

City Council Chamber, City Hall, Wednesday, July 5, 2006

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, July 5, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Xavier Herrera, Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present. Council Member Addie Wiseman absent on city business.

At 8:20 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:23 a.m. Mayor White called the Council meeting to order and called on Council Member Berry for the prayer and pledge of allegiance. Council Member Berry invited Reverend Jones to lead them in prayer and Council Member Berry led all in the pledge. Council Members Johnson, Holm, Garcia and Sekula-Gibbs absent.

Mayor White requested the City Secretary call the roll. Council Member Wiseman absent on city business. Council Members Johnson, Garcia and Sekula-Gibbs absent.

Council Members Khan and Lovell moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Johnson, Garcia and Sekula-Gibbs absent. MOTION ADOPTED

MAYOR'S REPORT

Mayor White stated that the first order of business was the Monthly Financial Report and called on Ms. Annise Parker, City Controller and Ms. Judy Gray Johnson, Director of Finance and Administration.

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 – was called.

Ms. Parker, City Controller, stated that it was the Monthly Financial Report for the period ending May 31, 2006, at this point at the year the numbers converge and fortunately for them things were looking good, they were currently projecting a General Fund surplus of just under \$30 million, it was an increase of \$3.5 million from last month, it was a result of the net impact on changes in both revenues and expenditures, on the revenue side they projected a total increase of \$6.9 million and the changes were attributed to a combination of factors including a good ongoing sales tax collections, also higher than expected year to date collections on Telephone Franchise Fees, Cable Television and Limousine permits and so forth, that Miscellaneous Revenues were also up \$1.7 million, largely due to a number of land sales, that Fines and Forfeits were up, and finally they noted an increase of \$420,000 in Industrial Assessment Revenues due to increased Delinquent Collections, that on the Expenditure side, the Police Department Budget was estimated to be up \$1.8 million due to increased overtime for the special crime prevention initiatives in southwest Houston, that Solid Waste and the Fire Department also had nearly \$5 million of hurricane related expenditures, and they talked about that in the Fiscal Affairs Committee meeting last week, they certainly hoped to and anticipated being reimbursed but had not been so far, that Building Services was up due to higher than anticipated cost for electricity and offsetting that was a decrease of \$3.6 million in Public Works, Health Department and General Government expenditures, the decrease in Public Works was tied to lower personnel costs and an adjustment for electrical expenditures for street lights and a minor adjustment in the Health Department due to medical equipment originally anticipated being

purchased in this fiscal year to be purchased in the next fiscal year, and that concluded her report. Council Members Holm, Garcia, Lovell and Sekula-Gibbs absent.

Ms. Johnson, Director, Finance and Administration, stated that she would remind everybody that as they closed the books and got the final numbers in there would still be some additional adjustments and they hoped those were not surprises, that this past month they did have as many positive surprises as negative ones, the sales tax revenues continued to be well above expectations, with the last check they received being 23% ahead of the same time the year before, they were not counting on those kind of numbers going forward, they expected to end the fiscal year with about 10% above the previous year, the Telephone Franchise Revenues, as the Controller mentioned, were better than expected, these were not higher but they had been projecting a continued decline and these numbers indicated that they may be starting to see a leveling off and that the Telephone Franchise Revenues may be leveling off and not declining as they had been, which was certainly good news, the negative surprises involved some of their claims for reimbursement from FEMA that had been denied at the Level 1 Preliminary Denial Phase, they would be appealing all of those denials and certainly still hoped that they would get reimbursed, in the meantime they were showing in the Financial Report the numbers as if they would not be reimbursed, that they had closed the fiscal year with probably the highest cash balance in the General Fund that she thought they had ever seen, it was well over \$100 million, plus the Rainy Day Fund, so that was very positive news, their new SAP System was up and running, she was not sure what other transactions had occurred but they had issued the first purchase order of the new fiscal year, so the system was at least up and going and some transactions were starting to go through, and that concluded her report. Council Members Edwards, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Upon questions by Council Member Alvarado, Ms. Parker stated that as to the Industrial Revenues, they received more than anticipated from the Industrial Assessment Revenues due to increased delinquent collections, she thought it was the same phenomenon as their property taxes, the economy was up and everybody was paying their back bills, and Ms. Johnson stated that the Industrial Assessments were direct collections by Finance and Administration. Council Members Holm, Garcia, Lovell and Sekula-Gibbs absent.

Upon questions by Council Member Khan, Mayor White stated that on Solid Waste, when Hurricane Rita came through the contractors who were on file to pick up trash were going to charge an arm and a leg to pick up post Hurricane Rita trash and he could not abide to being ripped off by contractors so they did it in house, their folks out there picked up four times the amount of normal garbage and debris within a month, they were working hard and they did not charge except for the overtime and they sought in writing and showed FEMA their plan to keep the books to separate out the extra overtime that they would incur and the extra time on the equipment and the equipment utilization rate formulas and asked them to tell them immediately if there was another way to do it and FEMA had said because the debris was not labeled as being Hurricane Rita debris how could they tell that the debris was out in the streets or an impediment to the public safety, it was ridiculous so they gave zero and they wanted to try and expedite the appeal, that the other was a public safety overtime and he had a signed agreement, which was in public record with the Director of FEMA dated the end of February saying they would pay the City for the incremental overtime associated with public safety expenses through March 31, 2006 and they simply decided they would not honor that agreement. Council Members Holm and Sekula-Gibbs absent.

Upon further questions by Council Member Khan, Ms. Parker stated that the street light calculation was completely different, they had a contract with the light company and they assessed how many lights were functioning and what the bill was and the estimates apparently were a little higher than they should have been and they made that adjustment, and Council Member Khan stated that he was glad they were ending with a positive cash balance and asked how was it affected by Proposition 2 calculations, were they still below the threshold, and Ms. Parker stated that to the best

of their estimates they were, however that would be determined by their independent auditors and they would have to separately contract with them and pay them to do that calculation, that the Charter amendment had a date of four months. Council Members Holm and Sekula-Gibbs absent.

Council Member Edwards asked if anyone was calling for an audit of FEMA, did they pick up Hurricane Rita trash and Mayor White stated no, but FEMA people were sitting right there in the TranStar and HEC with him so they knew what went through, and Council Member Edwards stated that she had another issue with FEMA, they had a constituent of District D who was evacuated from a nursing home by FEMA and she died in Alabama and they were not going to bring the constituent's body back, that they got it all worked out but she thought somebody needed to look at it real closely, that it was a lot of money that taxpayers were spending in an agency that she was not sure was living up to any of its mandates or mission and it was causing a lot of problems and she would like to see if maybe they could request an audit of what they were spending and what they were spending on. Council Member Holm absent.

Council Member Green moved to accept the Monthly Financial Report, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Holm absent. MOTION 2006-0615 ADOPTED.

Council Member Alvarado moved to suspend the rules to consider Item No. 2 before the public session, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Holm absent. MOTION 2006-0616 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of **MS. MONICA C. THURMAN** to Position Two on the **CIVIL SERVICE COMMISSION FOR MUNICIPAL EMPLOYEES OF THE CITY OF HOUSTON** and the **POLICE OFFICERS' AND FIREFIGHTERS' CIVIL SERVICE COMMISSION**, for a term expiring June 14, 2009 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Holm absent. MOTION 2006-0617 ADOPTED.

Mayor White stated that Ms. Monica Thurman was in the audience and asked her to stand and be recognized and thanked her for her service. Council Member Holm absent.

At 9:43 Mayor White stated that they would move to the public session. Council Member Holm absent.

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

Ms. Glory Brown, 5150 Bretshire Drive, Houston, Texas 77016 (713-870-4366) appeared, presented a petition and pictures and stated that she was president of Houston Homeowners Association of Northeast Houston as well as president of the Calgary Woods Civic Club and she wanted to thank Council Member Johnson for going to their community and hearing their concerns; that it was extremely hard in their area to deter crime since it was a high crime area; that today she was voicing her community's concern regarding the bicycle trail to be built behind their homes with the main concern being the bridge connecting the trail from the south side of Halls Bayou to the north side of the bayou. Council Members Lovell and Green absent.

Council Member Johnson stated that he and Mr. Norman were talking about the project and he was asking Mr. Norman to bring in the sign in sheets to let him know to what extent the meeting took place, who was there and how and why it took so long to get to this point; that it

took so long to build the bridge dynamics had changed and maybe they needed to look at this again and see how to redo the project; and he would like her to meet with Mr. Norman also. Council Members Lovell and Green absent.

Mayor White stated that Ms. Brown should hand her petition to Mr. Fontaine. Council Members Lovell and Green absent.

Council Member Lawrence stated that they had issues with trails also and resolved them; and upon questions, Ms. Brown stated that she did not want a bridge connected to their backyards. Council Members Lovell and Green absent.

Council Member Brown stated that his concern was she described a city that was an armed camp or a police city state and no one wanted to live in a city defined by gated communities, etc.; and upon questions, Ms. Brown stated that their suggestion was to not build the bridge and maybe put a wall up. Council Member Green absent.

Mr. Neil Simon, 1218 Murfield Place, Houston, Texas 77055 (713-562-0231) had reserved time to speak but was not present when his name was called. Council Member Green absent.

Ms. Faith Harding, 12502 North Garden, Houston, Texas 77719 (713-988-6424) had reserved time to speak but was not present when her name was called. Council Member Green absent.

Mr. William Barker, 9966 Kirkdale Drive, Houston, Texas 77089 (832-519-6260) had reserved time to speak but was not present when his name was called. Council Member Green absent.

Ms. Angela Joseph, 15510 Wildwood Lake Drive, Houston, Texas 77083 (832-423-9539) appeared and stated that she tried hard to live a normal life, but because of her abusive ex-husband and the help of HPD she had been exploited around Houston as selling her own identity and now the state had to make restitution and she was ready to get the rest of them and today was saying what happened to her. Council Member Green absent.

Mr. Sammy Jones, 1415 W. Gulfbank #211, Houston, Texas 77088 (no phone) appeared and stated that he brought many issues to the Mayor and Council Members and no response was received; that one issue he wanted input on from the Mayor and Council was when he brought a bottle of water, a sample, and he never received information on what the substance was; that he also wanted to thank all who had assisted him in the number of times he called on people with gang problems, etc., and the Copper Tree Apartments where he lived on Veterans Memorial had been taken over by drugs and when police came they vanished and the HPD Chief and Mayor worked in Southwest Houston with a crime bus staking out complexes and it was successful and he wanted the unit at their apartment complex. Council Members Johnson, Garcia and Green absent.

Council Member Khan stated that the HPD mobile unit was a success but it was a pilot program and they were looking into making it permanent and hopefully it would be and be placed in various parts of the city. Council Members Garcia and Green absent.

Mr. Shiraz Ali, 8015 I-10 East, Houston, Texas 77029 (281-236-5966) had reserved time to speak but was not present when his name was called. Council Members Garcia and Green absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Garcia and Green absent.

Mr. Ira McBride, 3255 Elgin, Houston, Texas 77004 (832-633-7008) appeared and stated that he called Council Member Alvarado to try and get something dismissed off his driving record, but it seemed the City of Houston did not care; that his license was suspended for a nonmoving violation; that he felt he owed nobody and they needed to help people and kept robbing and stealing. Council Member Garcia absent.

Mayor White stated that no Council Member better have power to change a judgment done in the Municipal Court or by individuals responsible for license renewal at the Department of Public Safety; and Mr. McBride stated that his identity was stolen by a city health inspector worker, he was mailed a ticket to court and he went and the judge said she would reschedule, but he did not appear because he did not get a fair trial. Council Member Garcia absent.

Upon questions by Council Member Sekula-Gibbs, Mr. McBride stated that his ticket was written on a city ordinance violation, he was supposed to have an unsafe porch and weeds; that his license was suspended because he did not go to court; that he put up a \$1,000 bond and it should have been dismissed, but the system was not working; that he never had a violation, no one used but about two-thirds of the porch; and Council Member Sekula-Gibbs stated that someone in Citizens Assistance should speak with Mr. McBride and see if they could help him come into compliance; and upon questions, Mayor White stated that Citizens Assistance would get the description of the property and they did act mainly in response to neighbors concerning conditions of property so they did have an interest in getting the problems fixed. Council Member Garcia absent.

Mr. John Johnson, 7102 Windemere, Houston, Texas 77088 (832-453-1900) appeared and stated that he had a problem with garbage pickup on Windemere and last week he called and finally 311 said they had 3 to 5 working days to do something and toward the end of the week he called Council, but trash was not picked up until Friday and this week it was not picked up again; that Solid Waste had the response of why call on Friday when it was to be picked up Monday anyway. Council Member Garcia absent.

Upon questions by Council Member Johnson, Mr. Johnson stated that the problem was on Windemere and Smiley streets and the problem started before the holiday; and Council Member Johnson stated that he had many calls about such problems and he would like Mayor White to intervene as communities should not be in this situation; and Mayor White stated that he would say to the person present with Solid Waste he would like a report back on this to him and Council Member Johnson. Council Members Holm and Garcia absent.

Mr. William (Beal) Reagan, 6230 Symare Avenue, Van Nuys, California 91401 (no phone) had reserved time to speak but was not present when his name was called. Council Members Holm and Garcia absent.

Mr. Joseph Omo Omari, 2820 Palm #2B, Houston, Texas 77004 (832-767-0870) had reserved time to speak but was not present when his name was called. Council Members Holm and Garcia absent.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was the world's most powerful and continued expressing his personal opinions until his time expired. Council Members Edwards, Holm and Sekula-Gibbs absent.

At 10:13 a.m. Mayor White stated that they would move to the consent agenda. Council Members Holm, Garcia and Sekula-Gibbs absent.

CONSENT AGENDA NUMBERS 1 through 31

MISCELLANEOUS - NUMBERS 1 through 5

1. REQUEST from Mayor for confirmation of the appointment of the following to the **HOUSTON ARTS ALLIANCE**:
 - Position One - **MR. KEIJI ASAKURA**, for a term to expire June 30, 2007
 - Position Two - **MS. LESLIE BLANTON**, for a term to expire June 30, 2008
 - Position Three - **MR. JOHN GUESS, JR.**, for a term to expire June 30, 2009
 - Position Four - **MS. FRANCES JETER**, for a term to expire June 30, 2009
 - Position Five - **MS. YOLANDA LONDOÑO**, for a term to expire June 30, 2007
 - Position Six - **MR. MICHAEL ZILKHA**, for a term to expire June 30, 2008

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Sekula-Gibbs absent. MOTION 2006-0618 ADOPTED.
3. RECOMMENDATION from Chief of Police for approval of Extension of Leave of Absence without pay for **MIKE EDMONDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Sekula-Gibbs absent. MOTION 2006-0619 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.8178 per square foot for properties connecting to the 8-inch sanitary sewer line constructed by **SILVESTRI HOMES OF TEXAS, INC** located along Stanford Street - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Sekula-Gibbs absent. MOTION 2006-0620 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering to approve refund for Water & Sewer Account for **THE LANDING AT WESTCHASE** - \$28,175.00 - Enterprise Fund **DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Sekula-Gibbs absent. MOTION 2006-0621 ADOPTED.

PROPERTY - NUMBER 6

6. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel DY6-002, located in the 11100 block of Old Katy Road, owned by MH 3.876, Ltd., a Texas limited partnership [MH 3.876 Realty GP LLC, a Texas limited liability company (Mac Haik, President) General Partner], for the **OLD KATY ROAD SANITARY SEWER LINE PROJECT**, CIP S-0700-OC-2 - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Sekula-Gibbs absent. MOTION 2006-0622 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 9

9. **IMPCO, INC (Bid No. 4)** - \$334,842.48 and **SECURITY SAFETY & SUPPLY, INC (Bid No. 5)** - \$36,016.88 for Beverages, Electrolyte Replenishment for Various Departments - \$378,427.92 minus a commission fee for Internet-based reverse auction services for a net award not to exceed \$370,859.36 - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Sekula-Gibbs absent. MOTION 2006-0623 ADOPTED.

ORDINANCES - NUMBERS 12 through 31

12. ORDINANCE consenting to the addition of 35.205 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 220**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0748 ADOPTED.
13. ORDINANCE establishing the north side of the 2300 block of McClendon Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - CLUTTERBUCK** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0749 ADOPTED.
14. ORDINANCE establishing the south side of the 4600 through the 4800 blocks of Rusk Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0750 ADOPTED.
16. ORDINANCE authorizing the Mayor and designees to contract for Interlocal Mutual Aid Agreements valued at \$25,000 or less and relating to services performed in the event of a disaster – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
24. ORDINANCE appropriating \$240,504.00 out of Parks Consolidated Construction Fund, approving and authorizing first amendment to construction contract between the City of Houston and **CARRERA CONSTRUCTION, INC** for Construction of Parks Master Plan - Sylvester Turner Park, (passed by Ordinance No. 05-911), GFS F-504B-02-3 - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0751 ADOPTED.
25. ORDINANCE appropriating \$66,085.00 out of Police Consolidated Construction Fund as an additional appropriation for a contract between the City of Houston and **ASTRO FENCE COMPANY** for Purchase and Installation of Security Fence for South Central Police Station passed by Ordinance No. 02-0883, GFS G-0058-03-3 - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0752 ADOPTED.
27. ORDINANCE appropriating \$3,836,700.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **BRH-GARVER CONSTRUCTION, L.P.** for abandonment of Northborough Wastewater Treatment Plant, GFS R-0536-02-3 (WW4719-03); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project

management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0753 ADOPTED.

28. ORDINANCE appropriating \$3,169,600.00 out of Water & Sewer System Consolidated Construction Fund awarding contract to **METRO CITY CONSTRUCTION, L.P.** for Water Line Replacement in the Magnolia Park Area, GFS S-0035-D9-3 (WA10860-03); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0754 ADOPTED.
30. ORDINANCE granting to **SURE DISPOSAL SERVICES, INC a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0755 PASSED FIRST READING IN FULL.
31. ORDINANCE granting to **QUICK SILVER HAULING, LLC, a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0756 PASSED FIRST READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

7. **PIXELPUSHERS, INC dba CIVICA SOFTWARE** for Automated License Plate Reader System through the City's Master Agreement with the Texas Procurement Center, LLC (TPC) for Texas Catalog Information Systems Vendor (CISV) Master Catalog Purchases under Chapter 2157 of the Government Code for Houston Police Department - \$209,374.00 - General and Grant Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Khan asked if the systems they were going to have installed in the police cars were going to be active, were they going to scan every car on the street or was it a system where the officer had to trigger the scanning for it to work, that he wanted to know if every car on the street would be scanned or only those cars which officers deemed necessary, and Mayor White stated that he did not know the answer to that question but knew they were going to do a pilot and knew it had a capacity of doing most everything it passes, and Council Member Khan asked if they could have someone visit with him.

A vote was called on Item No. 7. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0624 ADOPTED.

8. **AZTECA SYSTEMS, INC** for Software Maintenance Services Agreement for Infrastructure Management System for Department of Public Works & Engineering - 1 Year - \$110,000.00 Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0625 ADOPTED.

ORDINANCES

10. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Residential Parking Permit Program – was presented, and tagged by Council Member Holm. (Note: Council Member Holm released her tag later in the meeting.)
11. ORDINANCE approving and authorizing the sale of the Fannin Street Garage, 1112 Clay Street (the property), and the City's interest in the underlying two tracts of land - (a) a tract containing 16,001 square feet (0.3676 acres), more or less, Parcel SY6-064A, being all of Lots 9, 10, and parts of Lots 8 and 11, Block 316, South Side Buffalo Bayou, J.S. Holman Survey, A-323, Houston, Harris County, Texas, and (b) a tract, Parcel SY6-064B, consisting of Lots 1 and 2, and adjoining halves of Lots 3 and 11, of the same Block 316 - both tracts to be sold to Fannin Street Garage - GP, LLC (Buyer); and authorizing, in connection therewith, the execution and delivery to buyer of (1) a Special Warranty Deed conveying the City's interest in Parcel SY6-064A, (2) an Assignment and Assumption of Ground Lease Agreement assigning the City's leasehold interest in Parcel SY6-064B, (3) an Assignment and Assumption of Lease Agreement assigning the City's interest as landlord in a lease of a portion of the property, and (4) ancillary closing documents; all in consideration of buyer's payment of \$8,050,000.00 and other good and valuable consideration to the City; authorizing payment of a Marketing Services Fee; authorizing removal of the property from covenants related to a bond ordinance and payment of an evaluation and approval fee to the bond insurer in connection therewith; directing payment of the net proceeds; containing various findings related to the subject - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0757 ADOPTED.

Mayor White stated that it had taken a while to get here but thought they were probably close to \$15 million plus of surplus real property that had been disposed of in the last two and a half years, that it was a big difference from the way the City normally did business.

15. ORDINANCE approving the Hurricane Rita Relief Efforts Mutual Aid Agreement with **HOUSTON INDEPENDENT SCHOOL DISTRICT** - was presented.

Council Member Edwards stated that she would tag the item and would like for somebody to explain to her what they were talking about, and Council Member Garcia also tagged the item.

Mayor White stated that they set up emergency shelters so when they swept certain areas that were in the storm surge areas people would have a place to go, that HISD chipped in but said if they had a preexisting agreement they could get reimbursed for the utilities that HISD had on and for the space, that they had to put it in writing.

Council Member Sekula-Gibbs asked if FEMA was more likely to reimburse HISD if the City was the vehicle, and Mayor White stated yes, and they had copies of all the worksheets available, and Council Member Sekula-Gibbs asked if HISD had tried to get the money from FEMA, and Mr. Michel stated that he thought they made inquiries and were told they had to go through the City and so this was the process that was being used as opposed to a direct request to FEMA and Council Member Sekula-Gibbs asked if other ISDs were going to use this mechanism and Mr. Michel stated that he was only aware of HISD but would find that out.

Council Member Khan asked if the timing any way affected whether they got the reimbursement or not, could HISD been given the bill right after Hurricane Rita or weeks after instead of almost a year later, did it have any affect on whether they get FEMA to approve them, and Mayor White stated that he would like to get things done sooner rather than later.

Council Members Edwards and Garcia stated that they would release their tags on Item No. 15.

A vote was called on Item No. 15. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0758 ADOPTED.

17. ORDINANCE approving and authorizing the submittal of an application to the **U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL** for Network Implementation of the National Environmental Public Health Tracking Program (The "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$3,800,000.00 - Grant Fund – was presented.

Council Member Sekula-Gibbs stated that she would tag Item No. 17, that she had some questions and they had not been able to reach Ms. Barton in the Health Department so she wanted a week to have those questions answered.

Council Member Holm stated that she would release her tag on Item No. 10 and moved to consider Item No. 10 at this time, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0626 ADOPTED.

10. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Residential Parking Permit Program – was again before Council. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0759 ADOPTED.
18. ORDINANCE approving and authorizing agreements to reimburse **HUFFMAN INDEPENDENT SCHOOL DISTRICT, AMIGOS POR VIDA - FRIENDS FOR LIFE** and **JOHN PAUL II CATHOLIC SCHOOL**, and for payment of School Crossing Guards from the Child Safety Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0760 ADOPTED.
19. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and **TEXAS ENGINEERING AND EXTENSION SERVICE (TEEX)** for Paramedic Training for the Houston Fire Department – was presented.

Council Member Khan asked cost wise how did it compare to Houston Community College, that time saving was important but they also needed to know if they were spending more for saving the time and more important if the program was similar in terms of professionalism and the kind of training they needed for the firefighters, and Mayor White stated that if they did the pilot those were the things they needed to measure and he would agree, that he did not want to know the 79th day before the 90 days if they did not have good cost numbers on what it cost for the police and fire to train.

Council Member Garcia stated that on this particular agreement field training was integrated with classroom training so the science to the agreement was that the cadets would be understanding the science of their profession much better with a hands on approach as they were going through with their training so he saw it as a very positive item.

After further discussion by Council Members a vote was called on Item No. 19. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Holm absent. ORDINANCE 2006-0761 ADOPTED.

20. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **METROPOLITAN TRANSIT AUTHORITY (METRO)** for the purchase of testing time at the University of Houston Diesel Vehicle Research and Testing Facility - Revenue – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Holm absent. ORDINANCE 2006-0762 ADOPTED.

21. ORDINANCE approving and authorizing compromise and settlement agreement with **ADVENTURES IN BIRDS & PETS, INC** and **BETTY JEAN JORDAN** to settle a lawsuit and appropriating \$65,000.00 out of Water & Sewer System Consolidated Construction Fund No. 755, which lawsuit arose out of activities financed by the Fund – was presented. Council Member Holm absent.

Council Member Lawrence stated that she had a problem with the precedence that this item would set, that she had spoken briefly with Mr. Michel on it and thought it would open the City to a lot of lawsuits, that she would tag them and recommend that they not settle out of court. Council Member Holm absent.

22. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **LLEWELYN-DAVIES SAHNI, INC** for Professional Landscape Architectural and Engineering Services - \$59,478.36 - Gulfgate Redevelopment Authority Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0763 ADOPTED.

23. ORDINANCE approving and authorizing Professional Services Contract between the City of Houston and **SMITH & COMPANY ARCHITECTS** for the African American Library, GFS E-0144-03-2 - \$89,000.00 - Grant Fund - **DISTRICT I –ALVARADO** – was presented.

After discussion by Council Members a vote was called on Item No. 23. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0764 ADOPTED.

26. ORDINANCE approving and authorizing Environmental Services Contract between the City of Houston and **TERRACON CONSULTANTS, INC** and **WESTON SOLUTIONS, INC** for Environmental Assessments in support of the Brownfields Redevelopment Program - \$400,000.00 Grant Fund – was presented.

Council Member Brown stated that on the issue of brownfields and grayfields in the City, that gray fields were areas of the City that were industrial, primarily solid concrete and there were a lot of redevelopment opportunities and he hoped it signified a renewed effort on the part of the City to encourage redevelopment in the brownfields and grayfields and he wanted to mention another thing that he had gotten a lot of calls on and that was that the City of Houston should consider, and thought they had to do it by ordinance, municipal settings designation procedure that really helped take a brownfield and relieve the owner of some of the cost of remediation of groundwater and toxic chemicals in the soil, that it would really help promote development in the City and did not cost the City a nickel, and Mayor White stated that he was not familiar with that and if someone could provide something to him he would appreciate it and Council Member Brown stated that he would get Mayor White the Dallas ordinance. Council Member Holm absent.

Council Member Khan stated that there was a sunset provision on the brownfield abatement program, if they read Section 44-138 of the sunset provision it called for reviewing the history to make sure the goals were achieved and asked if they had reviewed the program and if so were they continuing it and not let sunset provision take effect, and was the amount of grant funding they were receiving only for the cleaning of the properties, the City of Houston would still incur less revenue because of the abatement program. Council Member Holm absent.

Council Member Garcia stated that as to Council Member Brown comments about the municipal settings designation he would ask Council Member Alvarado if it was an item that could be heard before her committee, the reason he was asking was because although Dallas and other cities did it, it was his understanding that the value of this particular ordinance was so that they would not require remediation beyond a particular level from the surface, which sounded good and developers like it, but his concern was the long term health of the environment if they were not doing remediation beyond a particular level of the surface, what did it mean in the long term health, he would rather have a good understanding before they pursued any municipal setting districts. Council Member Holm absent.

A vote was called on Item No. 23. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0765 ADOPTED.

29. ORDINANCE granting to **UNITED WASTE SERVICES, INC, a Texas corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0766 PASSED FIRST READING IN FULL.

MATTERS HELD - NUMBERS 32 and 33

32. RECOMMENDATION from Department Finance & Administration to award to **RANGE KLEEN MFG. INC** for Vinyl Magnets, Universal Lids, Fat Trapper Bags and Holders for Department of Public Works & Engineering - \$54,750.00 - Enterprise Fund – **(This was Item 6 on Agenda of June 28, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented, moved by Council Member Khan, seconded by Council Member Lawrence.

Council Member Alvarado stated this was one step that they were attempting to do that tackled the residential and was called "corral the grease" and Jeff Taylor and people in his division had been working on it, that she knew many of her colleagues wanted to see the residential component in the FOG Ordinance and she wanted to point out that it was just one piece of it, that no other City addresses residential component when it came to grease traps but she had gotten some really good feedback from Council Members Lovell, Lawrence and Clutterbuck on the issue of residential so she was glad to see that it was coming up and she looked forward to bringing the other big part of the ordinance, the Fog Ordinance, up in a couple of weeks.

Council Member Sekula-Gibbs stated that the idea of cleaning up grease and not allowing it to clog up their sewers was a very appropriate one, that she wanted to make sure that they got a distinction between what they were doing in terms of education, that she supported the item but still had questions and would like for Council Member Alvarado, who she knew was pushing the ordinance, to change the way that the restaurants handled the grease, that she still had questions about whether what they were doing was going to actually have the desired impact, that they wanted to make sure that any new regulations were actually consistent with the ultimate goal.

Council Member Lawrence stated that she hoped the administration would support a program as they brought up the next ordinance in looking at new construction and where they could place grease traps, that because her district flooded so much in different areas she was always aware of what was happening and what was going down the drains and she was very hopeful that they look at new construction, especially in multi family units, that they start requiring them to have grease traps, if they were going to look at it, to look at it 100% and not just a little bit.

Mayor White stated that he did not want to have to be the only person to say within what deadline, if they say they were going to do something then it ought to have a person assigned and a deadline, that he did not know if it was 30 days or 45 days for someone to report back and Council Member Lawrence had a good understanding about the balance of regulation and trying to promote a place where people could live, so they would like to move on that because he was persuaded that there was a need, and to Mr. Norman that Mr. Taylor needed to tell him when that report was going to be to them.

Council Member Edwards stated that she had been told by some people that there was a maintenance process that could be dealt with because it was not just grease they cooked with, it was lotions and hair shampoos and all of that, that it was not just grease in the normal way, that it was a lot of the products that they used every day, that she was told that there was some kind of maintenance, something that they put down the drain that helped dissolve it and in that analysis if someone could verify that because if it was true would it help them with the problem.

A vote was called on Item No. 32. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0627 ADOPTED.

33. ORDINANCE amending Ordinance No. 2004-0495 to increase the maximum contract amount to Contract C56063 between the City of Houston and **ARCH WIRELESS OPERATING COMPANY, INC** for Pager Rental Services for Various Departments - \$143,429.16 - General, Enterprise, Grant and Other Funds – (This was item 33 on Agenda of June 28, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN and ALVARADO) – was presented.

Council Member Alvarado stated that she tagged the item last week because she had some questions about why they were purchasing pagers, that she got a breakdown of where the pagers were going and the cost and moved to postpone Item No. 33 for one week because she was still not convinced that they needed all those pagers, seconded by Council Member Lawrence.

After further discussion by Council Members a vote was called on Item No. 33. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Lawrence absent. MOTION 2006-0628 ADOPTED.

Mayor White stated that they ought to see what the frequency of the pager use was. Council Member Lawrence absent.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Edwards stated that she wanted to congratulate Susan Christian as the July 4th event was very exciting and she wanted to congratulate her and her staff for a wonderful presentation. Council Members Lawrence and Clutterbuck absent.

Council Member Edwards stated that Ms. Johnson mentioned the fact they were having a large sales tax revenue income and she would like to know if some of those dollars could be designated to flooding projects. Council Members Lawrence and Clutterbuck absent.

Council Member Edwards stated that the Essence Festival occurred last weekend and with the extraordinary coverage by the press she was still amazed a number of businesses downtown knew nothing about this and restaurants ran out of food, etc., the city made over \$120,000,000 and over 200,000 people were projected to come in; that the usual time for planning was not there but she thought it still could have been handled better, particularly transportation; that a big effort was being made to bring this back to Houston and they needed a host committee just as they did for the Super Bowl, etc.; that there was much lack of communication; and suggested a committee be put together and get all major folks made aware and involved. Council Members Lawrence, Clutterbuck and Alvarado absent.

Council Member Edwards stated that the National Church of God in Christ was in town and was another awesome institution within the African American Community and she wished them a great conference to that effect.

Council Member Edwards stated that funds needed to be found for flooding; that she did not want to get ahead of what the Mayor wanted and would like information given to them; that Chapter 19 was critical in flooding prevention and it would be setting how they moved forward in this city and the committee needed everyone's input and she was begging all Council Members to read it; that the next Flooding Committee Meeting was July 10th and they would be discussing what it meant moving forward. Council Members Lawrence and Berry absent.

Mayor White stated that he would thank her and they did need to strike while the iron was hot with what they learned from the Essence Festival and he asked a couple of people here including her, Mr. Fontaine and Mr. Doug Horn he would like a steering committee created within about seven days with restaurants, transportation, etc., and he would like recommendations concerning who should chair it and like help from Legal and just suppose maybe some portion of the incremental hot tax; that he wanted to be a partner with New Orleans and not a competitor; and if they did decide to bring it here would there be anything to prevent some consideration of a small fraction of hot tax proceeds to be used to help New Orleans to rebuild; and Council Member Edwards stated that they spoke with the folks at Essence, Terrance and Council Member Green about working together in partnership with New

Orleans; that she would love to see it come to Houston, but there was a New Orleans essence missing and there was no reason for people to not be aware of the Aquarium Restaurant. Council Member Lawrence absent.

Council Member Garcia stated that he wanted to add kudos to Susan Christian and her staff for a well organized event; that he watched it on television and it was very exciting; that in the paper there was the full Declaration of Independence and it was important to read through it with children and make sense of it as they remembered the Fourth of July actually was a very important event in history and not just fireworks. Council Member Lawrence absent.

Council Member Garcia stated that he wanted to thank all Public Works employees, the Lindale Civic Association had their annual fourth of July Parade and they saw the employees putting out the cones and doing all their hard work and seldom did they get recognized; and he would like Mr. Norman to let them know they were thanking them. Council Member Lawrence absent.

Council Member Garcia stated that he also wanted to thank the Lindale Association for putting on such a great even, there was a lot of activity and the parade was great. Council Member Lawrence absent.

Council Member Garcia stated that he also wanted to remind all of the Public Safety Committee Monday where they would discuss the curfew ordinance as well as the downtown surveillance system. Council Member Lawrence absent.

Council Member Holm stated that she wanted to talk about quality of life issues, over the past weekend Max's Night Club had planned a weekend event and she wanted to thank Nancy Brewer in her office as well as Captain Gertstner of Westside Command and Captain Mary Lentschke of Special Operations and Lieutenant Terry Muise of Special Operations and Susan Christian on top of everything else this weekend helped them establish how the event could take place without it being so detrimentally impacting the communities; that they were able to barricade entrances off the Westmont and Tanglewilde Subdivisions so the nightclub issue did not have such a great impact, but they had worked with the TABC for months so the club could not get their license renewed and they had good help, but they needed a cooperative spirit so standards could be set and have possible coexistence from within; and she did thank everyone and looked forward to good policies; and on the same line last night at the club located at 9371 Richmond had a shooting at 2:30 a.m. and it was one block from a neighborhood so they did need good standards set. Council Members Lawrence, Edwards, Garcia and Berry absent.

Council Member Holm stated that another huge quality of life issue for neighborhoods in Districts C and G was the quiet zone and they were in the final stages of the quiet zone approval; that they had been working with the City of Bellaire and City of West University to set up a quiet zone on the railroad track at 17 crossings and she thanked Catherine Parker from Public Works and Gary Shotts who started them through the process; that they had received Monday the official letter that with improvements in two areas the City of Houston could submit their letter of intent to establish the quiet zone and now they were on target for having an effective first quiet zone in the City of Houston before August 1, 2006; and Mayor White stated that was big news and to Mr. Michel the issue of contesting a liquor law violation, a lot of those occurred and many Council Members did a lot of work and many law firms donated pro bono services and he did not know if this was purely legal or presumptions, but some lawyers who participated might shed light and maybe he could visit with individual members of the commission and see if there were policies they should consider. Council Members Lawrence, Edwards, Garcia and Berry absent.

Council Member Garcia who stated that he would like to add that there was a café the neighborhood protested and he supported it; that when the establishment first filed for their liquor license they did not do their homework and they were in the 1,000 foot zone and it would have denied them the license, but they turned around and applied for it under the restaurant ordinance and then it made no argument, but he had little faith in a business which started off as a pool hall and then decided to become a restaurant; and he would like it looked into as to how a business could shift from pool hall to restaurant and let them slide through the variance; and Mayor White stated that Mr. Michel could help with what was a definition of a restaurant vs. something not a restaurant and what test could a citizen apply, certainly percentage of sales; and Council Member Holm stated that there was no way 50% of their business was food and yet TABC did not check it or confirm anything so they needed accountability of TABC to set standards and give objective material; and Mr. Michel stated that he understood what they were saying and would look at presumptions and burdens of proof and production; and Mayor White stated that another thing to look on and they could work with Billy Hamilton in the Controller's Office to see what assistance their office could give to the State Comptroller, what the State Comptroller could give to local government as far as a breakdown on alcohol and non-alcohol sales tax by location; that there was certainly a public interest and that might help. Council Members Lawrence, Edwards, Garcia and Berry absent.

Council Member Alvarado stated that she wanted to echo comments made by Council Member Edwards as she spent time downtown over the last couple of evenings and there were many restaurants and bars shut down and Saturday night at Reliant one of the hosts for Essence was the comedian Steve Harvey and he was critical of Houston saying there was nothing to do but go to the Galleria Mall and she had wanted events downtown such as for the Super Bowl and she hoped such events would not be treated differently just because they were not Super Bowl or All Star as they were just as important; that she was trying to get the Latin Grammys here and she would hope such events would get the same red carpet all the others received; that she believed Jordy and others did their job by getting the event here and it was up to the community leaders with host committees and work shops to get things done. Council Members Lawrence and Berry absent.

Council Member Sekula-Gibbs stated that something in the paper made her appreciate there were space scientist and she hoped more would be going into the area as an asteroid had come within 260,000 miles of the earth and that was as close as from here to the moon; that if it would have hit there would have been serious destruction to the point of wiping out three states, so human exploration of space and colonization of new worlds was very critical to the future of a people and NASA and the Johnson Space Center really was the vehicle for the vision and she tremendously supported space exploration and it was essential to have brilliant minds in these fields for all humanity. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Sekula-Gibbs stated that with the launch of STS121 this past weekend she was able to sit in the Mission Control and watch as such a historic event occurred; that it was the first launch on Independence Day and there was much excitement; and she complimented the entire flight crew, their families and all who participated in the event; and wished them God Speed. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Khan thanked all who participated in the HPD Westside Fun Day including the shopping center and associations and universities, it was an exciting event. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Khan stated that Saturday, July 15th they would have a District F Cleanup and he wanted to remind all to come and participate; that they were meeting at Lansdale Park located at 8201 Roos and all supplies, etc., would be provided; and they were calling on all civic

clubs and organizations and businesses to join in; that there would be a coordinating meeting July 11th at the District Office in Sharpstown Mall for the cleanup and he hoped all would come. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Khan stated that he wanted to congratulate all on the 4th of July; that yesterday they celebrated the 230th birthday of this great nation; that all had barbecues, fireworks and flag waving which was great and important and he hoped all participated, but he wanted to remind himself what it meant to be an American; that many were fortunate and blessed they were born here and probably never had exposure as to what it was like to now be an American; that when you thought of America it was the only country today, the only society which recognized freedom of human beings, the basic human rights by constitution and if you looked at what was happening around the world this was what needed to be promoted to the rest of the world on what America was all about and he hoped the celebration of being an American would not be limited to the Fourth of July and he would pray that forever no one would ever erode those freedoms and rights which we had as Americans and as human beings and he hoped the rest of the world would follow the examples. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Green stated that regarding the Essence Festival he was very concerned, most were neutral on their comments, but he understood there was a \$120,000,000 impact and after meeting with the president of Essence yesterday he found himself feeling embarrassed by why he saw as her perception of the administration of the City of Houston; that he felt they walked away thinking the bare minimum was done and he knew those with the Super Bowl, All Star Game and World Series did not feel the minimum was done; that he would go on record saying if he had that conversation one week ago he would have tagged their budget last week; that once the commitment was made for someone to come to Houston then they needed to know how to get citizens engaged and officially he wanted to know what the package was comprised of in getting Essence here and what was done as opposed to the helicopter convention and others, he wanted comparison; and now he and Council Member Edwards and Clarence Fontaine had met with the president of Essence and found themselves apologizing for something they had nothing to do with. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Green stated that Friday he hosted an event for the Essence Festival at a club located at 310 Main and the caterer had to unload chaffing dishes and while there an officer from HPD, J. Ramos, gave a ticket to the caterer and he had a problem that the officer did not have his ticket book and left his car in the street over ten minutes while he waited on another officer, C. L. Journet, to bring him a ticket book and he did not know if chaffing dishes ranked with murders and rapists but once again he felt dooped and he would like to know from those officers supervisors what the cost was for two officers to tie up traffic as no one could go around them; that there was no loading dock and he thought this to be the most inefficient, idiotic and asinine use of police time; and obviously if the two officers found that to be of such importance obviously they did not need a seventh HPD cadet class and the budget should be amended. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Green stated that later on one of the news crews had pulled onto the curb to do a live broadcast of the Essence Festival and they too were told to move as they were blocking traffic; that they were there to promote the event and he would like to meet with someone regarding those two officers and determine what kind of time they had on their hands as he knew Council Members Khan and Clutterbuck could use them; and he thanked Chief Durden for having the wherewithal to make a decision that just made sense. Council Members Lawrence, Holm, Garcia and Berry absent.

Mayor White stated that he was writing a note for Chief Hurtt to report back to him on what the average of code one calls were for an eight hour patrol for each district; and Council Member Green stated that he would like to know what the process was if you wanted to write a ticket and forgot your book would it be like going to a gunfight without your gun. Council Members Lawrence, Holm, Garcia and Berry absent.

Council Member Brown stated that he commended Council Member Green for dishing it out; and he had attended some of the events at the Essence Festival and felt they were really slow on the draw, he thought they had a cold shoulder and that could not be done; that he was at a club with distinguished visitors who parked expensive cars in a parking lane and about five were towed and they got a bad impression of the city and that had to do with valet service. Council Members Lawrence, Holm, Garcia, Alvarado and Berry absent.

Council Member Brown stated that there would have been many more people sitting on the banks of Buffalo Bayou for the Fourth Celebration if they would have managed traffic circulation better, he had calls from people gridlocked on 288 and they just parked and watched from there; that there was a good crowd but it could have been better. Council Members Lawrence, Holm, Garcia, Alvarado and Berry absent.

Council Member Brown stated that regarding flooding he had an interesting experience with Council Member Johnson in a police helicopter last Friday where they toured many areas fairly close to the ground; that the bayous did not have enough storage capacity to handle all the water and many areas just would pond up significantly; that he would say there was a major thoroughfare plan and they needed a major drainage plan, the system needed to be rationalized and he would like all to think of such a plan. Council Members Lawrence, Holm, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Brown stated that last week he mentioned crime prevention through environmental design and since he talked about it he did more research and there was a unit in HPD which took care of crime prevention through environmental design but it was not reflected in any ordinances and they could get a much better handle on it if they looked at standards for development and as they were amending chapter 42 he would like them to try and build into it clear standards and the means to enforce them. Council Members Lawrence, Holm, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Brown stated that with the issue of minimum wage he felt the Council could take a stand at moving it to \$7.00 an hour; that 500,000 people in this city lived in poverty and they were not taking advantage of low income tax credit, an income supplement of up to \$3,000, and he did not know what the city could do but it would help the issue of living in poverty and infuse dollars into the local economy. Council Members Lawrence, Holm, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Brown stated that on his last policy issue of global warming he thought this Council and Mayor's administration could take a stand; that there was the U. S. Conference of Mayors and relating to greenhouse gas omissions they could stand up and be counted, it would be a good place to start. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Brown yielded to Council Member Edwards who stated that regarding flood planning the issue of storage and conveyance was one of the major issues in Chapter 19 and if he would meet with them and give his ideas it was a point they were having with engineers in Public Works on which way they should go and she thought Buffalo Bayou had a plan where

they could detail it more; and she would appreciate his thoughts. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that the Master Plan with the city which they paid \$2,000,000 for, the Drainage Master Plan, one issue was sometimes the master plan previously funded and very comprehensive he had on his desk and it took about \$600.00 for a copy as it was so detailed and he had a fear that someone would do the plans and then they were not used so he would urge Mr. Norman on the drainage master plan, there was two huge books, Turner Collie and Braden was the principal contractor and completed about five years ago and it could be updated from time to time and secondly, just so everyone was involved he did not ever believe in passing the buck, but here was a data point for people, the county privatized the management of certain facilities and the firm it was privatized to also had the New Orleans facility contract and because they were dealing with the festival moved it to the county facility; that they had to have something so they would not step on someone else's toes in local government, but people needed to ask when they needed help and the proof was in the pudding from comments made here and that was unacceptable; that they had not had over the last decade all entities playing as a team and this would have to be one sign of success that they judge each entity by, when they need help when did they call for help when it was a community project. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that the idea of the drainage plan, they did not have a functioning master plan for storm water management in the city and county; that it was being prepared and a sort of plan would come in 2007, there was a whole team of consultants on it, but he was saying like a major thoroughfare plan it showed each area of the city and obligations both governmental bodies and private developers had, just like the major thoroughfare plan; that if the plan was adopted they would get more cooperation; and Mayor White stated that he saw what he was saying. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that last night's party on the bayou was Houston at its best with many wonderful festivities and she thanked the Mayor and his office and Susan Christian and all those who worked with it and encouraged all to join in again next year; that she was so proud to be an American and a Houstonian. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she attended three parades yesterday and all were very unique with wonderful activities; that first was the Glenshire Civic Club, then Maplewood Civic Club and lastly the Braeswood Place Civic Club. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that she wanted to salute Council Member Holm and her leadership on quality of life issues in Houston, in particular the quiet zones issue and she hoped when the pilot was established they could expand a few more throughout District C. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that they had difficulty in delivering trash service to citizens who paid for it and deserved it; that it was not a unique situation, but it was frustrating for some on a street to receive service and others did not; that she understood why some were eligible and why some had containers but it was part of the inconsistent ordinance and Mr. Buchanan's response was the particular homes were not eligible and should have received no containers in the first place and to deliver would be violations of the code; and she knew the

Mayor was looking into it and wondered if he had any time frame; and Mayor White stated that there were two issues and there was a taskforce considering first pickup on private streets and second, the enterprise fund and what they would recommend on that; that the overall report on the taskforce he asked to come in at the end of the year and take time and go through all the numbers because they were talking about big issues; and he knew Council Member Lawrence and other Council Members on this particular issue he would be happy to receive recommendations concerning how they should handle it, on what time period; that they wanted to encourage development in the city and people did pay property taxes and on the other hand there were ordinances and there were benefits to having private streets, they were not public private right of ways and so on a variety of city services private streets were considered different than a public street and if they started infringing on that or compromising that they wondered how much of a liability they would pick up and how much money that would cost; that maybe they could consider the first issue first and then the second, the enterprise fund, the sources of revenue maybe they could do something sooner than later on that, but if someone wanted to get mad at someone don't make it Mr. Buchanan because they went through meetings and there were a lot of implications and the law needed to be cleaned up and he (Mayor White) had said they would not start adding new people to service until this could be clarified. Council Members Lawrence, Holm, Garcia, Alvarado, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that it was a great week for the City of Houston leading up to the Fourth of July Freedom Festival, but he did want to point out Super Bowl brought in over 200,000 attendees with impact of over \$300 million and NBA brought in over 50,000 attendees with an impact of over \$60 million and the Essence Festival brought in 250,000 people with an estimated impact of \$250 million which was based on information that was provided to him and when he looked downtown there was not much activity for them to enjoy themselves and that was unfortunate; that many African Americans told him they were not wanted downtown; that for the Super Bowl the block party was set up and he believed Houston was awarded the Essence Festival because of their generosity and this was a great opportunity to get money back, but he felt much was missed out on and they needed to look at how to do a better job and be able to compete with cities which received much more tourism dollars. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that regarding other events such as the golf tournament hosted by Yolanda Adams and the Voice of Angels Foundation, they raised money and it was a great success and he had a great time. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he hosted the Computer Olympics at Jack Yates High School along with the Writer Foundation and it was a great success with them giving away over 20 computers for first place prizes; and they looked forward to doing it again next year. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that the March against Domestic Violence was another event he hosted Saturday and done in conjunction with Mr. Muhammad and the Million More Movement and Congressman Al Green as well as Robert Muhammad, Nation of Islam Mosque Number 45, that it was a great turn out and they marched on domestic violence and this was a way for the community to become more self sufficient, more self aware, saying they were taking back their communities and no longer allowing such behaviors to penetrate them; and it was a great march with about 250 people. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he was grand marshal of the Silver Park Terrace Civic Club and the African American Corvette Club came out along with B. C. Elmore and bands played and it was a great time; and he appreciated all who came out. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Johnson stated that he had an opportunity to meet with Mr. Arron Galla who was a City of Houston employee for 13 years and unfortunately his eye sight had deteriorated and now was legally blind; that he had been a pay grade 14 and had now applied for over 100 jobs within the City of Houston and unable to get them; that he pointed out he was running into a road block each time and he asked that he get with the Mayor's Office and Office of Disability to see if there were positions for those with his disability; that he had a family and good performance ratings and they needed to find a job listing for such individuals. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she thought the Essence Festival was great and she had a different take on Mr. Harvey, if the only way he could be funny was to come to a city which had stretched its limits for the past year and stood up and fought for the people of New Orleans then he did not think he was a very class act and she wondered where he would go next time and what jokes he would make, if it was an the expense of a city which had really done tremendous work over the past year; that she thought it was really low class and he could have been much funnier in many different ways he could have cracked a lot of jokes about FEMA and all would have enjoyed them; that if Houston was going to be judged as a city that knew how to party rather than one very humanitarian, she would take the latter, but still they did know how to party and she stayed today just to give her huge compliments to Susan Christian; that the Fourth Celebration was an incredible party and the entertainment was great with spectacular fireworks. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that on the graffiti, she understood 311 said they had over 200 calls from the Heights alone and she wanted to give compliments to Ms. Bingham and her department because they were handling it and her office was prepared to help if it was needed; and she would encourage all to call 311 and report graffiti and she wanted to compliment all departments which responded quickly to remove such. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he was not at all being defensive, he always wanted to do better in bringing jobs and entertainment, but on the factual issue of why there was not a party downtown with roped off streets for the Essence Festival, first there was a lot of differences given to festival organizers; that if you seek private funding from some of the same sponsors it was an issue and there had to be close coordination so you did not compete for their same audience; and secondly, the state of Texas provided funding for that so it did not have to come out of pocket for the local budget of something set for sports events and he would be in favor of expanding that legislation to include other events besides sports; and Council Member Lovell stated that she thought lessons were learned here and she did want to compete for the festival to come back and saw where they could do better and had no doubt that they would. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:28 p.m. Council Member Wiseman absent on city business. Council Members Lawrence, Clutterbuck, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary