; that the deed restrictions had gone on since 1983, been litigated and thrown out; that the president called the city and the Legal Department became involved and he answered in a derogatory and discovery and they sued him on behalf of the president, Joseph Boxy, that the players in the civic club were buying property, specifically four lots he held the mortgage on for \$40,000.00 and they sold two of the lots for \$45,000.00 and they wanted to sell two others for \$50,000.00 to \$55,000.00 and he was out \$150,000.00 plus legal fees; that the Legal Department had been fair with his attorney, but this had to come to an end. Council Members Lawrence, Clutterbuck and Khan absent.

Mayor White stated that he was familiar with the details and thanked him for appearing. Council Members Lawrence, Clutterbuck and Khan absent.

Council Member Brown moved the rules be suspended for the purpose of hearing Ms. Margaret Jenkins after Mr. Reginald Butler, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Green absent on city business. Council Members Lawrence, Clutterbuck and Khan absent. MOTON 2009-0668 ADOPTED.

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck and Khan absent.

Mr. Reginald Butler, 2610 Ridge Hollow Drive, Houston, Texas 77067 (713-505-4824) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck and Khan absent.

Ms. Margaret Jenkins, 10751 Dulcimer, Houston, Texas 77051 (832-654-5591) appeared, presented information and stated that she worked on a safety committee in the Sunnyside Area trying to make it safer and her handout had pictures of the building in question, it was across from Wortham High School and she had notified Neighborhood Protection and asked they look at it, it had been abandoned some years, they went and the roof was falling in and they told her children were skipping school and in the building during school hours and today she was asking that they speed up the process and get the building demolished. Council Members Lawrence, Clutterbuck and Khan absent.

Mayor White stated that Mr. Davis was present and he would take it that he looked this up on computer seeing that Ms. Jenkins was present; and to Ms. Vasquez ask if Neighborhood Protection looked this up on the computer; and Ms. Vasquez stated no; and Mayor White stated why was that; and Ms. Jenkins stated that Neighborhood Protection had been out and was well aware of the situation at hand, but she thought coming today and letting the Mayor and Council see the deplorable condition may speed up the process; and Mayor White asked if there was an explanation or where they just too busy to check this out; and stated who received the information, were they secrets; that so he did not say something he would regret he had sent a memo to Captain Curran two to three weeks ago about preparation for Council Meetings and he would address this directly with him; that this would get expedited and he would speak with Captain Curran and he would use the executive power he had and ask others at the Council Table to assist him in making sure no one was similarly unprepared again who was a Council liaison. Council Members Lawrence, Clutterbuck and Noriega absent.

Council Member Adams thanked Ms. Jenkins for coming and stated that these were similar issues they had been talking about and one reason they were forming the taskforce to handle such issues; that tomorrow they were meeting with Captain Curran and Chief Hurtt and the team and this was one of many things they were dealing with when it came to Neighborhood Protection, about what they were doing with open and unsecure buildings and this building was reported on numerous occasions and it was not a secret and she would ask that this building be added to the list they had which were coming down soon; that they had been doing tremendous things within the last 10 days and she had to commend Neighborhood Protection on what they had been doing; that they just passed \$2.7 million on Council and thanked this Administration for hearing her cry; that they did need to be proactive and would make sure this was included in the upcoming list. Council Members Lawrence, Clutterbuck, Sullivan and Noriega absent.

Upon questions by Mayor White, Council Member Adams stated that they would be having a monthly meeting and would be meeting with the consultant and Mr. King; that many questions were submitted to Neighborhood Protection about the chart to see how things worked in the department and why things took so long for certain buildings to come down and they were waiting for all information before bringing it to committee; and Mayor White stated that they would get right on this and make sure they were better prepared when she signed up for abandoned buildings and apologized for the history not being in front of him at this time. Council Members Lawrence, Clutterbuck, Sullivan, Gonzalez and Noriega absent.

Council Member Brown thanked Ms. Jenkins for coming and for looking out for the community and he thought this would be attended to; that also in the Bill White Administration

they had greatly accelerated the identification of dangerous buildings and the adjudication of whether they should be repaired, boarded up or torn down; that there must be 10 to 20 a week posted for hearing; and Mayor White stated that was not fast enough; and Council Member Brown stated that he hoped they would have a GIS map which would have all dangerous buildings mapped, it should not be that hard and they should be classified as to how seriously dangerous and lines should be drawn around schools and other places where they became dangerous hangouts and those should be given priority and it would be good to have the Council District located as now it only gave the address; and technology could be used to accelerate the process; and Mayor White stated that he could not agree with him more and he had given specific directions on that on previous occasions and on line they should know what the status was and who by name was responsible for the status and if waiting in abstract it ought to say when it was ordered and to whom it was assigned and how long they had it; that they were doing better but now they should be. Council Members Lawrence, Clutterbuck, Gonzalez, Lovell and Noriega absent.

Council Member Johnson thanked Ms. Jenkins for bringing this to Council's attention; it was a travesty for such buildings to exist near schools and parks, but it was all across the City of Houston and he did appreciate strides made by the Administration, but he believed they were chasing their tail without being forceful on landowners, the landowners were getting away with murder, they either needed to tax them to a higher rate to get revenue back they were losing from the tax base around it being eroded and during the Legislative Session he would ask they try and change the law for more taxation; that landowners who did not live where these buildings were needed to understand there was a consequence and spend time in jail, he wanted to get rid of the buildings and place new buildings so new growth could happen; and Mayor White stated that specifically he had requested the Legal Department on more than one occasion to provide him a status report of the plans to sue the landowners for nuisance and for the cost and if it needed to be outsourced they would so a judgment lien could be on some of the property owners because the non-foreclosable lien did not work fast enough and he could have handled 200 cases when he was a young lawyer and knew someone could at least handle 50; and thanked Ms. Jenkins for appearing. Council Members Lawrence, Clutterbuck, Gonzalez, Lovell and Noriega absent.

Ms. Carmelita Jacobs, 5239 Wickview Lane, Houston, Texas 77053 (713-413-2104) appeared and stated that she was present concerning a water leak at her house on April 14, 2008, she saw a leak, water was gushing from the meter and running down the street and she called 311 and a city worker arrived and did not get out of his truck, he lifted his sun glasses and said it was on her property; and she asked how he knew if he did not get out of the truck; and he told her it was her problem so she called a plumber and 311 again and Mr. Mike Haskell came out and took pictures and verified verbally it was on the city property, but she had to pay the plumber so she paid him \$337.50; that a month later someone came to get a copy of the receipt and later she was given Mr. Miguel Contreras number and he was very angry and verbally abusive and told her the city was exempt and she was to never call him again; that she spoke with the City Secretary and nothing and she wanted to know what happened with a leak on the city's side. Council Members Lawrence, Clutterbuck, Khan, Lovell, Noriega and Jones absent.

Council Member Adams stated that Ms. Jacobs had every right to be upset and she wanted to apologize for those who were rude to her; that Mr. Gary Drabek was present and would take her concerns and names of employees and try and get to the bottom of it. Council Members Lawrence, Johnson, Clutterbuck, Khan, Lovell and Noriega absent.

Upon questions by Council Member Jones, Ms. Jacobs stated that a Mr. Contreras told her the City of Houston was exempt from refunding anything; that it had been a leak on the city property; and Council Member Jones stated to Mayor White if a leak was caused by the city

should they not be the ones to fix it and if someone else had to remediate why would they not pay them; and Mayor White stated that the paperwork he was looking at showed someone went out in April 2008 and said it was a leak on her side, but someone else said it was on the city's side and repairs were made by a plumber, it seemed it was handled as a request to adjust a wrong bill; and Ms. Jacobs stated that she would take anything; and Mayor White stated that uniform policies were applicable to everyone, but the question was for Mr. Drabek and Ms. Stein, for Mr. Drabek to answer the issue was what they would have done and what was the policy concerning repairs on the city side of the meter, it was perfectly reasonable to have policy that would say the city would have to make the determination and repair it, but UNB went out and said it was a private leak and did not repair it and he wanted a policy on how it was to be treated, it was different than adjustment of a water bill, there should be a policy and he wanted to know what it was or what Public Works recommended that it be and why with a reason, it could not just be no one can sue us because we're immune, that was not policy, immunity was not policy; and Council Member Jones stated that to tag on to what he said she also wanted to know what the policy was, if there was not one she would request they get one and equity dictated that if someone handled business for them in a more expeditious and prudent way, saving the city money from water wasted and property damage to citizens by a result of them doing nothing, she could not see how they expected landowners to take care of property if they did not; and Ms. Jacobs stated that something happened before during Mayor Brown's Administration and they made a credit to her water bill. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Gonzalez and Lovell absent. (NO QUORUM PRESENT)

Ms. Susanna Sisson, 9449 Briar Forest Drive #1701, Houston, Texas 77063 (832-297-5921) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm, Gonzalez and Lovell absent. (NO QUORUM PRESENT)

Mr. Adane Alemu, 16402 Hidden Gate Court, Sugarland, Texas 77478 (281-961-1222) appeared with others behind him and stated that he was present speaking on behalf of himself and Space City Cab, that they operated taxis according to City of Houston cab ordinances and despite their efforts they were not getting equal treatment or fairness by the Ground Transportation and Finance Department which oversaw the distribution of medallions and permits; that they were appointed by the Mayor and the department was responsible for equality of the law; that the Mayor promised to help small businesses and they voted for him; that taxes on the vehicle were paid by the drivers and also maintenance, paint, etc., it all came from the drivers, not from the lease permit owners; and the owners responsibility was to collect money and nothing else. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm and Gonzalez absent. (NO QUORUM PRESENT)

Mayor White stated that he had to, in fairness, make them aware that if people were appearing with a speaker they had to appear right behind the first bar, he meant no offense, but he was required to say it. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm and Gonzalez absent. (NO QUORUM PRESENT)

Council Member Jones stated that she would give him 30 seconds of her time to complete his statement; and Mr. Alemu stated that as a Space City Cab member he was asking for permits to be distributed fairly and their members qualified as Chapter 19-46 and they were overqualified for the medallions. Council Members Lawrence, Johnson, Clutterbuck, Adams, Holm and Gonzalez absent.

Upon questions by Council Member Khan, Mr. Alemu stated the city ordinance said if you were two years a driver and money in a account you were qualified to receive a permit or if you had driven five years plus you were qualified for a permit; that accumulatively they had five years plus to ten years driving a taxi in Houston and they obeyed ordinances and maintained

their cars to perfect shape; and Council Member Khan stated that he had been promoting and championing the City of Houston needed to take care of small cab drivers and give them opportunity to be owner of medallions and he did believe most medallions should go to individual drivers; that in all major cities large cooperations seemed to have a lot more advantage over them, most of them came to this country with a dream and nothing else and paid their dues, worked hard and tried to make a living and the city was placing handicaps for them to be businessmen and he hoped the city would improve on that. Council Members Lawrence, Holm and Gonzalez absent.

Council Member Jones stated that in looking at a memo dated September 15th from Mr. Alfred Moran, the city could not issue any medallions until the court landed on one side or the other; that it looked like they passed something to do for new people, 5%, but how did they land at 5% as opposed to a larger number and she did not know how quickly the lawsuit would land, but if they did have a stakeholder again trying to figure out medallions she would request including independent cab owners to be a part of the group on how medallions were doled out so they would not be here doing this again; and Mayor White stated that he appreciated it and as clarified to him, it was a request by Judge Hitter and he was sympathetic to the independent cab drivers; that he agreed to increase charges when gas was up; that it was a difficult situation, one reason for the medallion system was trying to regulate it so someone could make money rather than no one being able to make money, but when they were in litigation it could not be changed. Council Members Lawrence and Holm absent.

Mr. Ermias Ayano, 6245 Renwick, Houston, Texas 77081 (832-297-4954) appeared, presented information and stated that basically it was the same issue as cab drivers they had many issues, but each driver had permanent customers and they worked together and were asking for the same rights as larger cab companies and in his hand he had an application for Space City Cab and somehow there were points they could reach; that they did not want to continue driving for someone else, they wanted a permit which was owned by the city; that they paid the company for the use of permit and they were begging the city for a chance at their own permit. Council Members Lawrence, Holm and Jones absent.

Council Member Khan stated that they had Space City Cab and about 25 people together; and Mr. Ayano stated that was correct; and Council Member Khan stated that was the best thing they could do, come together and form a business partnership; that his earlier comment stood, but succeeding is not easy and banding together was good, they were not 25 individuals now but a group owning a company and he was sure it made them a better position. Council Members Lawrence, Holm, Lovell and Jones absent.

Upon questions by Council Member Jones, Mr. Ayano stated that as Space City Cab Drivers they would like to have their own permit, they had their own customer base; that a permit was a medallion; and Council Member Jones stated that someone filed a lawsuit against the City of Houston and because of that lawsuit Judge Hitter said the city could issue no permit to anyone or they would be in trouble with the court. Council Members Lawrence, Clutterbuck, Holm, Brown, Lovell and Jones absent.

Mr. Dwayne Lark, 10954 Buffum, Houston, Texas 77051 (281-513-5340) appeared and stated that the gentlemen with him spoke six or seven languages and to Council Member Jones they were aware of the lawsuit and ramifications and legal restrictions, however, they filed their application two years before the lawsuit and the issue here was the process; that once Judge Hitter brought forth his ruling it would still be upon this Council and the next Mayor to set policies in place that would not just speak to small businesses but implement policy and today they were saying they were on record two years prior to the lawsuit and got no adjustment or accommodation and now they were involved in the lawsuit and many Council Members here now would be on the next Council and they were appealing to them today; that they had been

servicing the city over 20 years and did so under the auspices of secondary cab drivers and it was not for them to act today, no resolution could be accommodated, but they could in the spirit of their efforts Council could commit to them they would seriously address stopping Yellow Cab from having 95% of the cabs, that was the real issue, it needed to stop. Council Members Lawrence, Clutterbuck, Sullivan, Holm, Brown and Lovell absent.

Council Member Noriega thanked Mr. Lark and others for coming and stated that after listening to him she had a better understanding and did get it; that along with the medallions there were other issues they needed to speak on, as they put in rail and reconfigured the transportation and transit issues they would need to look at maybe entertainment districts and other cab opportunities. Council Members Lawrence, Clutterbuck, Sullivan, Holm, Brown and Lovell absent.

Mr. Ester King, 2640 Prospect, Houston, Texas 77004 (713-521-0384) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck, Sullivan, Holm, Brown, Lovell and Jones absent. (NO QUORUM PRESENT)

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, Clutterbuck, Sullivan, Holm, Brown, Lovell and Jones absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was present after recuperating from a false arrest case which he filed charges on in the past and no one responded; that he was the U. S. President; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Clutterbuck, Sullivan, Holm, Brown, Lovell and Jones absent. (NO QUORUM PRESENT)

Minister Lance Hardy, Jr., 5206 Ridgewest, Houston, Texas 77053 (832-885-5831) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Clutterbuck, Sullivan, Holm, Brown, Lovell and Jones absent. (NO QUORUM PRESENT)

Ms. Alejandrima Madmouj, 2425 Sage Road #2, Houston, Texas 77056 (832-605-3730) appeared and stated that she had been on a hunger strike for seven days in front of City Hall against 287G and for just immigration reform; that the law created a climate of racial profile which targeted Hispanics, today when all went home one of their greatest joys was seeing the faces of their children, wife, etc., but 287G somehow promoted the disintegration of the family and she felt compelled to represent those suffering in silence and today was asking Mayor White to avoid signing that agreement and asking for just treatment of undocumented citizens of the City of Houston who contributed to a strong economy by bringing their talent and services; that this country was based on justice for all, not for a few, and if 287G was passed it would violate their civil rights. Council Members Lawrence, Clutterbuck, Sullivan, Holm, Brown and Jones absent.

Mayor White stated that to briefly give a status of the city's position, it was misstated by some whether deliberately or not he did not know, but the City of Houston had a policy to not use police officers as immigration agents to enforce civil immigration laws, it was a policy of longstanding and would continue to be the policy; that it had been the policy since 2006 to use all tools that they needed to identify people who did not have identification who committed offenses and they checked them against databases' for the purpose of trying to identify those who created serious crimes which should result in their deportation; that they would then prosecute them, incarcerate them for the arrested offense and before they would leave the City of Houston's custody they had asked the federal government to step in and do a deportation

proceeding if needed and then deport them; that the reason was they wanted to protect all communities from those who engaged in violent acts and serious property crimes and major narcotic offenses; that they were told by the Department of Homeland Security in order to get access to all the databases to identify them they needed them to sign an agreement with the Department of Homeland Security and they did not like the agreement proposed because it was too broad and they were negotiating to get the same information from the Department of Public Safety and that had been policy and would continue to be policy. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Brown absent.

Council Member Gonzalez thanked Ms. Madmouj for coming and for her participation in the hunger strike and all efforts in protecting the rights of all. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Holm and Brown absent.

Mr. Marcus Driver, 6240 Antoine Drive #204, Houston, Texas 77091 (713-682-4604) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. (NO QUORUM PRESENT)

Mr. Steve Garza, 2016 Buffalo Terrace, Houston, Texas 77019 (281-381-2703) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. (NO QUORUM PRESENT)

Mr. Julio Barqueto, 1819 Allen Genoa, Pasadena, Texas 77502 (832-890-2814) appeared with an interpreter who stated that Mr. Barqueto had a prepared statement he would read in Spanish and then she would read in English and through his interpreter stated that for seven days and six nights he did not eat solid food and lived in the outskirts of the park in front of the City Hall building with Ms. Madmouj; that they were being supported by several Latin organizations and today he was present to let Council know 287G was a failed program and he was asking the Mayor and Council to not sign and let them and the community know their decision; that if the city was looking into other cosmetic proposals they were ready to exercise their rights and manifest against unrighteous decrees. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. (NO QUORUM PRESENT)

Council Member Noriega thanked Mr. Barqueto for coming today; that there was a long history of hunger strikes and protests against issues folks perceived as injustice and she thanked him and Ms. Madmouj for coming. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. (NO QUORUM PRESENT)

Ms. Rocky Jackson, 8606 Woodland, Houston, Texas 77028 (email rockjack@yahoo.com) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. (NO QUORUM PRESENT)

Mr. Kevin Norman, 1003 Valley Park Drive, Houston, Texas 77078 (281-7780-4415) appeared and stated that he was present to discuss the city's long standing issue of racial discrimination regarding traffic ticketing which impacted Blacks at a rate of nearly five to one; that instead of law enforcement being an agent of the people they essentially preformed and continued to perform as an agent of tyranny and he would ask any Council Member to drive with him into any predominately non Black area and bear witness themselves to the over and repeated traffic violations which occurred with impunity; and with the City of Houston by refusing to act and correct ramped discrimination among police, judges and other law enforcement officials had transformed the city into an agent of tyranny rather than an agent of for and by the

people. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Upon questions by Council Member Jones, Mr. Norman stated that he compiled public information regarding ticket data, etc., and he would ask Council to publish statistics broken by race regarding tickets, traffic violations, etc., so citizens could be informed and act; that they could go into any traffic court and see mostly Blacks and Latinos and it was constant and nothing had been done; and Council Member Jones stated that she would like a copy of his statistics as she wanted to see them; and Mr. Norman stated that he would get it for her, but also ask for Council to assist and make the information public in a plain and simple form. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that they did check and on an annual basis did a report on traffic violations and it was broken into categories he spoke about and they would find how to get it to him, but it was made available. Mayor White, Council Members Lawrence, Johnson, Sullivan, Khan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Mr. Gregory Morales, 526 Benville, Houston, Texas 77015 (713-455-2310) appeared and stated that he was present today as his heart was concerned about abortion in America; that he would like to see more counsel to young women who made a foolish mistake, a foolish mistake should not allow an abortion; that a child was not a mistake; that the Bible said the favorite people of Jesus were children and he knew he would like to see us be forerunners of doing away with abortion; and he hoped the Lord would see them move toward what he had planned, loving children. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell thanked Mr. Morales for coming. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Mr. Sammie Jones, 3325 airport Boulevard, Houston, Texas 77051 (713-733-9820) appeared and stated that he was present to bring concerns of paying for healthcare; that after not being treated for symptoms he was in the emergency room for he began receiving bills; that he informed each ER his lack of ability to pay for services and requested to be approved for emergency Medicaid but the request was turned down, his research indicated he was eligible for a gold card and emergency Medicaid; that he appeared before Council about two to three weeks ago requesting employment and a Spanish looking male came to him during his waiting time and spoke so low he could not hear him, he asked he repeat what the said and he asked why had he drawn his attention and he said something and left; that he could not pay for services and his efforts to gain employment were not fruitful; that his information was turned over to an organization in the Woodlands who was supposed to assist him in getting Medicaid and other assistance, however, after putting his signature on a banking device used to compare signatures a change of address was filled out and used to take his parents tax exemption status away and then the Texas Department of Human Services said if he was given Medicaid he would have to sign over his death estate to the State of Texas and his appeal had not been acted upon; that he was asking for someone in his position; and his time expired. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell stated that there was nothing the city could do to assist him with his problem; that she was sure he was aware of the healthy debate going on regarding

healthcare in the nation; that on issues of Medicaid or Medicare he should go to his Congressional Office as they dealt with the issues; and Mr. Jones stated that he did go there and they had not assisted him and told him to go to his state representative who he could not get in touch with, no one was there when he went; that he did not want a handout, he wanted to help himself and he was needing work, but was being turned away on every hand. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown and Noriega absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Council Member Jones thanked Mr. Jones for coming and stated that as Vice Mayor Pro Tem Lovell stated he should contact his Congress person; that he also may want to go to Commissioners Court as they were the county and decided such things; that she would be happy for her office to write his Congress person and State rep giving them a synopsis as the city had no direct authority over the hospital district, etc., but would write a letter letting them know of his issue. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Pastor Kendall Baker, 3750 Tanglewilde #1, Houston, Texas 77063 (832-858-4831) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared and stated that she was present with bills she wanted Council to look at; that again she was present for the YMCA for Willow Run, 26.82 acres and also the Hike and Bike Trail extension; that Mayor White over taxed \$16.00 a month for a phone bill and he had tax on other bills also and she was charged again because she paid part of the bill. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Vice Mayor Pro Tem Lovell thanked Ms. Taylor for coming. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

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. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

Mr. Frank Elias, 10223 Valencia, Houston, Texas 77013 (713-675-5027) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

At 4:25 p.m. City Council recessed until 9:00 a.m., Wednesday, September 16, 2009. Council Member Green absent on city business. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Sullivan, Khan, Holm, Gonzalez, Rodriguez and Brown absent. Vice Mayor Pro Tem Lovell presiding.(NO QUORUM PRESENT)

The Houston City Council reconvened at 9:00 a.m. Wednesday, September 16, 2009, with Mayor Bill White presiding and with Council Members Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E. , Pam Holm, Edward Gonzalez, James G. Rodriguez, Peter Brown, Sue Lovell, Ronald C. Green and Jolanda "Jo" Jones;

Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present. Council Member Toni Lawrence absent on city business. Council Member Melissa Noriega absent due to being ill.

At 8:24 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:35 Mayor White called the meeting to order. Council Members Sullivan, Khan and Rodriguez absent.

Council Member Clutterbuck moved to suspend the rules to consider Item Numbers 2 and 3 out of order, seconded by Council Member Lovell. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Members Sullivan, Khan and Rodriguez absent. MOTION 2009-0669 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of **MR. JOHNNY R. GANT** to Position Five A (for matters relating to Bush Intercontinental Airport) to the **AIRPORT LAND USE REGULATIONS BOARD OF ADJUSTMENT**, for an unexpired term ending January 31, 2011 - was presented. Council Members Sullivan, Khan and Rodriguez absent.

Council Member Johnson stated that he wanted to thank Mr. Johnny R. Gant for all the work that he was doing and to congratulate him for being appointed to the board. Council Members Sullivan, Khan and Rodriguez absent.

A vote was called on Item No. 2. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Members Sullivan, Khan and Rodriguez absent. MOTION 2009-0670 ADOPTED.

3. CONFIRMATION of the appointment of **MR. JUSTO PENN GONZALEZ** to Position 10 of the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for the current unexpired term ending June 30, 2011 – was presented, moved by Council Member Lovell, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Members Sullivan, Khan and Rodriguez absent. MOTION 2009-0671 ADOPTED.

Mayor White and Council Members Lovell, Clutterbuck and Holm congratulated Mr. Gonzalez on his appointment to Position 10 of the Houston Municipal Employees Pension System Board of Trustees and thanked him for volunteering his service to the City of Houston. Council Members Khan and Rodriguez absent.

HEARINGS

1. **PUBLIC HEARING** on proposed amendment to Chapter 9 of the Code of Ordinances, to amend land use regulations in the vicinity of George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Airport - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. Council Member Khan absent.

The City Secretary stated that Mr. Potts, Interim Director of Aviation, would make remarks on the hearing and no citizens had reserved time to appear.

Mr. Potts stated that the Houston Airport System brought the Compatible Land Use

Ordinance to the Transportation Infrastructure Committee in October 2008 and then to Council for action on December 3, 2008, that throughout the years meetings with stakeholders and doing the public presentations the Houston Airport System represented that within Tier 2 new single family residential uses including the platting of undeveloped land would be allowed, that Tier 2 was the area not immediately adjacent to the airport but far enough removed that noise impacts should not be a problem, that the ordinance as drafted in final form did not reflect this policy and this amendment corrects the ordinance language, and that concluded his comments. Council Members Khan and Holm absent.

Council Member Lovell moved to close the public hearing, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Members Khan and Holm absent. MOTION 2009-0672 ADOPTED.

- 1a. **ORDINANCE AMENDING ARTICLE VI OF CHAPTER 9 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Airport Compatible Land Use Regulations; making findings and containing other provisions relating to the foregoing subject; providing for an effective date; providing for severability – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. **ORDINANCE 2009-0825 ADOPTED.**

MAYOR'S REPORT

At 9:43 Mayor White stated that they would move to the consent agenda. Council Member Khan absent.

CONSENT AGENDA NUMBERS 2 through 55

MISCELLANEOUS - NUMBERS 4 and 5

4. **RECOMMENDATION** from the Director of the Finance Department that the City Council receive the 2009 Appraisal Roll Information, Certification of the Anticipated Collection Rate and appoint Sylvia Shaw and Jennifer Chen to calculate and publish the City's Effective and Rollback Tax Rates in accordance with the "Truth-In-Taxation" provisions of the State Tax Code – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0673 ADOPTED.
5. **RECOMMENDATION** from Director Affirmative Action and Contract Compliance to set Airport Concessions Disadvantaged Business Enterprise (ACDBE) goal for airport leasing (concession) contracts for the period October 1, 2009 through September 30, 2012 in compliance with DBE Ordinances 89-226 and 99-893 and DOT/FAA requirements based upon 49CFR Parts 23 and 26 – had been pulled from the Agenda by the Administration, and was not considered. Council Member Khan absent.

DAMAGES - NUMBER 7

7. **RECOMMENDATION** from City Attorney for settlement of lawsuit styled **ZACHARY TRAN v. Dorrin Stagg and the City of Houston**, Cause No. 2006-67465, in the 61st Judicial District Court, Harris County, Texas - \$170,000.00 - Property and Casualty Fund – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council

Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0674 ADOPTED.

ACCEPT WORK - NUMBERS 8 through 11

8. RECOMMENDATION from Director Department of General Services for approval of final contract amount of \$223,181.00 and acceptance of work on contract with **PEMCO, INC** for Underground Storage Tank Remediation, Removal and Installation at Fire Station 13 - 6.43% under the original contract amount - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0675 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$672,425.00 and acceptance of work on contract with **TJ & T ENTERPRISES, INC** for Local Drainage Project for Drainage Ditch at Colgate, Farther Point and Pine Briar Circle - 1.07% over the original contract amount - **DISTRICTS G - HOLM and I - RODRIGUEZ** – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0676 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$540,936.03 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for Safe Sidewalk Program B3 Project - 1.42% over the original contract amount - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; G - HOLM and H - GONZALEZ** – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0677 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,603,469.54 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in Del Monte - 2.33% under the original contract amount - **DISTRICT G - HOLM** – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0678 ADOPTED.

PROPERTY - NUMBER 12

12. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-120, located at 8300 Homestead Road, owned by Phoenix Medicos, LLC, Jiten Kumar, Owner, for **HOMESTEAD ROAD GRADE SEPARATION PROJECT from Ley Road to Firnat Street** - \$84,768.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0679 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 15 and 16

15. **AMEND MOTION #2000-1552, previously amended by Motion #2003-1450, 2004-1056, 2006-37 and 2009-502 TO EXTEND** term from September 30, 2009 to March 30, 2010, for

Vehicle Locator System for Various Departments – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0680 ADOPTED.

16. **MEDWASTE SOLUTIONS, INC** - \$4,185,737.93, **MATERA PAPER COMPANY, LTD.** - \$1,213,888.29, **BUCKEYE CLEANING CENTER-HOUSTON** - \$472,704.33 and **ZEP, INC dba ZEP SALES AND SERVICE** - \$178,484.16 for Janitorial Supplies for Various Departments \$6,050,814.71 - General and Enterprise Funds – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0681 ADOPTED.

ORDINANCES - NUMBERS 18 through 55

18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement (Parcel SY7-072) and the attendant aerial easement; vacating and abandoning said easements to Highland Village Limited Partnership, the abutting owner, in consideration of its conveyance to the City of a 15-foot-wide sanitary sewer easement (Parcel DY7-036); all three (3) easements being out of Reserve “A” and the adjoining parcels of the Oak Estates Subdivision, out of the Allen C. Reynolds Survey, A-61, Houston, Harris County, Texas; and its payment of \$24,200.00 and other consideration to the City **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0826 ADOPTED.
19. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Hall Road, from the east right-of-way line of Monroe Road East ± 900 feet, comprised of (i-ii) Parcels SY8-023 and SY8-079, vacating and abandoning said parcels to Target Corporation and to Plaza at Pearland Village, Ltd., the abutting owners, in consideration of their conveyance to the City of right-of-way for, and construction of (iii) a 60-foot-wide road connecting the remainder of Hall Road South to the Beltway 8 right-of-way, Parcel AY8-059A, (iv) ±42,728 square feet of right-of-way along the west side of Monroe Road for the widening of Monroe Road, Parcel AY8-059B, and a 10-foot-wide water line easement, comprised of (v-vi) Parcels KY8-102 and KY8-211, and (vii) the payment of \$300.00 and other consideration to the City; all six parcels being out of the Robert Cameron Survey, A-211, Houston, Harris County, Texas - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0827 ADOPTED.
20. ORDINANCE authorizing the sale to Harris County, Texas, of a 10,400 square foot (0.2387 acre) easement (Parcel SY9-053) out of fee-owned Sand Canyon Park, located in the H. K. Stafford Survey, A-1370, Houston, Harris County, Texas, in consideration of payment in the amount of \$39,000.00 and other consideration to the City – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0828 ADOPTED.
22. ORDINANCE consenting to the creation of the **ALIANA MANAGEMENT DISTRICT** in the extraterritorial jurisdiction of the City and the inclusion of certain land within the district – was presented. All voting aye. Nays none. Council Member Lawrence absent on city

business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0829 ADOPTED.

23. ORDINANCE amending Ordinance No. 2006-849 relating to **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 5**, also known as Brays Oaks Management District - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0830 ADOPTED.
24. ORDINANCE consenting to the creation of **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 3, also known as the UPPER KIRBY MANAGEMENT DISTRICT**, and the inclusion of certain land within the district; approving a Five-Year Capital Improvement Plan for the district ; authorizing the issuance of bonds - **DISTRICTS C - CLUTTERBUCK and G - HOLM** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0831 ADOPTED.
25. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 498 - DISTRICT D – ADAMS** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
26. ORDINANCE relating to the fiscal affairs of the City Park Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0832 ADOPTED.
27. ORDINANCE appropriating \$3,525,000.00 out of Reimbursement of Equipment/Project Fund (Fund 1850) for payment to the **MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY** (Reinvestment Zone Number Five, City of Houston, Texas) pursuant to Ordinance No. 2009-824 – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0833 ADOPTED.
28. ORDINANCE granting the petition of the **WOODLANDS LAND DEVELOPMENT COMPANY, L.P.** to include certain land in Montgomery County, Texas within the extraterritorial jurisdiction of the City of Houston; expanding and extending the extraterritorial jurisdiction of the City of Houston to include all of such land in accordance with Section 42.022(B) of the Texas Local Government Code – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0834 ADOPTED.
29. ORDINANCE approving and authorizing contract between the City of Houston and **SANTA MARIA HOSTEL** providing up to \$286,072.15 in Housing Opportunities for Persons With AIDS (“HOPWA”) Funds for the operation of a Community Residence and the provision of other supportive services - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0835 ADOPTED.

31. ORDINANCE accepting into the City collection the sculpture, Croton IV, a Cast Bronze Sculpture by artist Joseph Anthony McDonnell, for placement at Houston Airport System Administration Building and approving and authorizing agreement between the City of Houston and **1800 WEST LOOP HOUSTON, LTD.**, for donation of such work of art - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0836 ADOPTED.
32. ORDINANCE accepting into the City collection the painting, Axis Mundi, an acrylic painting on plywood by artist Benito Huerta, for placement in the Talento Bilingue de Houston Building and approving and authorizing agreement between the City of Houston and **MUSEUM OF FINE ARTS, HOUSTON** for donation of such work of art - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0837 ADOPTED.
33. ORDINANCE authorizing and approving Purchase Agreement between the City of Houston, Seller, and the **CENTER FOR HEARING AND SPEECH, INC** and **MENTAL HEALTH AND MENTAL RETARDATION AUTHORITY OF HARRIS COUNTY, Purchasers**, of 2.999 acres of land, located at 3630 and 3636 West Dallas Street, in the John Austin Survey, A-1, Houston, Harris County, Texas, in consideration of the development of said property by purchasers for the City and the payment of \$2,340,000.00 by purchasers to the City on the terms set forth in the agreement and other consideration to the City - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0838 ADOPTED.
34. ORDINANCE appropriating \$70,364.50 out of Parks Special Fund (4012); approving Purchase and Sale Agreement between **ROSLYN HICKS, Seller**, and the City of Houston, Buyer, for the purchase of approximately 3,275 square feet of land (Parcel BY10-001) located at 830 West 23rd Street, for the Parks & Recreation Department, for the expansion of Wright-Bembry Park; and approving and authorizing payment for the land acquisition costs, Environmental Report Costs, and all Closing Costs associated with this transaction - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0839 ADOPTED.
35. ORDINANCE appropriating \$37,000.00 out of Reimbursement of Equipment/Projects Fund (1850); approving Purchase and Sale Agreement between **CHERRIE GRIGGS JOHNSON, Seller**, and the City of Houston, Buyer, for the purchase of approximately 12,800 square feet of land (Parcel HY10-001) located at 1600 West Little York Road, for the Fire Department, for the expansion of Fire Station No. 67; and approving and authorizing payment for the land acquisition costs and all Closing Costs associated with this transaction - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0840 ADOPTED.
36. ORDINANCE appropriating \$115,000.00 out of Reimbursement of Equipment/Projects Fund (1850); approving Purchase and Sale Agreement between **DANIEL SANTANA, Seller**, and the City of Houston, Buyer, for the purchase of approximately 16,500 square feet of land (Parcel HY10-002) located at the intersection of Old Spanish Trail and Wheeler Street, for the Fire Department, for the expansion of Fire Station No. 40; and approving and authorizing payment for the land acquisition costs and all Closing Costs associated with this transaction - **DISTRICT I - RODRIGUEZ** – was presented. All voting

aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0841 ADOPTED.

39. ORDINANCE appropriating \$27,753.00 out of Parks Special Fund for Purchase and Installation of a New Batting Cage at Hidalgo Park for Parks & Recreation Department - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0842 ADOPTED.
40. ORDINANCE appropriating \$249,989.00 out of Parks Consolidated Construction Fund as an additional appropriation for Memorial Park Pedestrian Bridge, and approving and authorizing first amendment to Construction Contract between the City of Houston and **SPAWGLASS CIVIL CONSTRUCTION, INC** (Approved by Ordinance No. 2008-1232); providing funding for engineering and testing services and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0843 ADOPTED.
41. ORDINANCE appropriating \$65,000.00 out of Equipment Acquisition Consolidated Fund for Purchase of Information Technology Equipment for Houston Public Library – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0844 ADOPTED.
42. ORDINANCE appropriating \$60,000.00 out of Public Library Consolidated Construction Fund for Purchase of Equipment and Material Relocation Services for the African American Library at the Gregory School - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0845 ADOPTED.
43. ORDINANCE appropriating \$130,000.00 out of Equipment Acquisition Consolidated Fund; amending Ordinance No. 2008-428 (Passed on May 14, 2008) to increase the maximum contract amount for contract between the City of Houston and **HOWARD R. GREEN COMPANY** for the Implementation of a Hosted License and Permit System for the Administration & Regulatory Affairs Department - \$60,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0846 ADOPTED.
45. ORDINANCE amending Ordinance No. 2008-1134 (December 10, 2008) to increase the maximum contract amount for contract between the City of Houston and **SECURITY INTEGRATORS & CONSULTING, INC** for Security System Maintenance Services for General Services Department - \$110,918.70 - General Fund – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0847 ADOPTED.
46. ORDINANCE approving and authorizing Lease Agreement between the City of Houston and **TAZMANIAN FREIGHT FORWARDING, INC** for certain premises at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council

Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0848 ADOPTED.

47. ORDINANCE approving and authorizing Supplemental Agreement No. 1 to Lease No. GS-07B-15513 between the City of Houston and the **UNITED STATES OF AMERICA, GENERAL SERVICES ADMINISTRATION** for Transportation Security Administration Office Space at George Bush Intercontinental Airport/Houston - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0849 ADOPTED.
48. ORDINANCE approving and authorizing Supplemental Agreement No. 3 to Lease No. DTFA07-00-L-00920 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, in connection with System Support Center and Contract Weather Observer Center at William P. Hobby Airport - **DISTRICT I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0850 ADOPTED.
49. ORDINANCE appropriating \$219,780.00 out of Airports Improvement Fund and approving and authorizing Agreement for Professional Architectural Services between the City of Houston and **OSBORN & VANE ARCHITECTS, INC** relating to Hurricane Ike Repairs and Design and Renovation of Terminal A Restrooms at George Bush Intercontinental Airport/Houston (Project No. 615M); providing funding for Civic Art Program - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0851 ADOPTED.
50. ORDINANCE deappropriating \$3,750,000.00 out of FAA Grant No. 3-48-0111-069-08 appropriated by Ordinance No. 2008-541 for Contract No. 4600008879 by and between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC** for Project 643 at George Bush Intercontinental Airport/Houston; and appropriating \$3,750,000.00 out of Airports Improvement Fund for Contract No. 4600008879 - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0852 ADOPTED.
51. ORDINANCE finding and determining public convenience and necessity for the acquisition of real property interests for right-of-way in connection with the Public Improvement Project known as the North Wayside Drive Bridge at Halls Bayou Project; authorizing the acquisition by donation, dedication, purchase, or eminent domain proceedings of real property interests in fee simple title or easements to four (4) parcels of land situated in the Eli Noland Survey, Abstract No. 600, in Harris County, Texas, such property being more specifically situated along the north and south lines of North Wayside Drive between Venida Street and Hamlet Street in Houston, Harris County, Texas; providing for the payment of the costs of such acquisition, including Appraisal Fees, Fees Fort Title Policies/Services, Recording Fees, Courts Costs, and Expert Witness Fees - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0853 ADOPTED.

52. ORDINANCE appropriating \$2,049,215.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **TEXAS REEXCAVATION, L.C.** for Wastewater Collection System Rehabilitation and Renewal; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0854 ADOPTED.
53. ORDINANCE appropriating \$2,012,283.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.** for Wastewater Collection System Rehabilitation and Renewal; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0855 ADOPTED.
54. ORDINANCE appropriating \$774,437.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods; 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, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0856 ADOPTED.
55. ORDINANCE No. 2009-785, passed second reading September 2, 2009
ORDINANCE granting to **A-GAIA AMERICA, A Texas Sole Proprietorship**, 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 - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0785 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

6. RECOMMENDATION from Director Affirmative Action and Contract Compliance to set overall goal of 20.28%, including a 1% race-neutral component, for the participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2009 through September 30, 2010, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent

on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0682 ADOPTED.

PURCHASING AND TABULATION OF BIDS

13. **KILLEEN POWER SPORTS, LTD.** for Scooters for Houston Police Department - \$124,911.68 Mobility Response Team Fund – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0683 ADOPTED.
14. ORDINANCE appropriating \$7,707,416.05 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of the 84” Interceptor Sewer Line located at Alameda Rd. and W. Orem for the Public Works & Engineering Department - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0857 ADOPTED.
- 14a. **FUGRO CONSULTANTS** - \$107,416.05, **PATE ENGINEERING** - \$500,000.00 and **BRH-GARVER CONSTRUCTION LP** - \$7,100,000.00 in connection with Emergency Repair of the 84” Interceptor Sewer Line located at Alameda Rd. and W. Orem for the Public Works & Engineering Department - **DISTRICT D - ADAMS** – was presented, moved by Council Member Lovell, seconded by Council Member Green. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. MOTION 2009-0684 ADOPTED.

ORDINANCES

17. ORDINANCE adopting guidelines and criteria, making certain elections regarding eligibility, and **AMENDING ARTICLE IV OF CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to tax abatements – was presented. Council Member Khan absent.

After discussion by Council Member Brown a vote was called on Item No. 17. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0856 ADOPTED.
21. ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston General Election to be held on November 3, 2009, and any required Runoff Election; prescribing the maximum number of election clerks for each voting precinct – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0859 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for the Promotion of Tourism and the solicitation of convention business – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0860 ADOPTED.
37. ORDINANCE approving and authorizing Occupancy Agreement between **AVANCE, INC, a Texas Nonprofit Cooperation, as Occupant**, and the City of Houston, Texas, as Owner, for space in the Acres Homes Multi-Service Center - Revenue - **DISTRICT B -**

JOHNSON – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0861 ADOPTED.

38. ORDINANCE appropriating \$53,787.00 out of Public Health Consolidated Construction Fund for Removal and Relocation of Playground Equipment and ADA Renovations at Kashmere Multi-Service Center for the Department of Health and Human Services - **DISTRICTS B - JOHNSON and D – ADAMS** – was presented, and tagged by Council Member Adams. Council Member Khan absent. (Note: Council Member Adams released her tag later in the meeting.)
44. ORDINANCE awarding contract to **TERRA RENEWAL LLC** for Biosolids Transportation and Land Disposal/Application for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$16,257,820.00 - Enterprise Fund – was presented, and tagged by Council Member Brown. Council Member Khan absent. (Note: Council Member Brown released his tag later in the meeting.)

MATTERS HELD - NUMBERS 56 through 58

56. ORDINANCE amending City of Houston Ordinance No. 2005-607, passed on May 11, 2005, which approved and authorized the submission of the 2005 Consolidated Plan to the United States Department of Housing and Urban Development, including a grant application for the thirty-first year of the Community Development Block Grant (“CDBG”) Program, among others – **(This was Item 25 on Agenda of September 2, 2009, TAGGED BY COUNCIL MEMBER JONES)** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0862 ADOPTED.
57. ORDINANCE appropriating \$6,560,000.00 out of Equipment Acquisition Consolidated Fund for a Houston Municipal Courts Case Management System (“SYSTEM”); approving and authorizing contract between the City of Houston and **SOGETI USA, LLC** for Software Design and Development Services; providing for expenses relating to the design and implementation of the system – **(This was Item 38 on Agenda of September 2, 2009, TAGGED BY COUNCIL MEMBER HOLM)** – was presented. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Khan absent. ORDINANCE 2009-0863 ADOPTED.
58. ORDINANCE approving and authorizing contract between the City and **GERRY FUSCO CONSULTING** for Professional Services relating to the Bureau of Animal Regulation and Control (BARC); providing a maximum contract amount - \$135,000.00 - General Fund – **(This was Item 53 on Agenda of September 2, 2009, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Member Khan absent.

Council Member Sullivan stated that he wanted to apologize to Mr. Fusco, from the District E office, for all that he had been put through in the last few weeks, that they had apparently a problem over at BARC, Mayor White had identified it, was on top of it and hired this guy and they had lost a lot of time, that he wanted to tell Mr. Fusco to keep up the good work and to thank Mr. Moran for his hard work on this as well. Council Member Khan absent.

Council Member Jones stated that she had a field to trip to BARC to try to get an assessment, that it turned out that one of her staff signed up to volunteer and attended volunteer meetings; that the administration had answered questions that she had sent prior to the previous vote and had nothing but time on her hands to read, that she had the opportunity to

she speak with volunteers, both pro and con of this contract, that she personally thought that they needed to level the building, that it emanated death and morbidity and she thought they needed to do something there, but she also knew and appreciated that BARC could not function without its volunteers, that it was underfunded and understaffed and they had a lot of changes in leadership, that she would ask every person in the City to go and visit that building so that they could get an idea of what was going on there, that one had to love animals to volunteer at BARC because it was not a happy place at all, that she had thought long and hard and had tried to receive as much information as she could so she was prepared to vote, that the two week delay was absolutely necessary in order for her to make an informed decision about what she believed to be best for BARC. Council Members Khan, Rodriguez and Lovell absent.

Council Member Clutterbuck stated that she wanted to thank Mr. Fusco for extending his contract and essentially agreeing to work for free for the City, that she was glad he was not present, they may get charged for it, that she was glad because he was busy working at BARC, that anyone who had spoken to any of the volunteers or employees at BARC they knew what a turnaround he had already performed, that she wanted to thank Ms. Elena Marks for her hard work and wanted to thank all of the participants and who would continue to participate in the collaborative discussions about how to move forward and improve BARC, that they looked forward to seeing the public have renewed faith in BARC and developing a private public partnership for fundraising for that wonderful facility; that this was a renewed call to move forward with an ordinance that required spaying and neutering of animals; that second, she wanted to renew her plea that they have online reporting of rabies vaccine as well as licensing, that it was her pleasure to support the item. Council Member Khan absent.

Council Member Holm stated that she wanted to thank Mr. Fusco for demonstrating his commitment to the job that he had been hired to do by continuing to work during this period of time as they had a break week and spent two weeks going through some questions that needed to be answered, that they learned from everything and one of the things that this had done in addition to volunteers that were out there working she had been contacted and looked forward to working with a group of pet resort owners who were interested in being a part financially as well as professionally in helping contribute to a partnership and to a plan to redefine BARC and to help them establish the type of program that was intended and that all of their citizens expected. Council Member Khan absent.

Council Member Johnson stated that he wanted to thank the administration for hearing the cries and certainly understand the need to increase and improve their BARC Program, that he wanted to thank Mr. Stephen Williams, who had been very diligent in this effort, that he thought his efforts had been overlooked for a large part, that he knew he had taken the brunt of the responsibility and a lot of the blame but he did not believe that was the case, that he had done a fabulous job, that he had hoped that they could continue to work towards moving to have a better BARC and knew they would, that he also encouraged the staff of BARC to continue to do the work that they did, that they all knew they needed improvement but when they were put under the microscope people would really start to see their flaws, that he did not want them to be discouraged by the job they were doing, that he believed the employees were doing a good job, that more training and certainly a new leadership needed to be brought in directly over them, that he believed when they hired a new director for BARC that they would be put on the right track, that he certainly hoped that they could mend all of the fences that had been torn down and build the bridges back so they could move in the right direction; that he wanted to encourage everyone to continue to do the work that they do and to thank the volunteer for a job well done. Council Member Khan absent.

Council Member Lovell stated that she wanted to thank Elena Marks for her leadership and availability to answer all of the questions that they had concerning the issue, that she wanted to thank Mayor White for removing BARC from underneath the Health and Human

Services Department as a stand alone position which was where she thought it needed to be, that she wanted to thank the employees and volunteers who had stayed out there with things being uncertain because they cared about the animals and their job, but she also wanted to make sure that they had in place and who was it going to be that watched the benchmarks as they went through this to make sure they were making progress, that they were reaching the benchmarks that they wanted to reach and at a time when it looked like maybe they were not being as successful as they thought they could be when did they start looking at a backup plan on what they do, and maybe that backup plan was as she had said before, that they just go ahead and decide to get out of the business of keeping dogs, cats and other animals and look seriously at partnerships they could make, with the County and also SPCA, who she understood had been donated some new property and was looking to expand their facilities, that they not give up looking at that so if they were not really succeeding that they could move very swiftly into another, that she wanted to make sure that was in place so they did not end up like they were right here by not having another backup or alternate plan in place, that she wanted to thank everybody for all their efforts and Mr. Fusco for hanging in there with them and was looking forward to him making the improvements that they thought he would do. Council Member Green absent.

Mayor White stated that he supported the idea of partnering with people and would tell them that it would not be fair to their employees nor would it have the institutional changes that they wanted if they had a system where those adoptable animals were placed with others and the only mission of their bureau was to deal with those animals that were not adopted or adoptable, that would go back to the culture that they found before this administration, that he mentioned that because they needed new facilities and needed another adoption facility, that to mark his words there would be people coming out of the woodwork saying they could do it better and would want money, they always wanted money, and they would look at those proposals on their merits, but he did not think they would set BARC in the right direction if they said that others would take care of the adoption and the City would only have the responsibility for those animals that were not adopted, that he thought they would get back into the same culture that got them into this situation. Council Member Green absent.

Council Member Brown stated that he wanted to support the fine words of Council Member Clutterbuck, particularly the notion that they could move towards a public private partnership that could supplement the funding and create a model facility. Council Member Green absent.

Council Member Adams stated that she wanted to thank Elena Marks for her continued leadership on this item, that she wanted to thank Mr. Fusco for what he had done and his constant communication with her about transitioning out, that she knew that Council Member Holm had a question about what if this did not work, and if after his January contract ends, if they had to come back and revisit all of this again, he agree in writing to go ahead and provide a transition plan to the City to guarantee that he would come back without charging the City so she wanted to thank him for that agreement and would support him on this contract. Council Member Brown absent.

A vote was called on Item No. 58. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Brown absent. ORDINANCE 2009-0864 ADOPTED.

Council Member Brown stated that he wanted to release his tag on Item No. 44, that his concern was that rather than taking biosolids, in effect, sludge from sewage treatment plants to the landfill they needed to find a cost effective way of reprocessing and selling this sludge, that he hoped that he could get some more information from the administration on how they ended to move forward on a more environmentally correct program because they did not want to fill up

their landfills, that waste was a terrible thing to waste. Council Member Adams absent.

44. ORDINANCE awarding contract to **TERRA RENEWAL LLC** for Biosolids Transportation and Land Disposal/Application for the Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$16,257,820.00 - Enterprise Fund – was again before the City Council. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Brown absent. ORDINANCE 2009-0865 ADOPTED.

Mayor White stated that he did not think that any of them would ever forget for the rest of their lives what they were doing about a year ago as they were recovering from the worst natural disaster in this community's history; that there was a community in Chambers County called Oak Island that he visited shortly after the storm where almost everybody had lost their house, that about a week after Hurricane Ike came in he went down to meet a fellow who just insisted on seeing him, that they had heard the story, that his name was Neil Diamond, a song writer and singer, that Mr. Diamond had asked him where he had seen the worst devastation and it was Oak Island, that this morning during City Council he was just reviewing a memo from the Gulf Coast Ike Relief Fund, which he had initiated, and they had informed them that Mr. Diamond, since that time, had raised \$1.8 million to rebuild Oak Island, and the first 12 houses, for people who did not have insurance, were ready to go, that Neil went down there the day after his concert here in Houston, which was a big sold out concert at the Arena, and he drove to Oak Island with Albert Myers just to see the devastation; that they responded to the third largest natural disaster in American history by property damage in a way that they could be proud of, but there were stories like this that were happening every day and, and would ask every Council Member, and he would get Mr. Diamond's contact information, for somebody who was looking after their neighbors at a time where people had still not received FEMA checks and people were rebuilding their lives. Council Member Sullivan absent.

Council Member Adams stated that she would release her tag on Item No. 38 and wanted to thank the Health Department, Parks and Recreation and Building Services, that some of the newer equipment that was at Kashmere they were going to give to South Post Oak, so instead of doing away with it they were going to recycle that over to the new center. Council Member Sullivan absent.

38. ORDINANCE appropriating \$53,787.00 out of Public Health Consolidated Construction Fund for Removal and Relocation of Playground Equipment and ADA Renovations at Kashmere Multi-Service Center for the Department of Health and Human Services - **DISTRICTS B - JOHNSON and D – ADAMS** – was again before the City Council. All voting aye. Nays none. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Member Sullivan absent. ORDINANCE 2009-0866 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Gonzalez stated that he wanted to thank Crime Stoppers and the Houston Fire Department, Precinct One and HPD for their involvement and participation in an Arson Awareness Campaign that took place in the Heights area, that they were dealing with an arsonist out there and would encourage anyone who had information on those fires to please contact Crime Stoppers at 713-222-TIPS; that he wanted to thank Reagan High School and Super Neighborhood No. 22 for their participation and assistance in putting on some townhall meetings that they had with community members this week, that they had another round upcoming in both Lindale and North Lindale communities on September 22, 2009 from 6:00 p.m. to 8:00 p.m.; that he wanted to congratulate District H resident and BOND President, Armando Bermudes, he was going to be receiving an award tonight at the Hispanic Heritage

Awards Event and he wanted to encourage everyone to attend that. Council Members Clutterbuck, Sullivan, Rodriguez and Brown absent.

Council Member Jones stated that next weekend they would be having the Second Annual Houston Survivor Challenge, that they would like to have some wonderful participation, that it was free to watch, that they would have face painting and other fun things, that they would have reality show people from Survivor, Amazing Race, Big Brother and Pirate Master, that it would be downtown at Sesquicentennial Park and people could see how beautiful Buffalo Bayou was and how it was maintained, that it was a charitable event to raise money for two non profits, the Buffalo Bayou Partnership and the U'jana Conley Foundation for SIDS, that it was a recreation of the game Survivor, that they could call her office, 832-393-3006 for more information, that it was the weekend of September 25, 26 and 27, 2009. Council Members Sullivan, Gonzalez, Rodriguez and Brown absent.

Council Member Lovell stated that they had a TIA Committee meeting this week and they had a report on the SafeClear Program which she was proud to announce that a new study of this program showed that it continued to have an impact on reducing the freeway crashes and saving drivers millions of dollars in collision costs and helping to reduce the freeway collisions, that the report was conducted by researchers at the Texas Transportation Institute at Texas A&M University and at Rice University, that it showed that SafeClear cut approximately 120 collisions' per month saving the driving public more than \$4 million each month in associated costs, that she wanted to say congratulations to the people who run that program and thank you to Mayor White for his leadership on the issue, that it had been very successful and should be one of the legacies that Mayor White would leave the City after he was not longer the Mayor; that she wanted to congratulate Larry Kelner, Chairman and CEO of Continental Airlines, that he had been named the 2009 International Executive of the Year by the Greater Houston Partnership; that she wanted to say congratulations to Yolanda Navarro Black and her Villa Arcos Restaurant for being named as the Best Small Business in the 2009 East End Awards, presented by the East End Chamber of Commerce, that when she hosts breakfast they order the breakfast tacos from Yolanda and they were wonderful, that she had been on CNN, they did a story on her and her business. Council Members Johnson, Sullivan, Gonzalez, Rodriguez, Brown and Jones absent. (NO QUORUM PRESENT)

Council Member Holm stated that she wanted to recognize a City of Houston employee, Kendal Baker, who worked in the 3-1-1 Department and was also the Pastor of Straight Up Ministries International Church and she had occasion over the past six years to work with Kendal and his church on many occasions because in addition to his calling as a minister he really embraces the churches in the City, that on Saturday, September 19, 2009 he would be a part of a host of local pastors who were going to motivate and mobilize people of many congregations to encircle the 610 Loop with prayer for the City and the needs of their City, that the event was called "The Houston Loves Prayer Event", that she thought it was an opportunity for all of them to participate in something that called them together, not only as they addressed things objectively and financially but also in their personal lives to tie their hearts and reach out at the traditional walls of their sanctuary, that she wanted to pass it on and if they wanted more information they could go to the website, www.houstonlovewalkl.com, that she wanted to congratulate Pastor Baker for his continual expression and living throughout his work and his daily life, a life of unity and love and bringing them all together. Council Members Johnson, Sullivan, Gonzalez, Rodriguez, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that the Second Annual Alief International Parade would be held on Saturday, September 26, 2009 at 9:00 a.m., that it would begin at the parking lot of the International Trade Center, 11110 Bellaire Boulevard and would end at Hastings Ninth Grade Center at 6750 Cook Road, that he would request that everyone come and join and celebrate the diversity of their community; that there would be a townhall meeting tomorrow evening,

Thursday, September 17, 2009 at Houston Baptist University in the Maybe Theater where the Harris County Hospital District would be talking, giving a briefing and listening to people about their potential purchase take over of Southwest Memorial Hospital, that everyone was welcome to attend the meeting and voice their opinion, that it was from 6:30 p.m. to 8:30 p.m., that he did not know if Mayor White had any discussion or conversation or whether he planned to chime in on this potential sale of Southwest Memorial Hospital to the Harris County Hospital District. Council Members Johnson, Sullivan, Gonzalez, Rodriguez, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Brown stated that he wanted to talk about the pressing need to contact their local Congressional Representatives about additional funding for NASA Johnson Space Center, which employed over 20,000 people, that they had started work on the Orient Crew Capsule and the Aires Rocket but unless they got additional funding that work would not proceed so he encouraged the administration and all of their Council Members to contact NASA Congressional Representatives and really push for this additional funding; that the next subject was parking requirements for Beauty Salons, that they had a very un-business friendly onerous parking requirement for Barber Shops and Beauty Salons which basically if they were caught by an inspector was putting a lot of small businesses out of business, that their requirements were two and a half times the number parking spaces required per chair in a Beauty Salon than in other cities like Dallas, Fort Worth, San Antonio and Austin, that he thought it was not the largest issue facing the City but it was an important signal that they needed to send that they were a business friendly City and it was an emergency for some of these businesses and he hoped that they could do something about it and have a procedure for granting them an exception until they revise their ordinance to a normal national standard; that he wanted to mention House Bill 1937, that effective on September 1, 2009 it allows the City to provide the assessment districts financing for solar power and other alternative energy installations on homes and business, that in other words the City could issue debt through this assessment and then begin to reimburse property owners for energy conservation improvements, that he thought they needed to get going on this very soon, they could be a model certainly in Texas and needed to develop a plan based on very specific criteria for where these energy conservation districts were most appropriate and get this on the agenda of City Council as soon as possible, that it was a great opportunity for Mayor White to do something at the end of his six years as Mayor of Houston and really wrapped up his commitment to environmental responsibility in the City of Houston, that there was a procedure for creating these districts. Council Members Johnson, Sullivan, Holm, Gonzalez, Rodriguez, Lovell, Green and Jones absent. (NO QUORUM PRESENT)

Mayor White stated that there had been some in California and Mr. Eugster was a proponent of it, but was getting the sort of scale that they would need in order to get the debt issuance, the cost of debt down, mainly for solar panels, that he had not completely figured it out, that his suggestion to all Members of City Council would be that it was an interesting thing about the market, especially in a slow market for lawyers, if they could make clear that so long as there was no cost to the City that they would facilitate private parties willing to come up with the transaction then they could bet they were going to sell to their client any service that may be helpful, particularly if it required legal documents to be prepared, that they would get the word out. Council Members Johnson, Sullivan, Holm, Gonzalez, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that on Friday night at sundown was the beginning of the Jewish High Holy Season, Rosh Hashanah, that would like to wish all of her friends and constituents who were of the Jewish Faith a Happy Rosh Hashanah and Yom Kippur; that sadly the District C office they were losing Abigail Nobles, who was leaving them to go to Law School at the University of Chicago; that yesterday two of her earliest supporters, Don and Mary Eurbrock, celebrated 50 years of marriage, that they met in New York City in 1958, that she was

a writer for Parents Magazine in New York and he was a Life Magazine Photographer, that they had four children and now had seven grandchildren, that they were an inspiration to her and she wanted to say Happy Anniversary to her Mom and Dad and thanked them for the wonderful example that they had set for her siblings and all of their spouses. Council Members Johnson, Sullivan, Holm, Gonzalez, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Adams stated that on Friday night at Saint Agnes Church, 3730 South Acres Drive there would be a Prayer Around Houston meeting, that it would take place on Friday morning at 8:00 a.m.; that last Wednesday they had the opportunity to partner with the YWCA and the Senior Center along with seniors in Sunnyside Park, who had challenged her to be a part of the Silver Ladies Swim Team, that there were seven senior citizens who come out to swim and participate in Aerobics, that she wanted to congratulate them for all that they did in the community; that in the last couple of weeks there had been a tremendous increase in burglaries in the MacGregor area and some of the Briar Villa area had been hard hit and some of the East Sunnyside Community, that not just when people were not home but some of the burglars were getting aggressive and kicking in doors when people were at home and actually putting shotguns to peoples heads, that they were doing a call to action meeting about crime and she wanted to thank Chief Hurtt and Chief Durden and the Police Department at South Central and Captain Jones for their diligence and being very proactive and aggressive, that one of the burglars had been caught and they were looking for the rest of them, that she wanted to give them thanks for all of their hard work and partnering with their office to make sure that their communities remained safe, that on Thursday night at 6:30 p.m. they would be hosting along with Super Neighborhood 83 and Chief Hurtt and HPD a crime summit at Good Hope Church located at 3015 North MacGregor, so if they lived in the area and would like to come out and get information about the crime and the issues that had been plaguing them to come out, that she wanted to thank Dr. Pointdexter, along with the Timbercrest Community for being proactive about some of the burglars, that there were some University of Houston students were affected and had to change all of their personal id's and buy new computers; that tomorrow she would be the co-chair of the 2010 Census Outreach Committee and they were encouraging those who would like to participate in the outreach for 2010 there would be a meeting to tomorrow at 50 Waugh, that she wanted to thank former Council Member Gracie Saenz for her hard work and partnership in this; that she wanted to thank Mayor White for chairing the taskforce in the upcoming Neighborhood Protection Sub Committee about dangerous buildings, that she thought they put the task force together about three weeks and they had filed five lawsuits on District D properties for dangerous buildings, that it was working and moving and she appreciated Mayor White's confidence in them to try to create new policies and procedures; that tomorrow morning at Bobby Yeagas, 2606 Grant Street there would be a Blue Print Houston meeting to report about the upcoming things getting ready to happen in Neartown and Montrose, so for those who lived in the Neartown and Montrose area please join them for the Museum District Business Alliance Luncheon; that there had been some information disseminated about Palm Center, that she wanted to thank Council Member Lovell for taking the charge and wanting to bring this information up in the TIA meeting concerning Metro and what was occurring at Palm Center, that information had been disseminated that the City of Houston was selling Palm Center, that it was not being sold, they were looking for innovative ways to increase the commercial land use of Palm Center and their partnership with Metro, that if they had any questions concerning Palm Center they could contact District D at 832-393-3001. Council Members Johnson, Sullivan, Holm, Gonzalez, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

Council Member Khan stated that today was the 26th day of Ramadan, there were three more days left, that Saturday would be the last day of Ramadan and Sunday would be the end of Ramadan celebration, which was called Eidelaftar, that the last few days of Ramadan were considered the time for intense prayers. Council Members Sullivan, Holm, Gonzalez, Rodriguez, Green and Jones absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 10:38 a.m. Council Member Lawrence absent on city business. Council Member Noriega absent due to being ill. Council Members Sullivan, Holm, Gonzalez, Rodriguez, Green and Jones 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