

City Council Chamber, City Hall, Wednesday, November 04, 2009

A Regular Meeting of the Houston City Council was held Wednesday, November 04, 2009 at 9:00 a.m., with 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, Ronald C. Green and Jolanda "Jo" Jones; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Agenda Office, present.

At 8:25 a.m. City Secretary read the descriptions or captions of items on the Agenda.

At 9:32 Mayor White called the meeting to order. Council Members Johnson, Sullivan, Holm, Brown, Green and Jones absent.

Mayor White called on Council Member Adams for the prayer and pledge of allegiance, and Council Member Adams called on Pastor Terri K. Anderson of the Lilly Grove Missionary Baptist Church for the prayer and Council Member Adams led all in the pledge of allegiance. Council Members Johnson, Holm, Brown, Green and Jones absent.

At 9:35 a.m. Mayor White requested the City Secretary to call the roll. Council Members Johnson, Holm, Brown, Green and Jones absent.

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

Council Member Clutterbuck moved to suspend the rules to receive the Monthly Financial Report and the Quarterly Investment Report out of order prior to the Mayor's Report, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson, Holm, Brown, Green and Jones absent. MOTION 2009-0777 ADOPTED.

Mayor White stated that he would mention to Members of City Council as they now go to the first report on financial conditions that they had a combined meeting and had a number of citizens here, that this was not the only Council meeting that they would ever have in the City of Houston or the only opportunity to discuss these issues so they should be mindful of that when there were citizens, that he would ask the speakers, including himself, and those who made comments to keep their comments brief and to the point. Council Members Johnson, Holm and Green absent.

9:00 A.M. REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller – was presented. Council Members Johnson, Holm and Green absent.

Mayor White recognized Ms. Annise Parker, City Controller and Ms. Michele Mitchell, Director, Finance Department, for the Monthly Operations and Financial Report and the Quarterly Investment Report. Council Members Johnson, Holm and Green absent.

Ms. Parker and Ms. Mitchell reviewed the Monthly Operations and Financial Report, a copy of which is in the City Secretary's Office for review. Council Member Holm absent.

Council Member Khan stated that he had one question on the SWAP Report, the Sports Authority was facing some short term squeeze for cash flow for their SWAPs and he understood that they had the same insurer and asked if there was any anticipated short term squeeze for their (the City's) SWAPs also, and Ms. Parker stated that many of the problems that they had to deal with over the last year or so had nothing to do with City of Houston and their strong credit rating, they were doing fine, but because they were engaged with underwriters that were less strong than they were and were troubled by the ripple that went through the mortgage market and all through the industry there was still the potential of that and they were anticipating that and looking for other options, that there was nothing that would change, that as far as she knew their position had nothing that put the City at risk, but yes they may have to replace the underwriters. Council Member Holm absent.

Council Member Green asked Ms. Mitchell that on the second page of their report, the Building Inspection savings of \$274,000 for some in house activities, under Building Inspection Operating Expenses, what type of savings had been achieved by doing some things in house and how could those transfer to other departments, had they looked at what they had done.

Ms. Mitchell stated that for the support services that would be performed in house she knew that she had transferred some people from Finance to Mr. Icken's office and knew that instead of him hiring it was just a matter of transferring instead of actually going out and hiring people and using in house to do the same amount of work that they would have if they had gone out, and Mayor White stated that he would try to get a report from Mr. Icken on that, and Ms. Mitchell stated that they could provide Council Member Green the breakdown and email it to him, and Council Member Green stated that he would like to know whether those same type of services could be transferred to other departments, and actually if they could do some inter departmental transfers and the funds and charge other departments for that same type of work and Ms. Mitchell stated that she would like to see that happen. Council Member Holm absent.

Council Member Clutterbuck moved to accept the Monthly Operations and Financial Report and the Quarterly Investment Report, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2009-0778 ADOPTED.

Mayor White stated that he wanted to thank the Controller and Director of Finance for their report. Council Member Holm absent.

Council Member Lawrence moved to suspend the rules to hear from State Representative Dwayne Bohac out of order at this time, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2009-0779 ADOPTED.

Rep. Dwayne Bohac, No Address Given, (713-460-2800) appeared and stated that having been through six elections himself he knew that many of them were very tired and would keep his remarks very brief and hopefully interesting enough to keep their eyes open, that he wanted to thank them for allowing him to speak on an issue that was very important to him and the community that he represented, and Council Member Lawrence, and many of them as well across the City, that he appreciated the bipartisan way in which the City Council had addressed the Apartment Standards issue, that it had been very bipartisan, that he would also like to thank his good friend, Senator Rodney Ellis, who could not be present, in helping him craft House Bill 1819, that as they knew he represented west and northwest Houston, and this area had numerous aging multi family units that were in need of repair, that the passage of House Bill 1819, this past Legislature, and the adoption of the ordinance that they had crafted would go a very long way in protecting the over one million Houstonians who lived in apartments, that additionally these habitability standards would help protect property values and the safety of surrounding neighborhoods, that he believed that the adoption of this ordinance would

significantly improve the lives of hundreds of thousands of Houstonians who lived in and around trouble units and when apartment complexes were allowed to become run down they often became a magnet for criminal activity, a rigorous re-inspection program, along with adequate City manpower, would help insure the safety of apartment residents and surrounding communities, that he wanted to thank them for their hard work. Council Members Holm and Green absent.

Mayor White stated that he wanted to thank Representative Bohac for being present and for his work on this issue. Council Members Holm and Green absent.

Council Members Lawrence, Noriega and Gonzalez thanked Representative Bohac for his hard work, and Representative Bohac stated that Council Member Lawrence, after the tragic death of Officer Abernathy, held a townhall meeting in their area, and Chief Herald Hurtt and many City of Houston officials from all departments were there and there were hundreds of citizens who attended and this idea that they were about to adopt was truly citizen run government because it was an idea that was devised by citizens who were there listening to the testimony of folks and the stakeholders who were all present, so it was truly representative democracy at work at it's core, that he wanted to thank Mayor White and especially Council Member Lawrence and Senator Ellis and all of them for their hard work. Council Members Holm and Green absent.

MAYOR'S REPORT

At 10:00 a.m. Mayor White stated that they would move to the Mayor's Report, that there were two parts of it, that first was the City/Country progress or history on a joint processing facility where serious discussions began in 1999 through 2001 with a goal of having an efficient facility for processing prisoners that were either City detainees or City detainees bound to the County or folks that would be today processed directly to the County or the County had talked time to time about diversion where there were some offenses that would require better to be dealt with by diversion, such as Homeless Court and the like and in that he would make these two points and would ask Mr. Anthony Hall to make some points and asked Ms. Stein if they would distribute each Council Member a chronology and would not just read from the chronology but suffice it to say that shortly before this administration, in 2003, there were both a Legislative session, authorizing such a facility where the City and County participating jointly, and there was an agreement by the City and County for the planning for a joint processing facility, some of the reasons for this had to do with the oversight of what was called jail monitors, to make sure the Constitutional standards were observed within the City and County jails so that at some point it would much better be that local residents would have, and local government officials, would have decision making authority of the jails as opposed to a situation that existed in the 1980's, which was a federal court having jurisdiction, at least at that time, over the County jail, and further Mr. Hall provided some background, that there was a written agreement, after years of negotiation and studies, between the City and County concerning the consolidation, some of them who took the oath of office first with him may recall that they even made staffing changes based upon a timeline which had been provided by the City and Country at that time because they believed that the civilian jailers were to be there for approximately four years at most, that four years had come and pass. Council Members Lawrence, Holm, Noriega and Green absent.

Mr. Anthony Hall stated that he thought everybody had the chronology that his office prepared and it speaks for itself so he would not run through it, that there had been now two fairly detailed studies by the County, that the issue started as a consolidation of their jail facility and it was indeed a priority issue now because what the Mayor did not mention was that they had a monitor of the City jail and the monitor had been, he supposed, reserved in his recommendations because of the negotiations that they had with the County and their intent to

get out of the jail business in it's entirety, that Chief Hurtt was present and was probably the strongest proponent of the City getting out of the jail business for a host of reasons, that what had happened, based on the timeline provided by an earlier study by the County, and some financial models that were provided, they actually did release 174 of their jail attendants in anticipation of the timeline that was agreed upon at the time, they had since been rehired, that Chief Hurtt could speak to about 27 vacancies that existed there now that were in the process of being filled, that it was relevant only to the extent that it was a question raised by the monitor of their jail processes, that he would skip to the end and emphasize that after literally hundreds of hours of negotiations with the County they had two signed agreements that were signed prior to the submission of the bond proposals to the voters by the County, as they would recall that package was submitted with a number of other things, and it was in two parts, one was an agreement to participate in the capital cost of a facility, that these words were important because the processing operation and the building of a jail facility though they worked together were really two segmented negotiations and their principal there was based on history of number of Class C misdemeanor prisoners would be housed by the County they would pay their per capita share of the facility and it's use and that was important because they had no say in what the County would build and how big it would be, that was a discussion that was taking place in the County and involved a number of things, what kind of services would be offered, whether there would be medical facilities, psychiatric facilities, how many floors they would build, that obviously the City did not have a voice in that so that the principle that was negotiated around was that they would pay based on the historical prison intake, what they thought would be their proportionate share of that capital cost and the voters did authorize some \$36 million for their participation in that at the polls, that the more complicated issue, quite frankly, was the processing issue, that also was the most expensive so that in the scheme of things was far more complicated, more expensive and after literally hundreds of hours of negotiation they reached an agreement involving the County and the County's financing people, the Chief of Police and his staff and came up with a, they think, very fair arrangement by which they would pay, in effect, a cost of processing arrangement and the number of details, that he would not go into here, but also to guarantee that there was capacity to take their prisoners and that kind of thing, that the Sheriff and his people were very concerned about delay time for officers who would take prisoners there so there was a lot of negotiations about how it would be designed so that they could get in and out fast and all of those kind of issues, that they signed an agreement, the Sheriff, the City and the finance people signed an agreement and they would not be discussing this at all, he did not think, for at least 10 years because that was the initial term of the agreement, if the bond authorization had passed, it did not, so it brought them to the question, and the reason that he thought the Mayor wanted him to comment, was where they were, the County had not determined yet how they would proceed, that as they would recall when the bond authorization failed there was a lot of discussion about maybe they could finance it with some other kinds of financing, a number of discussions that had been printed in the paper that were being discussed at the County, that at this moment there was still not consensus at the County about what they would do, that it seemed as though there was consensus on two things, one, that it was very reasonable and appropriate and their desires for having a joint processing facility and that they needed an upgraded new facility, those two things, he thought, they were in agreement on, that he might tell them that probably not a month goes by that he did not get interrogated by the Mayor about where they were and what they were going to do and when they were going to do it and those were the relevant questions, but they had not been able to get definitive response, that he thought the last thing on the chronology indicated that he had visited some length with the Sheriff, with the County Judge, with the head of the capital programs, Art Story, and with the County Commissioners about when and what they were going to do and without specificity all they were told was that they were going to proceed in some fashion and at some point; that there had been remarks by Commissioners following that maybe they ought to put in twice as much because they did increase their commitment by about \$5 million or \$6 million, that based on the delay, and at that time the document by their Public Works Department increased cost of construction, that obviously with the recession that had

gone down, but they had some newspaper statements that they ought to increase that which was why he took so much time explaining the rationale for why they were putting in, what they were putting in and what amounts. Council Members Adams, Holm, Lovell and Green absent.

Mayor White stated that the second part would be on the processing of people through the jail to identify people with prior offenses, that there was one Council Member on the jail consolidation issue, that his crystal ball says that they would have a consolidated processing facility it was a matter of when it was sufficient, that public servants would do the right thing, if not they would have two different facilities, potentially, run by federal monitors at a higher cost to the public; that he would recognize Council Member Jones and then go to the second topic. Council Members Adams, Holm, Lovell and Green absent.

Council Member Jones stated that she was curious about who was going to pay into this because she knew when a crime was committed a law enforcement agency arrests the person, whether it was HPD, the Constable, the Sheriff, Metro or TSU Police, that she knew in the City they take them to the City jail and if the DA accepts charges then they transfer them to the County, that it was her understanding that the City jail, supposedly, was not to house people more than 48 hours, unless they had warrants or something and then they keep them longer; that why was it just the City with the County, why was it not other law enforcement agencies, and Mr. Hall stated that first when this was done their intent was that everybody would be taken to this facility so there would not be a City jail anymore, that they would be out of the jail business in it's entirety, the issue of other entities was an issue that they did not engage with because they had the arrangements in place now so they were not party to what arrangements they made which was why this principle that he was discussing when he first started was important, they were taking their historical rates and basing discussions around their historical arrest rates, so in short he guessed what he was saying to them was that it was anticipated that others, frankly the County was at some point encouraging others to participate in this new facility, but they obviously were not a party to those; and Council Member Jones stated that she wanted to compare someone who committed a crime and the County would take them anyway, they would process them there anyway and someone who would stay in the City jail who would not be in this consolidated jail for tickets with the City, so if the person would stay at the City jail for 10 days to two weeks, she believed pro rata, that as all they would have to pay for, they would not have to pay for them any longer than that, and Mr. Hall stated that it was anticipated that it would be less than that because part of the design arrangement and part of the operating agreement would actually have a municipal court staffed and operating at the jail so, at least their anticipation was, that nobody would be there for that length of time, they had some historical averages and data about how long people had stayed and that kind of thing, but they believed that housing a municipal court facility staff on site would help them make certain that they did not incur those kinds of problems; that what they used primarily as a factor for negotiations was in fact the federal contract rates now that they had with the County, that was a benchmark that they could use for what was reasonable for housing them, that he might add for anybody else, and knew that Council Member Jones knew, that they were only talking about Class C misdemeanor offenses, that they were only talking about Class C prisoners. Council Members Lovell and Green absent.

Mayor White stated that on this one issue they could get more information, that was precisely the issue that they had identified, what was their current cost where many of them sat, including him, with spreadsheets of exactly what their current population was, what trends were, what the actual cost of housing was for those individuals, and there were different categories, what their actual costs were comparing that with what it would cost to continue those operations, build new facilities and it was that actual cost basis which was the basis of the memorandum that was agreed to in 2006 and those were some negotiations with the County and those were the principles, that they should not pay more than it cost them to actually detain those individuals, that was why the vast bulk of the cost of the new County jail, and they were

talking about a couple of million dollar project, was borne by the County. Council Members Lovell and Green absent.

Mayor White stated that his invitation to shed light and not just heat on what they did and what they had been working on for some time, and new developments based on the agreement that the State entered into last month with the Department of Homeland Security to identify those individuals who had been apprehended for an offense by them and were not immediately taken to the County facility who were non citizens and who had committed major crimes, that he thought it was fit to talk about this as they also reviewed the jail processing because this was what processing consisted of, that processing consisted of things like taking down information concerning the offender and fingerprinting the information and checking the ID, etc., that he would hit a minute or two and then Chief Hurtt could hit some highlights and then they could answer questions; that in 2006, with a lot of work with Members of the City Council, including at the time Council Member Garcia, they looked at instituting both new policies, and with the support of Council, new equipment, allowing them to identify those individuals who did not have photo identification so that they could check them against the various databases which were available to them, those with photo identification could be checked through federal databases based on that identification, that there were a lot of people who were citizens and non citizens who did not have identification, that it may be for a variety of different reasons, maybe they left it at home and maybe they were a citizen who could not get a drivers license or did not want to have a drivers license and was operating under aliases, that there were many different reasons were and hundreds of thousands of these people were put through an NCIC IAFIS Identification System out of those detained for Class C offenses, that on the fourth paragraph of the memo he sent them concerning relative amounts for the last period of time, about twenty months or so, of those individuals who were arrested by HPD, of how many were Class A and B misdemeanor taken to the County, how many were felonies taken to the County and how many were Class C, that the had operating procedures with ICE so that ICE detainers could be put on those individuals who had criminal histories and removed from the City's custody, that he would tell each of them that he personally, with the Chief, over a year ago reviewed a stack of cases of those individuals who had been removed because of their identification with IAFIS and he was proud of the fact that Houston was a leader in the major cities of identifying those people without identification, that he and the Chief, Herald Hurtt in particular, had been a relentless advocate for the consolidation and interoperability of federal databases, it was ridiculous that all federal databases were not consolidated so if they had a fingerprint for somebody that they should not have to be run by multiple people through multiple databases to identify those individuals, that at the very end of 2007 Congress passed legislation authorizing the creation of an interoperable database system, somehow people liked to refer to sections of the US Code when discussing these matters so they could call this Section 1226, Authorization for 1226 Agreements and they decided to implement this both with a substantial commitment and new IT funding and following the IT infrastructure they would need these agreements with the States, which if they wanted to they could call them 1226 Agreements with the States that would allow the States to be the vehicle for receiving information from fingerprints and running it against all of the federal databases in a DHS and DOJ systems and them reporting back and having that go directly to ICE and the local law enforcement agencies, that he had given them the agreement which was reached between the State of Texas and the Department of Homeland Security which was executed by the Federal Government on October 26, 2009, that he had talked to the Acting Director of Secure Communities Program shortly after and this had the capability of giving both ICE and the local law enforcement agencies information concerning those individuals who were non citizens and who had previously been convicted of serious property crimes, violent crimes and narcotic crimes and establishes certain priorities which were set forth, which they agreed with these priorities at the State of Texas for the resources for apprehension; that finally, one tremendous advantage that law enforcement had pointed out and could get lost in the shuffle was that there were many people, that they were concerned about anybody who may not have identification and may have a warrant out for them or if there was

other activity that would pop up in the NCIC Database and this procedure and the enhances computing capabilities and the undertaking to notify local law enforcement immediately of the apprehension, when they had apprehended somebody on a Class C they think would be a real benefit to the law enforcement community. Council Members Johnson, Holm and Lovell absent.

Mayor White recognized Chief Hurtt. Council Members Johnson, Holm and Lovell absent.

Chief Hurtt stated that secure communities, as the Mayor had alluded to, was really the preferred process or tool for law enforcement, that it would allow them the capability to not only identify individual criminal warrants on them, or wants, but also allow them to make sure that they identify people and make sure that they had the correct person in custody, that also they get their criminal records and had the ability to check through the Department of Justice and reference any criminal wants on them as well as trek through the Department of Homeland Security on their immigration status and that would allow them to focus in on the most dangerous people in their community, the ones who had previously been departed for being involved in criminal activity and returned to this Country, that were involved in violent crime, drug crime and of course transnational gangs, that these capabilities, which were recently made available to them were really what they wanted in law enforcement a long time ago, they referred to it as interoperability and thought they referred to it now as integrated system between DHS, Department of Homeland Security and the Department of Justice, that they had been trying to get this done for several years and he was personally very grateful that the federal government had finally gone in this direction, that the benefits of this system would give them timely information on individuals that they arrest, bring them through their jail, whether they were Class C's, B's, A's and above, everybody that they arrest would go, there would be no selection process in this, everybody who comes into their custody would go through the secure community system, it would be to make sure that they confirm their identity, again confirm their criminal record through DOJ and would confirm any information on them and reference their immigration status from the Department of Homeland Security, that it was a great benefit to law enforcement as well as to the citizens of their community that may be concerned about who was in their community, who may be a threat to them and make sure that they do not alienate any part of their community by having a system in place that checked everyone who came into their custody, that it was definitely a more efficient way to do business by using the technology that was now in place by DHS as well as DOJ, the integrated or interoperability, which ever term they wanted to use would allow them to get things done through technology versus using their officers, specifically taking officers off of the street from patrolling the communities to concentrate on an issue referencing immigration status of individuals, that in conclusion he thought it was the right step, very shortly Houston would be able to enter into this program and he thought once people really and truly understood the outcome and the accuracy of this process it would be acceptable as a way to help them further provide security to the citizens and everybody who visited the City of Houston. Council Members Johnson and Holm absent.

Mayor White stated that he would say to each Member of City Council that there were few issues on which he had seen a greater disparity between some public dialog and what he dealt with in the City and in dealing with law enforcement at all levels as the facts, that he would tell them, and often repeated by sincere people in their beliefs, misapprehensions, first, if a jurisdiction before these capabilities existed somehow used the other statutory authority under Title 8 of the U.S. Code, that somehow those agreements would require law enforcement to go and do employer raids and check and try to do citizenship checks on people based on profiling or check every construction worker or whatever, that was just not true, that some of those things said about the 287G Programs were not true, that there were a couple of jurisdictions that did something like that and he thought that the program, at least within one of the jurisdictions, was terminated and the programs that had used those in the jail many of those jurisdictions were seeking to obtain those same purposes as they had; that the second myth was way on the other

side, it was that somehow if they got computer identification of the citizenship status and prior offences that somehow that was worse than if they did through a lengthy interview process and that was just not true, that he would urge his colleagues that they were dealing with a very important issue of law enforcement and his guide throughout this was talking to those within law enforcement, particularly Chief Hurtt, and looking at the best practices in other cities, that so far at least Houston had been a real leader in the major cities because their policy concerning fingerprinting were adopted by other cities, that he saw now that LA within the last couple of months had moved programs like this into their jails that they had been having in place for some time. Council Members Johnson, Holm and Green absent.

Upon questions by Council Members, Chief Hurtt stated that 287G and Secure Communities were two distinct programs, that 287G was composed of two elements, one was jail, individuals that were interviewed in jail referenced their status in this Country, the other 287G Program was in the field where officers were part of a task force with DHS or officers were trained and given the authority to do immigration enforcement in the field, secure communities was in place once people were in jail in their custody and the part that was most effective because looking at it from the Homeland Security standpoint they were not just looking at people that were not born in this Country, not U.S. citizens, but it also gave them an opportunity that of those Class C's that they arrest and may be U.S. citizens that pose a threat and maybe on a wanted list either with DHS or the FBI; that anytime that their officers took anyone in custody and placed them in the back of the car they wanted to make sure that their primary concern was about not who that person or what he or she had done in the past but securing that individual, if necessary with handcuffs, and transport them to the jail or have an extra officer available to help oversee the arrest and the searching and placing that individual in the vehicle, that what they really trained their officers was no matter what an individuals background may be if they were going to take them into custody and transport them they needed to use the same process for everybody. Council Members Johnson, Khan and Holm absent.

Upon further questions by Council Members, Mayor White stated that on the Class B and above those were checked both by the DA intake system and the County Jail system, that before former Council Member Garcia became Sheriff, he and the current Sheriff dealt with the County Jail on just that concern, that they had been fingerprinting people, and there had been hundreds of thousands of people in a nondiscriminatory basis that had come through the County Jail on other offenses. Council Members Johnson, Khan, Holm and Green absent.

Upon further questions by Council Members, Chief Hurtt stated that as to profiling, what safeguards were there that this would not be used for profiling, HPD already had a policy in place in monitoring traffic stops of individuals and the officers had to record racial data and turn it in with each one of those traffic stops and arrests and that was a quarterly report and was forwarded to the Mayor, that in addition he had met with community groups that were concerned with the process of oversight and making sure that it was a fair process and one of the things that he intended to do, and had discussed it with members of the community, was to establish an oversight committee so they could look at the process, be knowledgeable of the process, review their members and they could ride with officers and have full access, they wanted this to be a very transparent process so people would have confidence that they were doing the right thing, that they also had supervision of their officers, as they did with the use of tasers, they looked at officers and how many time they used, the conditions that they used the tasers and they would do the same thing with the arrest of individuals, that they would be very diligent in their efforts to monitor and provide the appropriate guidance, training and supervision for the implementation. Council Members Johnson, Khan, Holm and Green absent.

After further questions by Council Members, Mayor White stated that following the GAO Report, which they followed because it was a point that they well made, that their national law enforcement resources should be devoted to trying to apprehend the most dangerous people

first, so as they may know the 287G Program was being revised nationwide and now largely confined to jails, that he thought this was going to be the program, not the 287G, that was adopted even for jails; that please note that the priorities for the priorities for detention, the so called Priority One, set forth in the memorandum entered into last month between the DPS and the Department of Homeland Security, were major drug crimes, violent crimes and the serious property crimes that were in the Major Crimes Category A, that those were the enforcement priorities and they to had an interest in making sure that it was the Department of Homeland Security and ICE that had responsibility for the housing and custody of people and they did not want their jails to become de facto places for them to house their detainees, because of limits on their jails, so they would just have to monitor that. Council Members Johnson, Khan, Holm and Green absent.

Council Member Rodriguez stated that he had not heard an answer to the question on the cost of the program and if so had it been factored into this year's budget, and the second was a question that he would like to get an answer on the record, could he assure them that bilingual officers would not be taken off of the streets and transferred into the jail, and Chief Hurtt stated that the cost for the security communities would be in the neighborhood of \$70,000 to \$75,000, the cost the 287G Jail would cost them anywhere from \$1.5 million to \$2 million per year so they definitely thought they were getting a better and more efficient service with the secure communities; that as far as the issue of bilingual officers being taken off of the streets, if they do not go and use 287G that would not happen, that with secure communities they would not need to have bilingual officers because they were concentrating not on a verbal interview but were looking at the biometrics, that was the fingerprints. Council Members Sullivan, Holm and Noriega absent.

Upon further questions by Council Members, Mayor White stated that he had talked to Sheriff Garcia and one inquiry they made was whether they could simply run their Class A's through the County identification system, that they could not get access to their identification database without signing something called a 287G Agreement, that now they could, that given the number of Class C arrests they had there were substantial technical issues and timeliness issues that they could discuss in more detail but he would say that there were detailed briefings on what the volume would be, what the que would be and what the bandwidth would be in order to accomplish that purpose, that please note that there was a difference between the percentage of violent criminals they find in people who were Class B and above versus Class C; that the second issue was that their goal had always been a simple goal which was to apprehend quickly and efficiently those individuals who had been in this category, deportable felons who had been convicted of serious crimes that would warrant deportation, that in many cases had been adjudicated deported already, who were apprehended again for something else, that he had given numerous interviews on this in Council hearings since 2006, that was their goal, and that ICE would promptly take those individuals off of their hands or the hands of Texas Department of Corrections or the Harris County Jail before they were released, but after they were convicted of whatever they were subsequently convicted, that had been their goal and they thought that this was the most effective way to reach that goal, that it also had the other benefit that they would also be able to better detect people who were citizens who did not have identification who may have prior offenses or who had warrants, that it was all the same goal. Council Members Lawrence, Adams, Sullivan, Holm and Rodriguez absent.

At 11:01 a.m. Mayor White stated that they would move to the public session. Council Members Lawrence, Adams, Sullivan, Holm and Rodriguez absent.

The City Secretary began calling the public speakers. Council Members Adams, Sullivan, Holm, Rodriguez and Lovell absent.

Mr. Robert Ryan, 5311 Kirby Drive, Houston, Texas 77005 713-960-1000) had reserved time to speak but was not present when his name was called. Council Members Adams,

Sullivan, Holm, Rodriguez and Lovell absent.

Ms. Anna Mulready, 1503 Pinata, Crosby, Texas 77532 (713-252-4152) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan, Holm, Rodriguez and Lovell absent.

Ms. Sharon Roberts, 1807 Sabine Lane, Houston, Texas 77066 (832-766-2800) had reserved time to speak but was not present when her name was called. Council Members Adams, Sullivan, Holm, Rodriguez and Lovell absent.

Ms. Barbarann LaCourse, 1600 Louisiana, Houston, Texas 77002 (832-880-2010) appeared and stated that she was present about HPD, she had two seizures at the YMCA and taken by ambulance to St. Joseph Hospital where they called police on her and the police falsified her public records stating they took her to MPC which was Ben Taub Psychiatric and they said they did not want her to go to emergency, but they would have had her records and kept her; that they said she faked the seizure but she did not and was in the New England Medical Journal; that they also stated she was homeless and she was not and she wanted time paid for the time she was in jail and continued expressing her personal opinions until her time expired. Council Members Sullivan, Holm, Rodriguez, Brown and Lovell absent.

Mayor White thanked Ms. LaCourse for coming and stated that they had taken records and referred it and received information on her complaints. Council Members Sullivan, Holm, Rodriguez, Brown and Lovell absent.

Mr. Bernard Johnson, 5300 N. Braeswood #4429, Houston, Texas 77096 (281-838-7252) appeared, presented information and stated that he was executive director of Immanuel Educational Services, Inc. and present to invite all to an Entrepreneur Forum in conjunction with the National Pan-Hellenic Council at the University of Houston to be held November 16th. Council Members Sullivan, Holm, Rodriguez, Brown and Lovell absent.

Mayor White thanked Mr. Johnson for coming and bringing it to everyone's attention. Council Members Sullivan, Holm, Rodriguez, Brown and Lovell absent.

Council Member Adams thanked Mr. Johnson for coming and sharing the information; that if he would send information her office she would blast it out to their email friends as this was a great thing. Council Members Sullivan, Holm, Rodriguez, Brown and Lovell absent.

Mr. Jackson Porterfield, 4400 Memorial #1112, Houston, Texas 77007 (832-257-4788) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Holm, Rodriguez, Brown and Lovell absent.

Mr. Joseph Ballard, 6302 Rocky Nook, Humble, Texas 77393 (281-850-0388) appeared and stated that he had lived in his house 11 years and he received a water bill about three weeks ago for \$9,000.00 and he called the Water Department; that a city contractor came out and did work on the lines and buried his meter and that was not his fault it could not be read for 10 years; that they said he used 14,000 gallons in one month and it was not possible, he called and had no water leaks, but they said an ordinance said they could go back two years. Council Members Sullivan, Holm, Gonzalez, Rodriguez, Brown and Lovell absent.

Mayor White stated that someone with Public works would visit with him at this time, but he said he had a \$9,000.00 balance and he had information about a current balance of \$1,449.00 so there was a discrepancy; and Mr. Ballard stated that they sent the bill for \$9,000.00 and he talked to the Water Department who said they made a mistake and after sending someone to read the meter they could not find it, it took 10 years to find a water meter

and bill him and they wanted \$1,400.00 this month; that he always had a credit on his bill, if it was \$30.00 he paid \$80.00, if it was \$15.00 he still paid \$80.00; and Mayor White stated that there were differences in facts and Mr. Drabek could speak with him. Council Members Lawrence, Sullivan, Holm, Brown, Lovell and Noriega absent.

Council Member Johnson stated that one situation was when his office started working on this the Water Department then went out and recognized they had only been sending him an administrative cost for months and he had been paying it, but they recognized they had not billed him for nine years and that was when the \$9,000.00 water bill was sent, then the ordinance allowed them to collect 2 years and that was where the \$1,400.00 bill came into play; that the situation and issue for him was that at some point or another if a meter at a particular facility an error could be in place, but nine years was unacceptable and to place such a large amount on a bill when it was the city's fault was an over burden to him; and he would like to know how they came up with the \$1,400.00 for the time they could charge. Council Members Lawrence, Sullivan, Holm and Brown absent.

Council Member Jones stated that they heard that story a lot; people came to Council because the city lets things drop through the crack and she was trying to figure how the amount was figured, if they had a \$50.00 water bill times 12 months that equaled to \$600.00 and over two years \$1,200.00 and she was concerned as this was not the first time. Council Members Sullivan, Holm and Brown absent.

Mayor White stated that he got the issue and would ask Mr. Drabek to look into this; that they did have this issue and problems with the meters and did rely on estimates from time to time and someone would have to pay for water use if there was months of no billing and to Mr. Drabek he would make this one comment, there was the issue of the customer being charged for zero usage from June 2001 to June 2009 and this was not about Mr. Ballard, but about engineering and things with pipelines had procedures in place to make sure if you did not reconcile what went into the pipe or what came out of the pipe, accounting for it; that the issue of inventory control was something the water/sewer system needed to make great progress on and it was one of the things he asked McKinzey to look into. Council Members Sullivan, Holm, Brown, Lovell and Noriega absent.

Mr. Frank Elias, 10223 Valencia, Houston, Texas 77013 (832-315-8613) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Holm, Brown, Lovell and Noriega absent.

Mr. Samuel Smith, 16803 Imperial Valley, Houston, Texas 77060 (832-229-4495) had reserved time to speak but was not present when his name was called. Council Members Sullivan, Holm, Brown, Lovell and Noriega absent.

Dr. Carolyn Sion, 2400 Eastex Freeway, Houston, Texas 77026 (832-352-7605) appeared and stated that she was with Praise Deliverance Church and they were in the Fifth Ward Community and they saw many impoverished and hungry people, including parolees out of jail, statistics showed about 260,000 parolees being released yearly and about 60,000 were here in Houston and they provided counseling, meals, anger management, etc., and many had no place to live and therefore could not get a job and ended up back in jail again through a revolving door; and today she was requesting assistance through the City of Houston for funds. Council Members Sullivan, Holm, Lovell and Noriega absent.

Council Member Johnson stated to Mayor White he would like for him to speak a little on the reentry program and he would like to know specifics on what Ms. Sion wanted and would like to see a proposal; and Ms. Sion stated that one thing in particular was training needed to be provided for persons getting out of prison or homelessness so they could give back to the

community, they needed jobs and houses and then let them in turn help youngsters who may be repeating mistakes they made. Council Members Sullivan and Holm absent.

Council Member Jones stated that the Reentry Program and Affordable Housing Program, etc., received money from the CDBG funding from the federal government and there were rules for distribution and if she believed she had services the city needed then she would have to respond to a RFP. Council Members Johnson, Sullivan, Khan and Holm absent.

Mayor White stated that he had been getting notes from his colleagues and for providing social services, all the money was committed every year to things like reentry programs, HIV/Aids, after school programs and to basically give a grant to a new organization they would have to cut an organization and that made it difficult, but it would be HCD; and the Texas Workforce Commission had money and there were grant procedures and there was money today. Council Members Johnson, Khan, Holm and Rodriguez absent.

Ms. Hoa Tran, 1713 Ansbury, Houston, Texas 77018 (713-426-1446) appeared, presented information and stated that she invented a medicine to cure the Swine Flu and wanted emergency help to cancel a deed restricted on her property to open a hospital, clinic/store and sell Dr. Hoa Tran Chinese Nutritional Medicine Vitamin; and continued reading from her handout until her time expired. Mayor White, Council Members Johnson, Khan, Holm and Rodriguez absent. Vice Mayor Pro Tem Lovell presiding.

Vice Mayor Pro Tem Lovell stated that Ms. Cathy Barton with the Health Department was present and could give her information. Mayor White, Council Members Johnson, Khan, Holm and Rodriguez absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Claude Brown, 3018 Hohl, Houston, Texas 77093 (713-884-8914) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Johnson, Khan and Holm absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Donald Burns, 2016 Main, Houston, Texas 77002 (713-882-0307) appeared, presented information to Council Member Adams and stated that he was previously in Council on September 15th and October 18th this year and each time he showed pictures of missing manhole covers in Shamrock Manner, the same place the president of the civic club was running a construction company; that a complaint was filed on November 17, 2004, and on November 19, 2004 he was present and it was resolved and the same day the president of the civic club was filing a DBA at his home address for a construction company and he also had a DBA there for a dental lab and he was not a dentist; that the deed restrictions were on him, all they were worried about was him and Hispanics, and children walked by the manholes daily. Council Members Johnson, Holm and Brown absent.

Mr. Kevin Norman, 10003 Valley Park, Houston, Texas 77078 (281-780-4415) had reserved time to speak but was not present when his name was called. Council Members Johnson, Holm, Brown and Lovell absent.

Ms. Betty Lawson, 1148 Dorothy, Houston, Texas 77008 (713-869-4098) appeared, presented information and stated that she lived in the Heights and she heard the honorable Corey A. Stewart, Chairman At-Large, Prince William County, Virginia speak in Washington, D. C., about the criminal alien policy under the existing ICE 287(g) Program where after being arrested and serving their time they were released to ICE for deportation and violent crime reporting plunged 36% in two years and evidence collected by their Gang Task Force indicated the county's reputation amongst dangerous gangs had reduced their activity and the policy encouraged illegal aliens to leave the county and uninsured births declined; and continued expressing her personal opinions until her time expired. Council Members Johnson, Holm,

Brown, Lovell and Green absent.

Ms. Louise Whiteford, 2431 Nantucket, Houston, Texas 77057 (713-706-3546) appeared and stated that she was president of Texans for Immigration Reform and 287(g) established coordination between the federal government and local governments concerning immigration and County Commissioners Court voted to continue the program and Houston should do the same; that her son's pulmonary doctor, Jorge Gonzales, was killed by an illegal immigrant he hired who had the intent purpose of kidnapping his wife and daughter and it was plotted with other illegal immigrants and the doctor now treating his patients said she was doing her best but his practice was so large it was difficult, what was the cost to the city for a premier hospital to lose a dedicated, experienced expert in his field; that bad people were coming over the border and they should be identified. Council Members Johnson, Holm, Brown, Lovell and Green absent.

Mayor White thanked Ms. Whiteford for coming and commended her and stated that he wished more Americans understood the history when labor was regulated. Council Members Johnson, Holm, Brown, Lovell and Green absent.

Mr. Joseph Dominguez, 220 Clifton, Houston, Texas 77011 (832-567-6922) had reserved time to speak but was not present when his name was called. Council Members Holm, Brown, Lovell and Green absent.

Mrs. Geneva Dominguez, 220 Clifton, Houston, Texas 77011 (832-567-6922) had reserved time to speak but was not present when her name was called. Council Members Holm, Brown, Lovell and Green absent.

Mr. Range Waldrup, 11126 Vailview, Houston, Texas 77016 (281-449-7133) had reserved time to speak but was not present when his name was called. Council Members Holm, Rodriguez and Green absent.

Mr. Tony Robertson, 3836 West Traditions, Houston, Texas 77082 (832-378-2290) appeared and stated that he lived in Texas approximately 30 years and obtained a license for a private security officer 10 plus years and currently became a licensed electrician and his problem was trying to keep his drivers license due to surcharges implemented on September 3, 2003, he felt they were unfair because he had no options but payment; that when receiving tickets if you could not pay you could turn yourself in and serve time or do community service, but for surcharges there was no option but payment; that HPD had a new program where they check and told him his license was suspended and he called about the surcharges and tried to find another way, another option to take care of those charges, but there was none and that might be a reason why there was overcrowding in jails, law abiding citizens who could not afford surcharges; and he would like help as he needed to keep his license, he needed to go back and forth to work and he did a crime and was willing to do the time, but he needed an option other than payment for surcharges; and even DPS told him there was no other option. Council Members Holm, Rodriguez and Green absent.

Mayor White stated that he did not know the answer to the question and would ask Ms. Vasquez or someone from Citizens Assistance to help Mr. Robertson with an answer. Council Members Holm, Rodriguez and Green absent.

Upon questions by Council Member Gonzalez, Mr. Robertson stated that he tried an installment plan, but due to the fact he was unemployed now he could not pay and they suspended his license without notification and he was glad the officer who stopped him allowed him to go home and try and regroup on getting the surcharges taken care of, but he could find no other option; and Council Member Gonzalez stated that they would follow up with him.

Council Members Holm, Rodriguez and Green absent.

Council Member Jones stated that her office would work with the Mayor's and Council Member Gonzales's office if he needed all of them, but the city as a body did not control DPS so he really did not go to the right people, but they would try and put him in contact with those who did. Council Members Adams, Sullivan, Holm, Rodriguez and Green absent.

Ms. Shirelle Washington, 7802 Oakington Drive, Houston, Texas 77071 (832-868-6629) appeared and stated that she was from District C and they had spoken a great deal on violent criminals and today she wanted to present a grant proposal for a grassroots interface of youth approach to curtail youth violence; that she wanted to encourage the arts entrepreneurship and discourage the use of celebrity brand or gang apparel presently available to them; that teens liked to wear T-shirts with words and they should meet them with a positive approach which would increase individual self esteem and a can do attitude; that if they found her proposal interesting she would be glad to present a business plan of the proposal. Council Members Adams, Holm, Rodriguez and Green absent.

Council Member Clutterbuck stated that Ms. Washington had a fabulous idea, but she did not know whether there were any grant funds available for such an amazing idea, but she did have several ideas she would like to share with her. Council Members Holm, Rodriguez and Green absent.

Council Member Jones stated that her idea sounded great, but the social services money the city had to give out pursuant to grants came from HUD with the CDBG funding and there were specific uses and she would encourage her to go to the Housing and Community Development website to see funding and criteria. Council Members Holm, Rodriguez, Noriega and Green absent.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared and stated that Mr. Clark, a CEO of the YMCA spoke and refused to build in their low economy part of the community and they would now accept Mr. Joe Turner's offer to use a building he had for the same purpose as the YMCA and would appreciate the Mayor's assistance. Council Members Clutterbuck, Holm, Rodriguez, Noriega and Green absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (no phone number given) appeared and stated that he was demanding more time and was the official U. S. President; and continued expressing his personal opinions until his time expired.

At 12:04 p.m. Mayor White stated that they would move to the public hearings. Council Members Clutterbuck and Green absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** on proposals for the City of Houston to enter into or amend separate strategic partnership agreements with the below named districts in Harris County and Fort Bend County; on separate proposals by the City of Houston to annex for limited purposes certain territory within said Districts; and on separate proposals by the City of Houston to annex for limited purposes certain territory in the vicinity of certain Districts
 - a. Cinco Southwest Municipal Utility District No. 4,
 - b. Cy Champ Public Utility District,
 - c. Harris County Fresh Water Supply District No. 52
 - d. Fort Bend County Municipal Utility District No. 50
 - e. Bridgestone Municipal Utility District
 - f. Greens Parkway Municipal Utility District

- g. Harris County Municipal Utility District No. 191
- h. Mason Creek Utility District
- i. North Belt Utility District
- j. North Forest Municipal Utility District
- k. Timber Lane Utility District
- l. Harris County Municipal Utility District No. 61
- m. Cimarron Municipal Utility District
- n. Cinco Southwest Municipal Utility District No. 3
- o. Tattor Road Municipal District
- p. Cypress Forest Public Utility District
- q. Fort Bend County Municipal Utility District No. 118
- r. Forest Hills Municipal Utility District
- s. Harris County Municipal Utility District No. 105
- t. Harris County Municipal Utility District No. 149
- u. Harris County Water Control and Improvement District No. 114
- v. Harris-Fort Bend Counties Municipal Utility District No. 5
- w. Northwest Harris County Municipal Utility District No. 15
- x. Richey Road Municipal Utility District
- y. Spring West Municipal Utility District

- was called. Council Members Council Members Clutterbuck and Green absent.

The City Secretary stated that Ms. Gwen Tillotson, Planning and Development Department, would make remarks relative to the hearing. Council Members Green absent.

Ms. Tillotson stated that since January 2001, the City had approved 184 Strategic Partnership Agreements with 158 MUDs which generated approximately \$121.7 million in revenue for the City thru October 2009, the agreements for 2009 were as follows:

For the following Districts, the City would amend an existing agreement by adding new territory, that there was no territory outside the MUD to be included in the annexation, that the area was entirely commercial, there are no residents, that the City would levy a 1 percent sales tax, which it would divide evenly with the MUD, that the City would enforce the fireworks ban in the area to be annexed, that it would not provide any other public services, those MUDs were:

- a. Cinco Southwest Municipal Utility District No. 4,
- b. Cy Champ Public Utility District,
- c. Harris County Fresh Water Supply District No. 52
- d. Fort Bend County Municipal Utility District No. 50

For the following Districts, the City would amend an existing agreement by adding new territory, that there was territory outside the MUD to be included in the annexation, that the area was entirely commercial, there were no residents, that the City would levy a 1 percent sales tax, which it will divide evenly with the MUD that the City would enforce a fireworks ban in the area to be annexed and would not provide any other public services, that those MUDs were:

- e. Bridgestone Municipal Utility District
- g. Harris County Municipal Utility District No. 191
- h. Mason Creek Utility District
- i. North Belt Utility District
- j. North Forest Municipal Utility District
- k. Timber Lane Utility District
- l. Harris County Municipal Utility District No. 61

m. Cimarron Municipal Utility District

For the following Districts, the City would amend an existing agreement by adding new territory, that there was territory outside the MUD to be included in the annexation, that the area was entirely commercial and there were no residents, that the City would levy a 1 percent sales tax, which it would divide evenly with the MUD, that the City would enforce the Fireworks ban in the area to be annexed, that police services would also be provided pending approval from Harris County Sherriff's office:

f. Greens Parkway Municipal Utility District

For the following Districts, the City would execute a new Strategic Partnership Agreement, that there was no territory outside the MUD to be included in the annexation, the area was entirely commercial, there were no residents, that the City would levy a 1 percent sales tax, which it would divide evenly with the MUD, that the City would enforce the fireworks ban in the area to be annexed and would not provide any other public services, that those MUDs were:

- n. Cinco Southwest Municipal Utility District No. 3
- o. Tattor Road Municipal District

For the following Districts, the City would execute a new Strategic Partnership Agreement, that there was territory outside the MUD to be included in the annexation, the area was entirely commercial, there were no residents, that the would levy a 1 percent sales tax, which it would divide evenly with the MUD, that the City would enforce the fireworks ban in the area to be annexed and would not provide any other public services, that those MUDs were:

- p. Cypress Forest Public Utility District
- q. Fort Bend County Municipal Utility District No. 118
- r. Forest Hills Municipal Utility District
- s. Harris County Municipal Utility District No. 105
- t. Harris County Municipal Utility District No. 149
- u. Harris County Water Control and Improvement District No. 114
- v. Harris-Fort Bend Counties Municipal Utility District No. 5
- w. Northwest Harris County Municipal Utility District No. 15
- x. Richey Road Municipal Utility District
- y. Spring West Municipal Utility District

Council Member Sullivan stated that one thing he brought out the other day with Ms. Mitchell during the Budget and Fiscal Affairs Committee meeting, Council Member Clutterbuck's committee, was a lack of coordination between Planning and Finance on what the financial implications and liabilities were in this agreement, that it was his understanding, from listening to Ms. Mitchell, and his personal experience, that Planning moves forward with the process and F&A looks at the financial side of it, but there was no joining of the two and they at the table never see the information, that they were supportive of it, especially since they were not near his district, but more importantly he would like to see information if these were financially beneficial to the City, considering the City takes on liability of costs and performance liability, that he thought they ought to know "making money" on this or just haphazardly just taking things in. Council Members Green and Jones absent.

Mayor White stated that so far it had been significant, and the way it was structured, significant plus to the tax payers of the community that they represented, that he would ask Ms. Wallace to comment, that from time to time they did drill down and of course there was a matter of how much time and resources it was to accessing the precise retail locations that existed or may exit, so for budgeting purposes they intended to use historical averages. Council Members

Green and Jones absent.

Council Member Sullivan stated that for example Fire Station 105, in Summerwood, near Kingwood, if they were entering into arrangements, contract arrangements like these in areas within the service area of Summerwood and the net to the City was \$40,000 per year, and he was pulling that number out of the sky, was that worth the potential of pulling the fire station personnel away from Summerwood, where they reside, but if it was a million dollars then of course it was, that he did not know what the magic number was but if they were obligating themselves to police and fire and that type of service then there was, to him, a performance liability exposure to those residents who expected to be served that may be closer to the fire station or the police station, and Mayor White stated that both Summerwood and those issues around Lake Houston he would second what Council Member Sullivan was saying, that if it was so operationally and legally complex that it would take a genius to spend five hours and still not quite understand it then it was probably something that they should not be doing, that it was a very difficult situation and that was one in particular that they had dealt with some situations where he did not think there was an overall plan, and Mayor White asked Ms. Margaret Wallace, Planning Department, to comment on that. Council Members Lawrence, Green and Jones absent.

Ms. Wallace stated that as far as Summerwood was concerned, yes, it was an anomaly in terms of the Strategic Partnership Agreements, those three utility districts received different services than the rest of the SPAs did, that it was incredibly complex and when it was negotiated in 2001 or 2002 she was not a part of the negotiations, that she knew that both the Planning Department, Fire Department and developer of Summerwood were involved in those negotiations and Council had that information in front of them at the time, that she could not tell them at this point exactly what those negotiations were, what that analysis was; that if she could respond to Council Member Sullivan's first question, they had this year worked much more closely with Finance and beginning in September provided to the Finance Department maps of the areas that were going to be annexed for limited purposes and they had worked with them to actually develop budget projections, that she was not certain what was said at the Budget and Finance Committee meeting but the Finance Department had been included in the discussion since they had the maps completed and in fact the projected revenue from these SPAs for the Fiscal Year 2010 that they were currently in was \$400,000 and the Finance Department had estimated \$1.37 million in Fiscal Year 2011 from these, that his point was very well taken, in the past there had not been much coordination between the two departments, that this year there was significant coordination and they expected to continue that from now on. Council Members Lawrence, Green and Jones absent.

After further discussion Council Member Sullivan stated that going forward if they could just see those numbers in the future he thought with money being tight it would be good to know. Council Members Lawrence, Green and Jones absent.

Council Member Khan moved to close the public hearings, seconded by Council Member Clutterbuck. All voting aye. Nays none. Council Members Lawrence, Green and Jones absent. MOTION 2009-0780 ADOPTED.

At 12:14 p.m. Mayor White stated that they would move to the consent agenda. Council Members Lawrence, Green and Jones absent.

Council Member Johnson moved to suspend the rules to consider Item Numbers 18, 18a and 64 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Green and Jones absent. MOTION 2009-0781 ADOPTED.

18. **ORDINANCE AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the habitability of multi-family rental buildings; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause – was presented. Council Members Green and Jones absent.

After discussion by Council Members, Council Member Johnson stated that they needed to look at regulating single family, residential, rental properties, not only to curb the crime that went on in some of these places, but to talk about habitability, that he would like for this to go before committee at some time so that they could vet this; and Council Member Rodriguez asked if this included boarding houses, which had problems that were complaint driven and not inspected regularly by the Fire Marshalls and Building Inspectors, and Mayor White stated that he understood that there was a separate process and drafts of ordinances dealing with boarding houses and this was something that also ought to be at a committee hearing and a process, that they did something on halfway houses.

After further discussion a vote was called on Item No. 18. All voting aye. Nays none. Council Members Gonzales and Brown absent. **ORDINANCE 2009-1043 ADOPTED.**

- 18a. **ORDINANCE AMENDING CITY OF HOUSTON BUILDING CODE** and relating to the safety of person occupying existing buildings; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a savings clause – was presented. All voting aye. Nays none. Council Members Gonzales and Brown absent. **ORDINANCE 2009-1044 ADOPTED.**

64. **ORDINANCE** awarding contract to **JPMORGAN CHASE BANK, N.A.** for Banking Services Citywide; providing a maximum contract amount - 3 Years with two one-year options \$1,643,941.00 - General and Enterprise Funds – **(This was Item 57 on Agenda of October 21, 2009, TAGGED BY COUNCIL MEMBERS KHAN, JOHNSON, GREEN and JONES)** – was presented. Council Members Gonzalez and Brown absent.

After discussion by Council Members, a vote was called on Item No. 64. All voting aye. Nays none. Council Member Brown absent. **ORDINANCE 2009-1045 ADOPTED.**

CONSENT AGENDA NUMBERS 2 through 58

MISCELLANEOUS - NUMBERS 2 through 5

2. **REQUEST** from Mayor for confirmation of the appointment of the following individuals to the **REINVESTMENT ZONE NUMBER TWELVE, CITY OF HOUSTON, TEXAS (CITY PARK ZONE) BOARD OF DIRECTORS:**
- Position One - **MR. BEN H. CRABB**, for a term to expire 12/7/2010
 - Position Three- **MS. ILEANA DESALOS**, for a term to expire 12/7/2010
 - Position Four - **MS. LORRAINE M. CHERRY, PH.D.**, for a term to expire 12/7/2009

- was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Brown absent. **MOTION 2009-0782 ADOPTED.**

5. **RECOMMENDATION** from Director Health & Human Services for approval to name the new multi-service center located at 3810 W. Fuqua the Hiram Clarke Multi-Service Center - **DISTRICT D - ADAMS** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Brown absent. **MOTION 2009-0783 ADOPTED.**

ACCEPT WORK - NUMBER 8

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,178,842.01 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for 69th Street Wastewater Treatment Plant Improvements, Package 1 - 0.28% over the original contract amount - DISTRICT I - RODRIGUEZ - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0784 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 16

9. **MORNING PRIDE MANUFACTURING d/b/a HONEYWELL FIRST RESPONDER PRODUCTS** for Purchase of Firefighter Boots through the Interlocal Agreement for Cooperative Purchasing with the City of Memphis, Tennessee for the Houston Fire Department - \$120,000.00 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0785 ADOPTED.
10. **CIVIL TECH ENGINEERING** for Consulting Services associated with the HAZUS Wind Risk Model for Office of Emergency Management - \$171,220.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0786 ADOPTED.
13. ORDINANCE appropriating \$310,599.60 out of Equipment Acquisition Consolidated Fund for Purchase and Implementation of the Phase III-Call Center-Integrated Justice Information System (IJIS Broker) Software, One-Year Maintenance Agreement and related Professional Services for the Municipal Courts Administration Department - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1046 ADOPTED.
- 13a. **JEFFERSON & ASSOCIATES, INC** - \$70,000.00, **RILEY CAPITAL AND CONSULTING** - \$50,400.00 for Professional Services and **RFD, INC** - \$292,312.00 for Oracle Database Licenses and Maintenances in connection with Purchase and Implementation of the Integrated Justice Information System Broker Software through the City's Master Agreement with the Texas Department of Information Resources - Equipment Acquisition Consolidated and Municipal Court Technology Funds - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0787 ADOPTED.
14. ORDINANCE appropriating \$161,814.06 out of Equipment Acquisition Consolidated Fund for Purchase and Hardware for Planning & Development Department - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1047 ADOPTED.
- 14a. **HEWLETT-PACKARD COMPANY** for Purchase of Hardware through the City's Master Agreement with the Texas Department of Information Resources for the Planning & Development Department - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0788 ADOPTED.
15. ORDINANCE appropriating \$1,250,000.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Forebay Cleanup and Sludge Disposal Services at the

East Water Purification Plant for the Public Works & Engineering Department - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1048 ADOPTED.

- 15a. **LAUGHLIN-THYSSEN, INC** for Forebay Cleanup and Sludge Disposal Services at the East Water Purification Plant for the Public Works & Engineering Department - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0789 ADOPTED.
16. **SAFETY SUPPLY, INC** - \$190,432.69, **SECURITY SAFETY & SUPPLY, INC** - \$200,532.46 and **DOOLEY TACKABERRY, INC** - \$604,770.50 for Safety Equipment and Supplies for Various Departments - General and Enterprise Funds - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0790 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 17 through 58

17. RESOLUTION approving and authorizing the nomination of **ALCON RESEARCH, LTD.** to the Office of the Governor Economic Development & Tourism through the Economic Development Bank as an Enterprise Project - DISTRICT C - CLUTTERBUCK - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. RESOLUTION 2009-0031 ADOPTED.
19. ORDINANCE **AMENDING ARTICLE V OF CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to numbering of buildings; containing findings and other provisions relating to the foregoing subject; establishing an effective date; providing for severability - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1049 ADOPTED.
20. ORDINANCE **AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to hearings regarding dangerous and vacant buildings; containing findings and other provisions relating to the foregoing subject, providing for severability - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1050 ADOPTED.
22. ORDINANCE amending the City of Houston's Ordinance No. 2009-905, which amended the City of Houston Commercial Energy Conservation, Residential Energy Conservation and Residential Codes, relating to energy efficiency to correct scrivener's errors - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1051 ADOPTED.
24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use as public rights-of-way of Nett Street between Roy Street and Sandman Street (Parcel SY9-024A), and two 15-foot-wide alleys in Blocks 62 and 65 (Parcels SY9-024B and SY9-024C), of the Brunner Addition located in the John Austin Survey, A-1; vacating and abandoning said public rights-of-way to the Houston Independent School District, abutting owner ("HISD"), in consideration of HISD's payment of \$660,000.00 and other consideration to the City **DISTRICT H - GONZALEZ** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1052 ADOPTED.

25. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Sugarberry Circle (Parcel SY10-023), from Briar Forest Drive South to its terminus, containing 30,230 square feet of land, more or less; vacating and abandoning said tract to abutting owner, Hudson Forest Homeowners Association, and approving owner's conveyance to the City of a full-width utility easement (Parcel VY10-034), all located in the Hudson Forest Subdivision, Section 1, John D. Taylor Survey, A-72, Houston, Harris County, Texas - **DISTRICT G - HOLM** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1053 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City of Houston and **CATHOLIC CHARITIES OF THE ARCHDIOCESE OF GALVESTON-HOUSTON** providing up to \$600,000.00 in Housing Opportunities For Persons With AIDS ("HOPWA") Funds for the administration and operation of a Tenant-Based Rental Assistance Program, Short-Term Rent, Mortgage, and Utility Assistance Program and the provision of other Supportive Services - **DISTRICTS D - ADAMS and H - GONZALEZ** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1054 ADOPTED.
28. ORDINANCE approving and authorizing contract between the City of Houston and **CHILD CARE COUNCIL OF GREATER HOUSTON** to provide up to \$11,657,536.00 in Federal Funds from the Homeless Prevention and Rapid Re-Housing Program ("HPRP") under the American Recovery and Reinvestment Act of 2009 for the Administration, Implementation, Oversight and Delivery of the HPRP - 3 Years - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1055 ADOPTED.
29. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$495,000.00 in Federal Funds from the Homeless Prevention and Rapid Re-Housing Program under Title XII of the American Recovery and Reinvestment Act of 2009 for the Operation and Maintenance of a Homeless Services Network System - 3 Years - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1056 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$187,498.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Database and provision of other homeless related information services - 1 Year - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1057 ADOPTED.
31. ORDINANCE approving and authorizing two (2) Single Family Home Repair Contracts between the City, as the Repair Agency acting on behalf of two (2) homeowners, and **JOSHUA DADE HOMES**, and providing \$159,800.00 in Community Development Block Grant Funds for the Demolition and Reconstruction Work (Tier III) on two (2) houses under the Single Family Home Repair Program Administrative Guidelines, as amended - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1058 ADOPTED.
32. ORDINANCE approving and authorizing Purchase Agreement between **COMMUNITY FAMILY CENTERS / CENTROS FAMILIARES DE LA COMUNIDAD**, Purchaser, and the City of Houston, Texas, Seller, for the sale of Tracts I and II of land, an aggregate of 1.5368 acres, more or less, being a former Canal Street Health Clinic and Police

Substation located at 7228 Canal Street and 7301 Avenue F (Parcels SY9-038 and SY9-039), being Unrestricted Reserve "A" and "B" City of Houston Canal Street Subdivision, Samuel M. Williams Survey, A-87, Houston, Texas, for a cash payment of \$156,700.00; approving the Development Agreement, Special Warranty Deed and assignment and assumption of lease - **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1059 ADOPTED.

33. ORDINANCE approving and authorizing the Mayor to accept Federal Aviation Administration (FAA) Grant offers up to \$55,000,000.00 for projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Airport; declaring the City's eligibility for such grants - **DISTRICTS B - JOHNSON; E - SULLIVAN and I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1060 ADOPTED.
34. ORDINANCE approving grant funded Agreement between the City of Houston and the **UNIVERSITY OF HOUSTON, TEXAS** for Emissions Testing of the City's Solid Waste Department Vehicles using Gas-to-Liquid Alternative Diesel Fuel at the University of Houston Diesel Vehicle Research and Testing Facility; creating a maximum contract amount - \$60,600.00 - Grant Fund - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1061 ADOPTED.
35. ORDINANCE approving and authorizing acceptance of Contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** and acceptance of grant funds for the Solid Waste Implementation Grant to enhance and expand the City of Houston Recycling Program by Purchasing Roll-Off Containers - \$152,059.00 - Grant Fund - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1062 ADOPTED.
36. ORDINANCE relating to the fiscal affairs of the Old Spanish Trail/Almeda Corridors Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER SEVEN, CITY OF HOUSTON, TEXAS (OLD SPANISH TRAIL/ALMEDA CORRIDORS ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority and the Fiscal Year 2010-2014 Capital Improvement Budget for the Zone - **DISTRICTS D - ADAMS and I - RODRIGUEZ** - had been pulled from the Agenda by the Administration, and was not considered. Council Members Johnson and Brown absent.
38. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **SHADY BROOK SUBDIVISION** to prohibit the parking of vehicles in the front or side yards of such residences **DISTRICT I - RODRIGUEZ** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1063 ADOPTED.
39. ORDINANCE extending the provisions of **SECTION 28-303 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to various single-family residential properties within **WESTBURY SUBDIVISION, SECTIONS 1 - 5, WESTBURY SUBDIVISION REPLAT, SECTIONS 1, 3 AND 5, WESTBURY SOUTH SUBDIVISION, AND PARKWEST SUBDIVISION, SECTIONS 1 - 3**, to prohibit the parking of vehicles in the front or side yards of such residences - **DISTRICT C - CLUTTERBUCK** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1064 ADOPTED.

40. ORDINANCE appropriating \$314,212.87 out of Police Consolidated Construction Fund and approving and authorizing issuance of Purchase Order to **CONTRACT RESOURCE GROUP, L.L.C.** for Purchase and Installation of Furniture for the Midwest Police Station— District 18; pursuant to the State of Texas Building and Procurement Commission's Contract (TXMAS) **DISTRICT F - KHAN** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1065 ADOPTED.
41. ORDINANCE approving and authorizing contract between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS**, for Purchase of Employee Transit Fare Media; providing a maximum contract amount - \$1,220,000.00 - General, Enterprise and Other Funds - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1066 ADOPTED.
43. ORDINANCE amending Ordinance No. 2008-0581 (passed on June 25, 2008) to increase the maximum contract amount for Contract between the City of Houston and **KEILER'S HOLDINGS, INC dba CY-FAIR TIRE** for Tire Repair Services for Various Departments - \$127,958.00 General Fund - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1067 ADOPTED.
44. ORDINANCE approving and authorizing agreement between the City of Houston and **THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for reimbursement of costs associated with a Pilot Wetlands Program and exhibits for the Waterworks Museum + Education Center \$632,218.00 - Grant Fund - **DISTRICT E - SULLIVAN** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1068 ADOPTED.
45. ORDINANCE appropriating \$116,794.77 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approving and authorizing Supplemental Agreement to the Professional Engineering Services Contract between the City of Houston and **VOGT ENGINEERING, L.P.** for Design of Gellhorn Drive from Guinevere to Josie (Approved by Ordinance No. 95-0599); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1069 ADOPTED.
47. ORDINANCE appropriating \$500,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to the Professional Engineering Services Contract between the City of Houston and **ARCADIS U.S., INC** for Negotiated Work Orders for Design of Rehabilitation and Replacement of Bridge Structures/Roadways (Approved by Ordinance No. 2007-0824) - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1070 ADOPTED.
49. ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Work Order Contract between the City of Houston and **REYNOLDS, SMITH & HILLS, INC** for Intersection Redesign, Quiet Zone and Street and Railroad Safety Improvements - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1071 ADOPTED.
51. ORDINANCE appropriating \$577,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ZARINKELK ENGINEERING SERVICES, INC** for the Safe Sidewalk Program; providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - had been pulled from the

Agenda by the Administration, and was not considered. Council Members Johnson and Brown absent.

54. ORDINANCE appropriating \$735,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **HUFF & MITCHELL, INC** for Voss No. 2 Lift Station Diversion, setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - DISTRICT G - HOLM - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1072 ADOPTED.
55. ORDINANCE appropriating \$3,716,286.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC** 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 Members Johnson and Brown absent. ORDINANCE 2009-1073 ADOPTED.
56. ORDINANCE appropriating \$3,369,714.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PORTLAND UTILITIES CONSTRUCTION CO., LLC** 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 Members Johnson and Brown absent. ORDINANCE 2009-1074 ADOPTED.
57. ORDINANCE appropriating \$1,500,000.00 out of General Improvement Consolidated Construction Fund and approving and authorizing Design Build Agreement between the City of Houston and **STUDIO RED ARCHITECTS, LP** for Miller Outdoor Theatre Sound System Replacement; providing funding for contingencies relating to the construction of facilities of Sound System Replacement financed by the General Improvement Consolidated Construction Fund **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-1075 ADOPTED.
58. ORDINANCE No. 2009-952, passed second reading October 14, 2009
ORDINANCE granting authority to **CENTURYTEL FIBER COMPANY II, LLC, A LOUISIANA LIMITED LIABILITY COMPANY, dba LIGHTCORE, A CENTURYTEL COMPANY** the right, privilege and franchise to use the public way of the City of Houston, Texas, for the purpose of laying, constructing, leasing, maintaining, repairing, replacing, removing, using, and operating therein, network facilities for providing authorized services; providing for related terms and conditions - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Members Johnson and Brown absent. ORDINANCE 2009-0952 ADOPTED THIRD AND FINAL READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. REQUEST from Mayor for confirmation of the appointment of **MR. GORDON JINPOING QUAN to Position One of the REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE) BOARD OF DIRECTORS**, for a term to expire July 6, 2011 and to serve as Chair, for a term ending December 31, 2009 - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0791 ADOPTED.
4. RECOMMENDATION from Director General Services Department for approval of Computer Image for Dedication Plaque for Fire Station 37 - **DISTRICT C - CLUTTERBUCK** - was presented, moved by Council Member Khan, seconded by Council Member Lovell. Council Members Johnson and Brown absent.

After discussion by Council Member Clutterbuck a vote was called on Item No. 4. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0792 ADOPTED.

6. RECOMMENDATION from the Mayor's Office of Government Affairs for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$75,420.00 - General Fund - was presented, moved by Council Member Lovell, seconded by Council Member Khan. All voting aye. Nays none. Council Member Johnson absent. MOTION 2009-0793 ADOPTED.

ACCEPT WORK

7. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$3,961,295.00 and acceptance of work on contract with **THE GONZALEZ GROUP, LP** for Renovation of Kashmere Multi-Service Center - 19.01% over the original contract amount DISTRICT B - JOHNSON - was presented, moved by Council Member Khan, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Brown absent. MOTION 2009-0794 ADOPTED.

PURCHASING AND TABULATION OF BIDS

11. **EPIC AVIATION, LLC dba AIR BP AVIATION SERVICES** for Aviation Gasoline and Turbine Fuel for Police Department - \$2,858,015.00 - General Fund - was presented, moved by Council Member Lovell, seconded by Council Member Khan. All voting aye. Nays none. Council Member Johnson absent. MOTION 2009-0795 ADOPTED.
12. ORDINANCE appropriating \$4,700,433.00 out of Equipment Acquisition Consolidated Fund; \$328,885.00 out of Reimbursement of Equipment/Projects Fund and \$157,088.00 out of the Fleet / Equipment Special Revenue Fund for Purchase of Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments - was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2009-1076 ADOPTED.
- 12a. **AMEND MOTION #2009-53, 2/4/09, subsequently amended TO PURCHASE** additional Automobiles, Vans, Utility Vehicles, and Light-Duty Trucks for Various Departments, awarded to **PHILPOTT MOTORS, LTD. - \$4,166,707.00 and BABY JACK II AUTOMOTIVE, LTD. d/b/a CALDWELL COUNTRY CHEVROLET - \$2,605,362.00** - Enterprise, Grant, Stormwater, Building Inspection, Parks Special Revenue and Other Funds - was presented, moved by Council Member Khan, seconded by Council Member

Green. All voting aye. Nays none. Council Member Johnson absent. MOTION 2009-0795 ADOPTED.

RESOLUTIONS AND ORDINANCES

21. **ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the seizure, impoundment and destruction of newsracks; establishing a fee for seizure and impoundment of newsracks; containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for severability; establishing an effective date – was presented, and tagged by Council Member Jones. Council Member Johnson absent.
23. **ORDINANCE** amending Ordinance No. 2007-846, the first amended and restated ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series G; and declaring an emergency – was presented, and tagged by Council Member Lovell. Council Members Johnson and Clutterbuck absent.
- 23-1. **ORDINANCE** authorizing the Mayor to execute a revised first amended and restated Freight Rail District Ordinance to extend the date of execution by the parties; adopting the revised first amended and restated ordinance in lieu of Ordinance No. 2009-777 – was presented. Council Members Johnson and Clutterbuck absent.

Council Member Sullivan asked Mayor White how would this help them in not interfering with the work of the San Jacinto Rail District, the freight rail district, that Mayor White had made good public comments about that before and wanted to give Mayor White a chance to talk about where this was headed. Council Members Johnson and Clutterbuck absent.

Mayor White stated that there were two steps, one, they had already done this but apparently coordinating across the governmental entities was required, but the benefit to this was as follows, that basically it was the same thing that they had done before with the exceptions that they were adding certain counties and had some ability for them to look at this, both the commuter and freight rail, and various issues, which since they were dealing with the same right-of-way made some sense, that this had been done as an agreement, that there were no commitments made, nor any taxing authority that was given, and the idea was behind a freight rail district that there were going to be more trains coming through their community and they wanted to make sure it did not disrupt the neighborhoods, and though they did what ever they could to prevent train congestion, by doing that they could try to get 18 wheelers off and they could try to make improvements such as grade separations, which increased mobility within their community, that they could not do this as one jurisdiction alone because the rail lines crossed all these jurisdictions that was why they had a freight rail district, that when he got here there was no mechanism to even make some statements and policies about that because there was no way that one jurisdiction could do that alone, that this gives them the mechanism. Council Members Johnson, Clutterbuck and Holm absent.

A vote was called on Item No. 23-1. All voting aye. Nays none. Council Members Johnson, Clutterbuck and Holm absent. **ORDINANCE 2009-1077 ADOPTED.**

26. **ORDINANCE** approving and authorizing a \$1,433,924.81 grant of CDBG Ike Recovery Funds to **CONCORD AT PALM CENTER II, LLC, DBA SKYVIEW AT PALM CENTER**, to cover repair damage caused by Hurricane Ike to Skyview at Palm Center, (“Project”) an Affordable Housing Community and a Modification Agreement to change the current rent, lease and tenant occupancy requirements in connection with the City’s existing Performance Based Loan on the project authorized under Ordinance No. 2001-147 -

DISTRICT D – ADAMS – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1078 ADOPTED.

37. ORDINANCE relating to the fiscal affairs of the East Downtown Redevelopment Authority on behalf of **REINVESTMENT ZONE NUMBER FIFTEEN, CITY OF HOUSTON, TEXAS (EAST DOWNTOWN ZONE)**; approving the Fiscal Year 2010 Operating Budget for the Authority - **DISTRICTS H - GONZALEZ and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1079 ADOPTED.
42. ORDINANCE approving and authorizing first amendment to Contract for Delinquent Collection Services for Municipal Courts Administration Department between the City and **LINEBARGER, GOGGAN, BLAIR & SAMPSON, LLP** (Contract #4600009733) to include services for the Houston Fire Department - Revenue – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1080 ADOPTED.
46. ORDINANCE appropriating \$1,413,589.07 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **VAN DE WIELE AND VOGLER, INC** for Engineering Services associated with the Neighborhood Street Reconstruction (NSR) 467; providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICTS D - ADAMS and I - RODRIGUEZ** – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1081 ADOPTED.
48. ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Work Order Contract between the City of Houston and **AIA ENGINEERS, LTD.** for Intersection Redesign, Quiet Zone and Street and Railroad Safety Improvements; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1082 ADOPTED.
50. ORDINANCE appropriating \$847,500.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ENTECH CIVIL ENGINEERS, INC** for North Main Reconstruction from 20th and Cavalcade to Interstate Highway 610; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GONZALEZ** – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1083 ADOPTED.
52. ORDINANCE appropriating \$821,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Services Contract between the City of Houston and **CH2M HILL INC** for the Kingwood Lift Station No. 21 Renewal and Replacement Program; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1084 ADOPTED.
53. ORDINANCE appropriating \$1,208,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ISANI CONSULTANTS, L.P.** for the Waterline Replacement in Spring Shadows-East Area and Water Line Replacement in Forest West II

Area; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and B - JOHNSON** – was presented. All voting aye. Nays none. Council Members Johnson and Holm absent. ORDINANCE 2009-1085 ADOPTED.

NON CONSENT AGENDA - NUMBERS 59 through 62

MISCELLANEOUS

59. MOTION to suspend the rules of Council for the purpose of setting a date as listed in Item 59A – was presented. Council Members Johnson and Holm absent.

Council Member Khan moved to suspend the rules, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Holm absent. All voting aye. Nays none. Council Members Johnson and Holm absent. MOTION 2009-0797 ADOPTED.

- 59a. MOTION to set a date not less than six (6) days from November 4, 2009, to receive nominations for the City of Houston representative of the **HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**, for a two year term – was presented. Council Members Johnson and Holm absent.

Council Member Khan moved to set Tuesday, November 10, 2009, to receive nominations for the City of Houston representative of the Harris County Appraisal District Board of Directors, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Holm absent. MOTION 2009-0798 ADOPTED.

60. **SET HEARING DATE** on recommendation from Director Department of Public Works & Engineering relative to request for designation of a Banner District in the **UPPER KIRBY DISTRICT - DISTRICTS C - CLUTTERBUCK and G – HOLM - SUGGESTED HEARING DATE - 9:00 A. M. - WEDNESDAY - NOVEMBER 18, 2009** - was presented. Council Members Johnson and Holm absent.

Council Member Khan moved to set Wednesday, November 18, 2009, for a hearing relative to designation of a Banner District in the Upper Kirby District, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Holm absent. MOTION 2009-0799 ADOPTED.

61. **SET HEARING DATE** regarding third amendment to the Project and Financing Plan for the **TAX INCREMENT REINVESTMENT ZONE NUMBER NINETEEN (UPPER KIRBY ZONE) DISTRICTS C - CLUTTERBUCK and G – HOLM - SUGGESTED HEARING DATE - 9:00 A. M. - WEDNESDAY - NOVEMBER 18, 2009** – was presented. Council Members Johnson and Holm absent.

Council Member Khan moved to set Wednesday, November 18, 2009, for the hearing regarding the third amendment to the Project and Financing Plan for the Tax Increment Reinvestment Zone Number Nineteen (Upper Kirby Zone), seconded by Council Member Green. All voting aye. Nays none. Council Members Johnson and Holm absent. MOTION 2009-0800 ADOPTED.

62. **SET HEARING DATE** on proposed airport hazard area regulations and the accompanying maps - **SUGGESTED HEARING DATE - 9:00 A. M. - WEDNESDAY - DECEMBER 9, 2009** – was presented. Council Members Johnson and Holm absent.

Council Member Khan moved to set Wednesday, December 9, 2009, on proposed airport

hazard area regulations and the accompanying maps, seconded by Council Member Lovell. All voting aye. Nays none. Council Members Johnson and Holm absent. MOTION 2009-0801 ADOPTED.

MATTERS HELD - NUMBERS 63 through 65

63. ORDINANCE approving and authorizing contract between the City and **HARRIS COUNTY** for Vehicle Registration holds in support of the Digital Automated Red Light Enforcement Program; providing a maximum contract amount - \$180,000.00 - Digital Automated Red Light Enforcement Program Funds – **(This was Item 55 on Agenda of October 21, 2009, TAGGED BY COUNCIL MEMBERS JONES, NORIEGA, KHAN, CLUTTERBUCK and LAWRENCE)** – was presented. Council Members Johnson and Holm absent.

Council Member Sullivan asked Mayor White if they could get an update on where approval of this item would put them with respect to what Harris County Commissioners Court had done or not done, and Mayor White stated that they made a request that the City go ahead and pass this contract first and then the County would take it up. Council Members Johnson and Holm absent.

Council Member Jones asked if they wanted to see what the City was going to do and if they passed it they still did not know what they were going to do, and Mayor White stated that they were working with them on that, that it was very similar to another interlocal issue that they were dealing with the County, that he would say that the shoe was on the other foot, for good reason, which was something the County wanted to do and they say the County ought to take official action asking them to do it and then the City would respond to that to make sure they were not responding to one part of Commissioners Court or another. Council Members Johnson and Holm absent.

Council Member Lawrence stated that was why she had tagged the item jointly with the other people because she wanted to get an update and she checked with Gary this morning and he said there was no update everything was the same as it was two weeks ago, the County was still waiting to bring it forth on their agenda. Council Members Johnson and Holm absent.

A vote was called on Item No. 63. Council Member Jones voting no, balance voting aye. Council Members Johnson and Holm absent. ORDINANCE 2009-1086 ADOPTED.

65. ORDINANCE approving and authorizing contracts between the City of Houston and **HEARD & MEDACK, P.C.** and **OLSON AND OLSON, L.L.P.** for Legal Services relating to Civil Action No. H-06-2650; George Rodriguez v. City of Houston, et al.; in the United States District Court for the Southern District of Texas, Houston Division and other similar matters; establishing maximum contract amounts - Totaling \$500,000.00 - Property and Casualty Fund – **(This was Item 58 on Agenda of October 21, 2009, TAGGED BY COUNCIL MEMBER JONES)** – was presented. Council Members Johnson, Holm and Rodriguez absent. Council Member Jones voting no, balance voting aye. Council Members Johnson, Holm and Rodriguez absent. ORDINANCE 2009-1087 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Johnson first

Council Member Khan stated that he wanted to use this opportunity to say goodbye to one of their colleagues in the City Council office, Ms. Robbia Taslem, who was leaving them and taking a long awaited trip to Pakistan, that she had done a wonderful job for them over the

years, that they wished her all the best and hoped that when she comes back she would visit with them because they would miss her thoroughly. Mayor White and Council Members Lawrence, Johnson, Holm and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Green stated that on Saturday, November 14, 2009, his office, along with SEARCH's Homeless Services Young Ambassadors were going to kickoff the National Hunger and Homelessness Awareness Week with their Second Annual Houston Sleep Out, which was designed to raise awareness and funds to address the critical problem of homelessness, that they did this last year for the first time and it was a great turnout, the weather was pretty cold and they had participation from many of the City Council offices and they certainly wanted to invite them out again, that it was November 14, 2009 at Sesquicentennial Park, that for more information they could visit www.sleepout.org or contact their office, they would love to have them there and bring more awareness to the homelessness plight here and also raise some money. Mayor White and Council Members Lawrence, Johnson, Holm, Rodriguez and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Brown stated that he wanted to take this occasion, which was a special occasion, certainly in his life, and complement all of the winners of yesterday's election and wish them well and to say something about his feelings at this particular moment, that he had tried on City Council and the public dialog to imbue people with a real and new sense of mission about the future of their great City and he thought they had been inspired by the leadership and progress that had been made during Bill White's administration over the last six years and they needed to go on to new heights, that it was not just about, hopefully, more politics but a new level of civic discourse and some real leadership about doing what was really right for their great City, that it was very important to him that this continue and he hoped that in some way to be a part of the discourse and the results that come from, not obviously as a Council Member but in some other capacity because he loved the City and such enormous hopes and aspirations for what they could achieve as a young, dynamic and growing City that was so full of potential, that cities were really complex and difficult as all of them understood having worked in City government, that the wheels of progress turned often very slowly, but the City was one of the great institutions of humankind and was here where they were going to be able to make the kind of progress they needed in terms of the economy, in terms of the social environment and the cultural environment, that he had enormous faith that it was going to happen in the City and that they were going to really move forward based on this solid foundation that he had enjoyed being part of, Mayor White's, over the past four years, that he just wanted to say that he was sad today but had faith in their City and those who would lead the City and he would do his part to make Houston one of the great cities of the twenty first century. Council Members Lawrence, Johnson, Adams, Holm, Rodriguez and Jones absent.

Mayor White stated to Council Member Brown that he did not know of anybody at any age who could more gracefully go about the hours that he put in and the love affair that he had for Houston in this unflappable manner, that his wife was telling him the other day that from time to time people around the table find that there were certain things, and actually he was dealing with one, the water sewer system, right now, where there was almost a button that could be pushed but his patience and his goodwill that he exuded to all people was something that he hoped that public servants of all backgrounds could aspire to, that he hoped that he would take a little rest and was willing to do some work in the next six weeks, because if Council Member Brown could give the City a little time on things that Council Member Brown and he and their colleagues in Council work on to do some business in these six weeks then their City would be truly blessed and he thought he spoke on all their behalf when he talked about that indefinable quality that they called Council Member Brown's class, and Council Member Brown stated that they could certainly count on him. Council Members Lawrence, Johnson, Adams, Holm, Rodriguez and Jones absent.

Council Member Clutterbuck stated that she thought, win or lose, all of the candidates that ran yesterday and put themselves on the line these many months and nobody knew if like a candidate or the family member of a candidate or somebody who worked in a campaign the amount of time and effort and emotion that went into it, all with the goal of making their City a better place, so she would take this opportunity to salute not only the winners, but especially the losers, the people who did not win this time, but hoped that all of them would come back and be a part of their community leadership and the way that they resolve things, because if they did not have the challenges and did not have competition they would not be what they were and it was really truly remarkable, that it was fun to win, but it was even more of a challenge to put themselves on the line and to take great risks like Council Member Brown, risking the opportunity to continue to cast a vote here and to put himself on the line for something he truly believed in, like all of the people who ran yesterday, and to the poll workers and the people who eventually came out to vote they also thanked them and saluted them, that she wished that it was more than 13% turnout because it was extremely important work that they did here and if they had more turnout than she was quite sure that they would have an even better Houston in the future, that to everybody who participated yesterday she offered her humble thanks of a citizen. Council Members Lawrence, Johnson, Holm, Rodriguez and Jones absent.

Council Member Noriega stated that she wanted to wish Happy Birthday to Cora Johnson of the Carverdale Community, that Ms. Johnson, along with her husband R. L. were recently honored with having the Carverdale Park named changed to RL and Cora Johnson Park, so a very happy 81st birthday to her and may GOD continue to bless Cora Johnson for all that she did in the community and the City; that she also would like to recognize Brenda Scott, a City of Houston employee, that she had been asked to do this by the neighborhood of Willowrun, that she had assisted with blight removal and improved the beautification of the neighborhood, that the committee out there would like to say thank you to her and let her know she was appreciated; that she wanted to thank all of her colleagues for all of their hard work going into their campaigns and all that they had done, that until they had run for office they really and truly did not know what an experience it was to put themselves out there on the line and have folks decide thumbs up or thumbs down on their ideas and their personality and all of those things, but the rewards were terrific and it was a great honor and privilege to be able to sit at this table and try to make good decisions and work hard, that in the interest of that she wanted to say a few things about a discussion that they had earlier, the issue of public safety and how they were going to keep Houstonians safe was a crucial responsibility and a primary function of City government and trying to strike a balance between identifying criminal aliens using police resources to enforce immigrations laws, which was not their responsibility but that of the federal government, protecting the civil rights of immigrants and minority communities, particularly Hispanic and Asian communities, most of who were citizens or legal immigrants and having a relationship in immigrants communities that allowed effective law enforcement was a very difficult balance, that she thought there were folks in the audience that thought there was ideology involved but the truth was that she thought all of them were struggling very hard to figure out how to do it right, that her honest sense of things was that they had difficult options with complicated results that were outcomes and trying to do the most good with the least harm for the largest number of Houstonians was not easy, that there were a lot of jurisdictions involved, there was extraordinary impact on families on both sides of the border, on their economy, on law enforcement and as they tried to figure out what to do they were really working to get it right and she knew it may seem simple and straight forward from their perspective out there but it was both serious and complex and she thought that everybody at the Council table took their responsibility seriously and believed that this needed their best deliberation and decision making, so she wanted to thank all of the people who contacted her office, that emailed them and had called for their concern for Houston, and as they moved through trying to figure out how they were going to manage all of the 287G, secure community issues and the immigration concerns, they would like to keep them informed, but she thought it was important to state that this was a challenge and they were trying to get it right. Council Members

Lawrence, Johnson, Holm, Rodriguez, Brown, Lovell, Green and Jones absent. (No Quorum Present)

Council Member Adams stated that they opened up the new Fire Station No. 24 on Reed Road in the Sunnyside area; that they also opened up a new community center, as well as a new library, the Vincent Branch Library and the renaming of the Hiram Clarke Multi Service Center, that both of these facilities totaled over \$16 million that had gone into District D, that she wanted to say thank you to Mr. Issa Dadoush, Chief Boriskie, Dr. Rhea Lawson and Mr. Stephen Williams for all of their efforts and most importantly the community who had come together to make sure that they stayed on track with both of these new facilities; that for all of their constituents who had access to the internet or email to please contact their office so they could get monthly reports on what was going on in District D through their newsletter, they could call their office at 832-393-3001 and they would be happy to sign them up to get monthly updates; that this weekend they celebrated "We Are Legend" at Texas Southern University and they won, that she wanted to say congratulations to the whole team for a wonderful event and to Silvia Brooks for the TSU Alumni dinner; that on Saturday she had the opportunity to participate in the Third Annual Montrose Crow and was the grand crawler and met them at the end of the event and wanted to congratulate the winner of the Halloween contest, a gentleman who came in as "Meals on Wheels", that she wanted to thank them for including her in the festivities, that she wanted to thank Jason Ginsberg, President of First Montrose Commons for allowing her to participate in this; that on Sunday there was a reception of the Chin Chin delegation resident Consul General of China, that she wanted to thank them for allowing them to bring greetings and partnership of their Sister City; that she wanted to thank her awesome staff, that she was proud of them for what they had done because she could not have been where she was today without them in the District D community and making sure that their office was proactive and making sure that those services were there, that she wanted to say thank you to the District D residents because yesterday was a wonderful day for District D, that she wanted to thank them for all of their support and votes. Council Members Lawrence, Johnson, Khan, Holm, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

Council Member Gonzalez stated that he wanted to thank the Parks Department and North Central Civic Association for their efforts at Moody Park, they recently had a meeting regarding those efforts and it was a successful meeting with the community; that he wanted to send out a best of luck to the Houston Fire Department as they had a team in Equator to train firefighters and HAZMAT and high rise firefighting; that he wanted to invite the public and his colleagues to an event he would be hosting on November 14, 2009, a Public Safety 101 Symposium in the community, that his goal was to help inform the community at large on what goes on in the public safety sector and how they could learn more about public safety in general, that they were also going to have different breakout sessions and also some of their public safety professionals on hand to display some of their vehicles and helicopters and other items as well, that he wanted to invite everybody to attend that, that it would be at the High School for Law Enforcement and Criminal Justice, from 9:00 a.m. to 3:00 p.m. that they could call their office for more details; that also as a reminder, especially in the Heights area, to please stay vigilant and safe, that obviously they had some arson activity for some time now and they still had the suspect or suspects at large and needed the public's assistance, that if anyone had any information please feel free to call Crime Stoppers at 713-222-TIPS, that they welcomed the public's participation and help on this to help resolve this critical situation. Council Members Lawrence, Johnson, Adams, Khan, Holm, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

Council Member Sullivan stated that he wanted to thank the Houston Police Department, Telephone Road Storefront for the Halloween Party that they put on for the tenants in the apartment complex where they were housed, as well as for the neighboring children, that it was really neat to see the interaction between the police officers and the young children that came

by, that he wanted to thank Sergeant Baltazar, in particular, for making sure he received an invitation; that also related to HPD, the Neighborhood Protection Corp had assisted them on one specific project in Kingwood and he would like to thank Chief Curran for his personal attention on this and for coming out to the site; that he would like to thank his constituents for re-electing him, that he wanted to say that it was an honor and he was humbled and would continue to work hard as would his staff, and to Mayor White and all of the City department representatives he wanted to thank them all as well because of the City support that they give all of them. Council Members Lawrence, Johnson, Adams, Khan, Holm, Gonzalez, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

Council Member Lovell stated that she did not think anybody had ever doubted Council Member Brown's love of the City and his commitment and was sure that he would continue to find a way to make Houston better; that the next meeting of the Transportation, Infrastructure and Aviation Committee would be held on Thursday, November 12, 2009 at 2:00 p.m. in Council Chamber; that she had the honor, last Friday, October 30, 2009, to represent the City of Houston to present a Mayoral proclamation to former Council Member Felix Fraga on the celebration of his 80th birthday, they had a great celebration at Ripley House in the East End, that they used it for a fund raiser and had 80 bricks for 80 years and raised some funds for Ripley House, that he was joined by his wife Nellie and his family members, that his son Bolivar was now the Director of Ripley House, carrying on the tradition of the Fraga Family; that Texans could now dial 2-1-1 to receive medical guidance by phone about what they should do if they or their family members had flu symptoms, that the health information help line was now staffed with medical professionals who could provide information about managing flu symptoms and advice when to seek medical care from a physician or an emergency room. Council Members Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 1:10 p.m. Council Members Lawrence, Johnson, Adams, Sullivan, Khan, Holm, Gonzalez, Rodriguez, Brown, Green and Jones absent. (No Quorum Present)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary