

City Council Chamber, City Hall, Tuesday, December 19, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 19, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Ms. Marty Stein, Agenda Director; present.

Note: Council Member At-Large Position 3 vacant.

At 2:06 p.m. Mayor White called the meeting to order and called on Council Member Alvarado to begin presentations; and Council Member Alvarado invited Council Member Garcia to join her for the presentation and invited Mr. Richard Caldwell, Executive Director of the Denver Harbor Senior Citizens' Center to the podium and stated that Mr. Caldwell had been the executive director there three years and did an outstanding job; that the center was in District I but served Districts H and I; that he was a wonderful friend and would be missed by all; and Council Member Garcia stated that there was always great activity and fellowship at the center and it was because of Mr. Caldwell's works and he would be missed; and Council Member Alvarado presented Mr. Caldwell a Proclamation proclaiming December 19, 2006 as "Richard Caldwell Day" in Houston, Texas; and Mr. Caldwell thanked everyone for the recognition and stated it had been a labor of love. Council Members Johnson, Wiseman, Holm, Lovell and Berry absent.

At 2:11 p.m. Council Member Garcia invited Rev. Samuel J. Gilbert, Sr., from Mt. Sinai Baptist Church to lead all in the prayer and Sgt. Jason Cisneros who had returned from the 4005 Army Hospital to lead all in the pledge. Council Members Johnson and Wiseman absent.

At 2:17 p.m. the City Secretary called the roll. Council Members Johnson and Wiseman absent.

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

Council Member Alvarado moved the rules be suspended for the purpose of hearing Mr. Pete Delongchamps, Mr. Noel Cowart and Ms. Jackie Michael at the top of the speakers list, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Wiseman absent. MOTION 2006-1149 ADOPTED

Council Member Brown moved the rules be suspended for the purpose of hearing from Mr. Jay Malhotra at the top of the one minute non-agenda speakers list, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Wiseman absent. MOTION 2006-1150 ADOPTED

Council Member Khan moved the rules be suspended for the purpose of hearing from Ms. Maribel Alanis, Ms. Monica Garcia and Ms. Tammy Rodriguez after Ms.

Geneive Herrera, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Johnson and Wiseman absent. MOTION 2006-1151 ADOPTED

Council Member Garcia moved the rules be suspended for the purpose of hearing from Ms. Paula Swaine and Ms. Penny Fiederlein after Ms. Jackie Michael, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Wiseman absent. MOTION 2006-1152 ADOPTED

At 2:20 p.m. the City Secretary began calling public speakers. Council Members Johnson, Edwards and Wiseman absent.

Mr. Pete Delongchamps, 2101 San Jacinto, Houston, Texas 77002 (713-647-5770) appeared and stated that he was present to speak on fencing and lighting of the Pierce Elevated; that he was on the board of Search, a homeless research center in downtown, and he was very empathetic in understanding the plight of the homeless and poor, underneath the Pierce was a public safety and health issue and it was designated public parking but it was dangerous and no one used it and a fence and lighting was not the solution to homelessness but would solve an issue; and asked that budget recommendations be passed. Council Members Johnson, Edwards and Wiseman absent.

Council Member Alvarado stated that this had been worked on about two years with stakeholders in the Pierce area and she thought with fencing and new meters along with lighting and landscaping people would want to utilize it. Council Members Johnson, Edwards, Wiseman and Lovell absent.

Council Member Holm stated that Council Member Alvarado for a longtime was a proponent of the Parking Commission and with Ms. Rambo they had taken charge and addressed needs of the community; and thanked all for their work. Council Members Johnson, Edwards, Wiseman and Lovell absent.

Mr. Noel Cowart, 2016 Main, Houston, Texas 77002 (713-419-8189) appeared and stated that he was president of the 2016 Main Owners Association, a high-rise building with about 250 plus families and urged Council to consider lighting and a fence on the elevated, there was a sanitary and criminal problem there with car windows being broken, items stolen; and people trying to collect parking fees after parking; and criminals did not like lighting and fencing, but the homeless problem would have to be solved another way. Council Members Johnson, Clutterbuck, Edwards, Wiseman and Lovell absent.

Council Member Brown stated that maybe more was needed than a fence; that the Main Street Coalition did interesting designs about treating the underside of the Pierce to make it a place people wanted to go rather than a prison like fenced area; and upon questions, Mr. Cowart stated that he was familiar with some of those plans and Midtown's hopes to make the Pierce Elevated area a gateway to both Midtown and Downtown and a people space, but the criminal element needed to be eliminated and sanitation issues needed to be cleaned and then they could continue. Council Members Johnson, Clutterbuck, Wiseman and Lovell absent.

Mr. Jack Michaels, 2016 Main, Houston, Texas 77002 (713-659-1801) appeared and stated that he was property manager for 2016 Main and he thanked Council for

moving the project ahead; that millions were spent to renovate the building and attract good quality residents, but they have vandalism, etc., and he felt they could reach mutual improvement on parking. Council Members Johnson, Clutterbuck, Wiseman, Garcia and Lovell absent.

Ms. Paula Swaine, 1432 Ashland, Houston, Texas 77008 (713-420-7526) appeared and stated that she was present regarding their dissatisfaction with BARC; September a pack of dogs killed two cats and several repeated calls were made to BARC and she was on hold no less than 20 minutes each time and finally called Council Member Garcia's office and then was told after the office spoke with BARC two of the dogs would be removed, but she did not know if it happened; October she and her daughters were walking and they saw the dogs and became concerned and went to a neighbors porch until they ran away; again she called BARC and then Council Member Garcia's office; that Tuesday she was on hold with BARC 23 minutes; that small children lived on the street and played and she did not like being on watch. Council Members Johnson and Wiseman absent.

Council Member Garcia stated that he knew all were short of resources and his concern was when there was a pattern reported there needed to be thought given to how to address such hot spots such as police; and he would ask such strategy be given consideration; and Mayor White stated that he was trying to think of a committee or committees; that irresponsible animal owners was a serious matter and he needed his colleagues help; that he would ask for innovative thought, the way they responded to calls on stray animals was almost doomed to failure without massive increases in resources and Director Williams and others did sweeps of neighborhoods, but he and Director Williams did need Council's judgment; and Council Member Garcia stated that he would be happy to partner with Quality of Life, but he did not want to wait until something happened before money was there. Council Members Johnson and Wiseman absent.

Council Member Clutterbuck stated that she had spoken on the issue multiple times and it plagued all districts, neighborhoods were terrorized and a 23 minute hold time was unacceptable and if the leash law was enforced perhaps it would be used. Council Members Johnson and Wiseman absent.

Council Member Edwards stated that this was public safety and the same fear as if it was a lion and she would suggest it be taken care of. Council Members Johnson, Wiseman and Khan absent.

Ms. Penny Fiederlein, 1424 Ashland, Houston, Texas 77008 (713-779-9860) appeared and stated that this was a public safety issue for the entire city and the current procedures BARC used did not work and should be looked at; that they understood city resources were limited, but they were concerned resources were being placed toward adoption, which was fabulous, but if it was being done at the expense of safety of citizens then it needed to be looked into. Council Members Johnson, Wiseman and Khan absent.

Council Member Garcia stated that similar strategy such as what was used in law enforcement needed to be used, look at calls for service; and with an active pedestrian neighborhood and loose dogs priority and strategy needed to be rethought; that he

would lend support to BARC as he knew they tried but it needed to be rethought. Council Members Johnson, Wiseman and Khan absent.

Council Member Holm stated that she was happy for Quality of Life to address this, but it was also public safety and health and Council Member Lawrence through Regulatory Affairs had been addressing this and to accomplish goals it was about regulation and being able to enforce it. Council Members Johnson, Wiseman and Khan absent.

Mayor White stated that he was not prejudging, but needed help and guidance, and Council was familiar that if they said more somewhere there would be less somewhere else, but on animal control they needed more people and more resources and also were resources used efficiently for the purpose; and Council Member Holm stated that they did have great partnerships and when the county did this and the private sector and city so there may be a way to pool resources. Council Members Johnson, Wiseman and Khan absent.

Council Member Lawrence stated that because of complaints, without an appointment, she went to BARC and did a tour and spoke with the director and improvements had been done, but she would urge them to also go and let the director know of their priorities and she believed he would like to hear them; and Ms. Fiederlein stated they were not opposed to supporting and assisting, they were just getting no feedback. Council Members Johnson, Wiseman and Khan absent.

Mr. David Ross, 3308 Yupon, Houston, Texas 77006 (713-630-0615) appeared and stated that he was a professor of English as a second language at Houston Community College and for 15 years worked at the Gulfton location and was present in support of Item 14, closing a section of Rookin Street in connection with construction of a neighborhood community center proposed by Neighborhood Centers, Inc.; and hoped Council would approve the measure. Council Members Wiseman, Khan and Berry absent.

Mr. Jonathan Day, 600 Travis, Houston, Texas 77002 (713-220-4715) appeared and stated that he was Chair on the board of Neighborhood Centers and in support of closing a portion of Rookin Street for the Neighborhood center they were proposing to build; that this was opportunity to create a center and public space for the entire region; and in addition they had a petition. Council Members Wiseman, Khan and Berry absent.

Upon questions by Council Member Khan, Mr. Day stated that they worked closely with the Health Department, Mr. Williams and his staff, and saw synchronism between services in the multi-service center and what they would offer which would be a charter school and lots of opportunities for adult education and the area between the two on the Rookin closure would be a public plaza used by citizens in the area; that they knew of the traffic concern, but had a traffic analysis done and it concluded no material adverse affect on traffic. Council Members Wiseman, Khan and Berry absent.

Council Member Clutterbuck thanked Mr. Day for his advocacy on behalf of the closure and for his leadership with Neighborhood Centers, it was a tremendous contribution to the City of Houston. Council Members Wiseman, Khan and Berry absent.

Ms. Bea Marquez, 5931 Coaridge Drive, Houston, Texas 77096 (832-867-7450) appeared and stated that she worked in the area and many children would never get to go on vacations or to summer camps and if Neighborhood Centers was proposing the project then the city needed to get behind them for those children; and challenged Council to vote in favor of the children in that area and ensure their lives and futures. Council Members Wiseman and Berry absent.

Council Member Garcia stated that he knew Neighborhood Centers to be one of the premier social service agencies and partners in and to the city in many regards and never seen them not approach a project without deep methodical thought and never heard complaints on any of their facilities; and this would boost the Southwest/Gulfton community and the city and he would follow Council Member Khan's lead. Council Members Wiseman and Berry absent.

Ms. Maria Fernandez, 5711 Westward #177, Houston, Texas 77081 (713-726-2654) had reserved time to speak but was not present when her name was called. Council Members Wiseman and Berry absent.

Ms. Lucia Medina, 5900 Elm #524, Houston, Texas 77081 (832-640-3004) appeared and spoke in Spanish in support of Item 14, closure of a portion of Rookin Street. Council Members Lawrence, Clutterbuck, Wiseman, Garcia and Berry absent.

Ms. Marlen Eredia, 6114 Renwick #181B, Houston, Texas 77081 (713-432-0438) appeared and stated that she saw a need to learn English for a better future for her and her family and was in support of closing Rookin Street as she believed it would allow families a chance to participate together in a safe environment. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Garcia, Alvarado and Berry absent. (NO QUORUM PRESENT)

Ms. Virginia Rivera, 5720 Rampart, Houston, Texas 77081 (713-995-8365) appeared and spoke in Spanish in support of Item 14, closure of a portion of Rookin Street as it would be beneficial to families. Council Members Johnson, Wiseman, Garcia, Alvarado and Berry absent.

Ms. Rosa Gomez, 2800 Rolido #2412, Houston, Texas 77063 (713-278-8573) appeared and stated that she was in support of NCI and closing Rookin Street as the community had no safe place for children to play or families to meet; and the center would have programs for children and adults. Council Members Johnson, Wiseman, Garcia, Alvarado and Berry absent.

Mr. Ramiro Guzman, 5982 Renwick, Houston, Texas 77081 (713-314-3551) had reserved time to speak but was not present when his name was called. Council Members Johnson, Wiseman, Garcia, Alvarado and Berry absent.

Mr. Dan Raine, 5117 Lido Lane, Houston, Texas 77092 (713-598-0008) appeared and stated that he was the pedestrian bicycle coordinator for the Houston Galveston Area Council and they looked at the entire 5,500 square mile region and the number one place to invest in walking and biking was Gulfton; that the apartments were full of families and it was the number one area for pedestrian, and bicycle fatalities in the region; that the hike and bike trail would bring adhesion to the area and through opportunities offered by community centers and the like they could address the issue

and they supported Item 14. Council Members Johnson, Wiseman, Garcia, Alvarado and Berry absent.

Council Member Brown thanked Mr. Raine for what the HGAC was doing and the planning they were engaged in; and upon questions, Mr. Raine stated that beside schools or a small strip of land in the apartment the children had to play in parking lots or streets. Council Members Wiseman, Garcia, Alvarado, Lovell and Berry absent.

Ms. Solly Diaz, 6441 High Star, Houston, Texas 77074 (713-779-6400 X242) appeared and stated that she was present in favor of closing Rookin Street as she worked at the health center on High Star and she thought it would be safer for people and provide a place people could get together. Council Members Wiseman, Garcia, Alvarado, Lovell and Berry absent.

Upon questions by Council Member Khan, Ms. Diaz stated that yes, they would be affected by the street closure, but they felt it would minimize traffic as now people used the intersection as a cut through and felt it would be safer; and Council Member Khan stated that he felt it would provide a place for children to play as there was none in the whole area. Council Members Wiseman, Garcia, Alvarado, Lovell and Berry absent.

Mayor White stated that he heard a lot about safety and that police district was a laboratory and this would be the first year out of five where the number of violent crimes was less than 2,000, it had dropped dramatically and there was a much larger population so they were working hard to get things done and crime trends were headed in the right direction. Council Members Clutterbuck, Wiseman and Berry absent.

Ms. Rhoda Toubine, 6500 Sandspoint, Houston, Texas 77074 (713-995-8184) appeared and stated that she was a homeowner and represented 122 families in the complex and they welcomed the neighborhood center, however, closing Rookin at Sands Point was a disaster waiting to happen and constituted a hazard, it would eliminate access to Bellaire Blvd., post office, hospital, the middle school and fire department and would isolate them; and urged review of closing Rookin; and expressed disappointment of Council for not notifying residents of the proposal. Council Members Clutterbuck, Wiseman and Berry absent.

Council Member Khan stated that Ms. Toubine's concerns were valid, but an independent traffic study was done and it said there would be virtually no impact; and Ms. Toubine stated that she thought it would constitute a major problem. Council Members Clutterbuck, Wiseman, Green and Berry absent.

Council Member Lawrence stated she was told a sign was posted giving a number for opinions to be called in; and Ms. Toubine stated that a sign was posted for two days and said abandonment of street and three or four days after calling received another call; and Council Member Lawrence stated that it was 87% for and 13% against; and Mr. Xiong and Mr. Norman were present if she would like to speak with them. Council Members Clutterbuck, Wiseman and Green absent.

Council Member Holm stated that she did not want to question the merit of the process or need for it, but communication and involvement were critical in coming to conclusions and there should be conversation with the entire community; and Ms. Toubine stated that they kept being told they were the Gulfton area and they were

not Gulfton and did not appreciate being called Gulfton. Council Members Clutterbuck and Wiseman absent.

Ms. Nicole Willis, 6501 Bellaire Blvd., Houston, Texas 77074 (281-744-9793) appeared and stated that she was a social worker at Jane Long Middle School located on the corner of Bellaire and Rookin and was present on behalf of the principal and 1,300 students she served and their families and believed Rookin should be closed because of safety; that on several occasions she had to make reports of men sitting in their cars masturbating and that was Rookin, also people tempted children to use drugs and she felt this would help with safety and allow them somewhere to play. Council Members Wiseman and Holm absent.

Council Member Garcia stated that all she touched on were good reasons this would be a commodity and valuable for the community and as Chair of the MWBE Committee he was looking for ways economy stayed strong and such resources would enable this. Council Members Wiseman and Holm absent.

Upon questions by Council Member Khan, Ms. Willis stated that most students lived in apartment complexes along Hillcroft and Bellaire across from the street and if Rookin was closed they would be able to walk through it. Council Members Wiseman and Holm absent.

Council Member Edwards stated that she heard of many challenges in the area, but Ms. Willis spoke of opportunity and they could say yes to this and that was powerful; and she appreciated her work and passion. Council Members Wiseman and Holm absent.

Ms. Toni Maheshwari, 6701 Sandspoint, Houston, Texas 77074 (281-744-9793) appeared and stated that she was speaking on behalf of her sister and others who worked also who were concerned with the closing of Rookin; that Neighborhood Centers, Inc. a well financed private agency purchased a vacant building to provide services not for homeowners, but to immigrants who lived outside the neighborhood to teach English, etc., and they called it Gulfton but it was not; that now they wanted to close Rookin and commonsense said if you closed a street other streets would be affected; that they intended well, but the best interest of homeowners should be considered. Mayor White and Council Member Holm absent. Acting Mayor Pro Tem Berry presiding.

Ms. Sherry Housley, 5701 Sandspoint 32, Houston, Texas 77074 (713-771-3754) had reserved time to speak but was not present when his name was called. Mayor White and Council Member Holm absent. Acting Mayor Pro Tem Berry presiding.

Mr. Kermit James, 6701 Sandspoint #84, Houston, Texas 77074 (713-772-8431) appeared and stated that he was a professional engineer retired from Gulf Oil International and president of the board of directors of Sandspoint Condominiums, one block north of the proposed closing of Rookin and they had a community of 141 townhomes and he heard of none in favor of the closing; that they did not want it closed for any reason and did not feel the project was dependent on having the green center; and urged it not be approved. Mayor White and Council Members Holm and Alvarado absent. Acting Mayor Pro Tem Berry presiding.

Mr. Randall Smith, 9000 West Bellfort #311, Houston, Texas 77031 (713-728-1126) appeared, displayed a picture and stated that he was president of Randall Management, Inc., and was present representing the Sandpoint West Condominium Association, 141 condominium owners, and they had a petition signed which he would pass for Council Members to view; that if Rookin was closed Tarniff would take on more traffic and traffic studies were done but owners who represented the neighborhood had not been privy to the information promised on July 19th and this was a surprise meeting today they found out about; that they also felt a sewer study should be done; that the picture he displayed was dated April, 2006, and it was the corner of Sands Point and Tarniff and it was totally flooded and no one mentioned that, it was overlooked and would cause problems. Mayor White and Council Members Edwards, Holm and Alvarado absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Lawrence, Mr. Smith stated that he never saw a sign posted, but he did not travel the street daily. Mayor White and Council Members Edwards and Holm absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Khan, Mr. Smith stated that besides flooding and traffic Council promised a hearing on July 19th specifically for this; and Council Member Khan stated that the independent study showed the traffic flow would only go from 5.2 seconds to 5.7 seconds; and upon further questions, Mr. Smith stated that closing the street would not increase flooding, but it would cut off an entrance which did not flood. Mayor White and Council Members Edwards and Holm absent. Acting Mayor Pro Tem Berry presiding.

Ms. Belle Watson, 6649 DeMoss, Houston, Texas 77074 (713-349-9700) appeared and stated that she lived in the area next to Rookin and had since 1980 and seen many changes, they now had two hospitals, numerous doctors offices, day cares, etc., and all brought a lot of traffic, but residents were not notified and closing the street would be a detriment and hazard to the area and she begged they consider this and not close Rookin. Mayor White and Council Members Edwards, Wiseman, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Ms. Geneive Herrera, 6121 Bellaire #16, Houston, Texas 77081 appeared and stated that she was in favor of closing Rookin; that she was a member of the community and believed it would provide a place for children to be safe and to play and families to meet. Mayor White and Council Members Edwards, Wiseman, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Ms. Maribel Alanis, 6120 Bellaire #208, Houston, Texas 77081 (832-887-0745) appeared and stated that she was a resident of the community and in favor of closing Rookin; that she had six children and some saw conduct Ms. Willis referred to which was a major concern and if the street was closed the vehicles would not be parked on the road. Mayor White and Council Members Edwards, Wiseman, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Ms. Monica Garcia, 6111 Glenmont #22, Houston, Texas 77081 (832-675-3610) appeared and stated that she lived in the community and thought if Rookin were closed it would provide safety to the children going to and from Jane Long Middle School. Mayor White and Council Members Edwards, Wiseman, Holm and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Ms. Tammy Rodriguez, 6111 Glenmont #21, Houston, Texas 77081 (713-933-5625) appeared and stated that she was with the Gulfton Super Neighborhood and resident of the community as well as worked there; that the green space connecting the two centers was needed for a long time, the project was in the running 10 years and now that it was hear people wanted to join in and beautify and so why oppose it; and asked that Council close the street and make the area a better community. Mayor White and Council Members Edwards, Wiseman, Holm and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Khan thanked Ms. Rodriguez for all she did for the city and her area; and that she mentioned the multi-service center was in planning 10 years and he knew in Council Member Driscoll's time the community wanted it and he supported and so did Council Member Ellis and he supported the South West Multi-Service Center and he did not see it as a Gulfton Service Center, but a center for all around the area; that all in the area were appreciative of Neighborhood Centers because everywhere they went the area improved and no one was against the services, but whether the traffic flow would be adverse and the traffic study convinced him there was no problem. Mayor White and Council Members Edwards, Wiseman, Holm and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown stated that it was how the complex served and worked with the rest of the neighborhood and he would urge pressure on the city to deal with issues such as safe streets, sidewalks where needed, proper lighting, etc., and he was happy to put time in; and Ms. Rodriguez stated that the Center helped to light the area immensely and in addition the green space in between would add more lighting and would not effect the city or taxpayer's money. Mayor White and Council Members Wiseman, Holm and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Jay Malhotra, 12207 Westmere Drive, Houston, Texas 77077 (713-962-5555) appeared and stated that he was addressing urban development in Houston and many Council Members had traveled to famous cities in the world which conjured images at the mention of their name, they were world class cities; that since the 1970's Houston was referred to as the Oil Capital of the World, the Space Center of the World, third busiest port, fourth largest city in the U. S., etc., but why can tourists visit most sites in one afternoon and that most thought it was a nice city but not worth a return trip; that they needed to offer more than outdated downtown skyscrapers and needed to plan with a vision to compete in the economy, to develop monuments and plazas to bring people together such as what they spoke of today, parks and green spaces to live in and a high rail system like in Bangkok; that the visual aesthetics should be improved, etc. they had a long way to go to be a world class city; that Beijing and Shanghai underwent a miraculous transformation in less than 20 years. Mayor White and Council Members Lawrence, Wiseman and Holm absent. Acting Mayor Pro Tem Berry presiding.

Council Member Edwards stated that she did not agree with him and thought Houston was a world class city with many amenities, and comparing Houston to Beijing or Shanghais they operated a different way, they made a decision and spent the money; that his passion for Houston becoming better was well spoken, but apples had to be compared to apples. Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Brown stated that they should take note Mr. Malhotra brought a very decided international perspective of how the future of Houston should be looked at and it was true they needed to compete on economics and quality of life and it was an enormous challenge. Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Paul Kubosh, 1701 Lubbock, Houston, Texas 77007 (281-850-0171) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. William Barker, 9966 Kirkdale, Houston, Texas 77089 (832-519-4332) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr/Coach R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Jay Hall, 3212 Jackson, Houston, Texas 77004 (832-748-2843) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding.

Ms. Phaegra Vaughner, no address (832-453-6381) had reserved time to speak but was not present when her name was called. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding.

Dr. Ed Bradley, 635 W. 31st., Houston, Texas 77008 (713-697-2424) had reserved time to speak but was not present when his name was called Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding.

Mr. David Fowler, 3430 Brinton Trail, Katy, Texas (832-713-6091) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding.

Ms. Aglaet Rosado, 4526 Sunders Road, Houston, Texas 77093 (832-876-7291) appeared and stated that she was present with a problem families of Farington Place faced for years; that after Hurricane Allison the Flood Division bought the majority of the community and it had become a landfill with everything from trash to dead bodies being dumped there; that it was a haven for vandalism and criminal acts and she was concerned for all there; that they suggested having Saunders Road closed but their request was not acknowledged and several other streets were closed; that they still had their problems and were concerned for their safety and were asking for Saunders to be

closed from Hwy. 59 and for their area to be cleaned. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia and Alvarado absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Johnson, Ms. Rosado stated that Flood Control left four families; that she thought they were not bought out because they were after a couple of big businesses which were not bought and Council Member Johnson stated that she had been speaking with Linda in his office but he did not know they wanted the street closed and if she would get back with Linda and Alvin Byrd they would at some point try to come to a resolution, it made sense to close the street as it gave access to no other communities and he would try and get a resolution. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the actual U. S. President; and continued expressing his personal opinions until his time expired. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Richard Freeman, 121 Riggs Road, Houston, Texas 77022 (no phone) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Justina Chen, 2626 Folage Green, Houston, Texas 77339 (281-358-6468) appeared and stated that she appeared three times before Council; that her house was broken into and she was poisoned with lethal substances; and continued expressing her personal opinions until her time expired. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 3932 O. S. T. #E, Houston, Texas 77021 had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

At 4:19 p.m. City Council recessed until 9:00 a.m., Wednesday, December 20, 2006. Mayor White and Council Members Lawrence, Wiseman, Holm, Garcia, Alvarado and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, December 20, 2006

The Houston City Council reconvened at 9:00 a.m. Wednesday, December 20, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director, present.

Note: Council Member At Large Position 3 vacant.

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

At 9:30 a.m. Mayor White called the meeting to order. Council Members Clutterbuck, Lovell, Green and Berry absent.

MAYOR'S REPORT

MISCELLANEOUS - NUMBERS 1 through 8

1. CONFIRMATION of the reappointment of the following to the Ethics Committee with two-year staggered terms:
 - Position Four - **DR. FRANKLIN JONES**
 - Position Six - **MR. NOMAAN HUSAIN**- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Lovell, Green and Berry absent. MOTION 2006-1153 ADOPTED.
2. REQUEST from Harris County AFL-CIO Council for confirmation of the reappointment of **MR. DEAN CORGEY** to Position Two of the **ETHICS COMMITTEE**, for a term to expire December 31, 2008 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Lovell, Green and Berry absent. MOTION 2006-1154 ADOPTED.
4. REQUEST from Mayor for appointment or reappointment of the following as **PART-TIME MUNICIPAL COURT JUDGES**, for two year terms:
 - Position 5 - **ALICE J. O'NEILL**, reappointment
 - Position 13 - **RAY L. COX, JR.**, appointment
 - Position 25 - **TOLA ORESUSI**, appointment
 - Position 30 - **ARTHUR M. LINCOLN**, reappointment
 - Position 34 - **KATHRYN DIAZ GARCIA**, appointment- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Lovell, Green and Berry absent. MOTION 2006-1155 ADOPTED.
6. RECOMMENDATION from Director Houston Airport System for approval of membership fees in the Airports Council International (ACI) for the period January 1, 2007 through December 31, 2007 - \$192,030.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Lovell, Green and Berry absent. MOTION 2006-1156 ADOPTED.
8. RECOMMENDATION from Office of the Mayor to suspend rules for the purpose of rescheduling presentation of the Monthly Financial and Operations Report for the period ending November 30, 2006 from January 3, 2007 to January 10, 2007 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Lovell, Green and Berry absent. MOTION 2006-1157 ADOPTED.

Mayor White stated that some of the hardworking, unsung heroes were full time Municipal Court Judges and some were present and invited those present to stand to be recognized; and thanked them for their public service. Council Members Clutterbuck, Lovell, Green and Berry absent.

ACCEPT WORK - NUMBERS 11 through 13

11. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$550,072.60 and acceptance of work on contract with **ARC ABATEMENT, INC** for Asbestos Abatement and Demolition of Buildings 18, 19, 20 and 21 for SMGCS/Civil Site Work at William P. Hobby Airport, Project No. 566C - 01.24% over the original contract amount - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Green and Berry absent. MOTION 2006-1158 ADOPTED.
12. ORDINANCE appropriating \$69,787.00 out of Airports Improvement Fund as an additional appropriation for Construction Contract No. 56290 (approved by Ordinance 2004-943) by and between the City of Houston and **STEWART-MATL, LTD.** for Terminal E/FIS EDS Interim In-Line Baggage Handling System; WBS A-000486-0002; (Project 612B) – was presented. All voting aye. Nays none. Council Members Clutterbuck, Lovell, Green and Berry absent. ORDINANCE 2006-1247 ADOPTED.
- 12a. RECOMMENDATION from Director Houston Airport System for approval of Change Order No. 2 in the amount of \$69,787.00, final contract amount of \$4,447,987.00 and acceptance of work on contract with **STEWART-MATL, LTD.** for Terminal E/FIS EDS Interim In-Line Baggage Handling System; (Project 612B) at George Bush Intercontinental Airport/Houston (IAH); WBS A-000486-0002-4-01 and A-000486-0002-4-02 - 14.52% over the original contract amount - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Green and Berry absent. MOTION 2006-1159 ADOPTED.
13. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$3,160,335.85 payable jointly to **UNITED STATES FIRE INSURANCE COMPANY, Surety** and **S/A CONSTRUCTION SERVICES, L.P.** and acceptance of work for Construction of Fire Station 33, WBS No. C-000076-0001-4 - 04.30% over the original contract amount **DISTRICT D – EDWARDS** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Clutterbuck, Green and Berry absent. MOTION 2006-1160 ADOPTED.

PROPERTY - NUMBERS 14 through 19

14. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from the Directors of the Building Services and Health and Human Services Departments of the City of Houston, in cooperation with Neighborhood Centers Inc., (NCI) (Angela Blanchard, President), for abandonment of Rookin Street, from Highstar Drive to

Sandspoint Drive, located in the Sharpstown Industrial Park Section 6, out of the G. C. & S. F. R. R. Survey, Section 2, A-1026, Parcel IT7-005 - **DISTRICT F - KHAN** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1161 ADOPTED.

15. RECOMMENDATION from Director Department of Public Works & Engineering for approval of motion declining the acceptance of, rejecting, and refusing the dedication of an alley from Stiles Street to Lockwood Drive, between Texas Avenue and Harrisburg Boulevard, located in the Oak Lawn Annex Addition, out of the S.M. Williams Survey, Parcel SY7-018 - **DISTRICT H - GARCIA** was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1162 ADOPTED.
16. RECOMMENDATION from Director Department of Public Works & Engineering approving and authorizing payments for appraisal services for the **BRITTMOORE ROAD RECONSTRUCTION PROJECT from I-10 to Hammerly**, N-000663-00RE-2-01-01 - **DISTRICT A – LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1163 ADOPTED.
18. RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and not file any objections to the award in connection with eminent domain proceeding styled City of Houston v. Mak Associates, Ltd., a Texas limited partnership, et al., Cause No. 871,120; for acquisition of Parcel DY4-015; for the **I-10 @ STATE HWY. 6 WATERLINE EASEMENTS PROJECT**, WBS No. S-000900-0096-2 - **DISTRICT A – LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1164 ADOPTED.
19. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel LY6-058, located on the east line of Monroe Street, owned by Raydius, Joint Venture, Chris Gibson, Managing Partner, for the **MONROE ROAD PAVING IMPROVEMENTS PROJECT from Almeda-Genoa Road to Fuqua Street**, N-000663-00RE-2-01-01 - **DISTRICT E – WISEMAN** was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1165 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 20 through 26

20. **AAR, INCORPORATED** for Asbestos Abatement, Demolition and Site Clean-Up Services for Police Department - \$74,075.00 and contingencies for a total amount not to exceed \$77,778.75 Dangerous Building Consolidated Fund - **DISTRICTS B - JOHNSON; D - EDWARDS; H - GARCIA and I – ALVARADO** was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1166 ADOPTED.

21. **CHERRY ENVIRONMENTAL SERVICES, INC** for Asbestos Abatement, Demolition and Site Clean-Up Services for Police Department - \$39,500.00 and contingencies for a total amount not to exceed \$41,475.00 - Dangerous Building Consolidated Fund - **DISTRICT H - GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1167 ADOPTED.
22. **CST ENVIRONMENTAL, INC** for Asbestos Abatement, Demolition and Site Clean-Up Services for Police Department - \$48,600.00 and contingencies for a total amount not to exceed \$51,030.00 - Dangerous Building Consolidated Fund - **DISTRICTS B - JOHNSON; D - EDWARDS; H - GARCIA and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1168 ADOPTED.
23. **HEWLETT PACKARD** for Maintenance and Support Services through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases for Department of Public Works & Engineering - \$897,950.00 - Enterprise and Building Inspection Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1169 ADOPTED.
24. **SIRIUS COMPUTER SOLUTIONS, INC d/b/a Sirius Enterprise Systems Group, LLC** for Spending authority to Purchase Integrated Facility for Linux and Z/VM Software with Maintenance and Support Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$165,350.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1170 ADOPTED.
26. **AMEND MOTION #2005-269, 3/30/05, TO EXTEND** expiration date from March 30, 2007 to March 29, 2008, for Steel Construction Materials Contract for Various Departments, awarded to **NORTH SHORE SUPPLY COMPANY, INC** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1171 ADOPTED.

ORDINANCES - NUMBERS 30 through 58

30. ORDINANCE consenting to the addition of 2.8824 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 150**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1248 ADOPTED.
31. ORDINANCE consenting to the creation of **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 158** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1249 ADOPTED.

32. ORDINANCE consenting to the creation of **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 159** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1250 ADOPTED.
33. ORDINANCE consenting to the addition of 24.8903 acres of land to **MONTGOMERY COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1251 ADOPTED.
36. ORDINANCE approving and authorizing amendment to agreement between the City of Houston and **IBN SINA FOUNDATION, INC**, to provide additional funding in the amount of \$350,000.00 in Community Development Block Grant Funds for partial funding of the construction of Community Clinic located at 11226 S. Wilcrest Dr. - **DISTRICT F – KHAN** was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1252 ADOPTED.
39. ORDINANCE authorizing the acceptance of grant from the Department of State Health Services for the Cities Readiness Initiatives Program (DSHS No. 7460011640E-07-10); declaring the City's eligibility for such grants; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1253 ADOPTED.
40. ORDINANCE approving and authorizing grant agreement between the City of Houston and the Texas Department of Transportation for the Impaired Driving Mobilization Selective Traffic Enforcement Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's Representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1254 ADOPTED.
41. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **GREENSPPOINT COMMUNITY PARTNERS (“GCP”)** for the purpose of establishing the procedures and responsibilities for the reimbursement of certain overtime expenses of the Houston Police Department - \$250,000.00 - **DISTRICT B – JOHNSON** – had been pulled from the Agenda by the Administration, and was not considered.
42. ORDINANCE appropriating \$327,500.00 out of Parks Special Fund and approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Trail Improvements at Scottcrest Park (WBS No. F-000630-0001-3) - **DISTRICT D – EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1255 ADOPTED.
44. ORDINANCE appropriating \$347,538.40 out of Series E Commercial Paper Fund for Installation of Iron Fencing, with gates on nine blocks of existing parking under the Pierce Elevated under contract with **ASTRO FENCE COMPANY (#C54425)** - **DISTRICT I – ALVARADO** – had not been received, and the City Secretary

announced it would be considered at the end of the Agenda if received during the meeting. Council Member Berry absent.

45. ORDINANCE appropriating \$790,687.00 out of Police Consolidated Fund for the Replacement of HVAC System, Police Communications Building for the Building Services Department under contract with **CARRIER CORPORATION**, approved by Ordinance No. 2004-864 (WBS G-000109-0001-4) - **DISTRICT H – GARCIA** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1256 ADOPTED.
46. ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **BK AIRPORT PROPERTIES, LP**, for certain premises at Ellington Field **DISTRICT E – WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1257 ADOPTED.
- 46a. ORDINANCE approving and authorizing Amendment No. 1 to Lease Agreement between the City of Houston and **BOMASADA FLIGHT OPERATIONS, LLC**, for certain premises at Ellington Field **DISTRICT E – WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1258 ADOPTED.
47. ORDINANCE appropriating \$499,000.00 out of Airport System Bonds 2000B NONAMT Construction Fund and approving and authorizing Amendment No. 1 to the Professional Engineering Services Contract between the City of Houston and **DMJM AVIATION, INC**, for Engineering Services in connection with the Rehabilitation of Runway 12R-30I at William P. Hobby Airport; WBS A-000438-0001-3-01 (Project 619) - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1259 ADOPTED.
48. ORDINANCE appropriating \$100,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 2 to Professional Engineering Services Contract between the City of Houston and **TSC ENGINEERING COMPANY** for Engineering Services in connection with the New Perimeter Fence and Obstruction Removal at William P. Hobby Airport; WBS A-000439-0001-3-01; (Project 576) - **DISTRICT I – ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1260 ADOPTED.
49. ORDINANCE appropriating \$62,000.00 out of General Improvements Consolidated Fund and approving and authorizing Professional Services Contract for Pre-Design Services between the City of Houston and **JOHN KIRKSEY ASSOCIATES, ARCHITECTS, INC** for Kingwood Branch Library; WBS E-000097-0001-3 - **DISTRICT E – WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1261 ADOPTED.
50. ORDINANCE awarding construction contract to **BOYER, INC** for Mason Park Pavilion; WBS F-000615-0001-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, and

contingencies relating to construction of facilities financed out of the Federal Government Grants Fund - \$226,189.40 - **DISTRICT I – ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1262 ADOPTED.

51. ORDINANCE appropriating \$84,000.00 out of Police Consolidated Fund as an additional appropriation for the South Central Police Station Replacement Project under Professional Architectural Services Contract with **PAGE SOUTHERLAND PAGE, L.L.P.** (passed by Ordinance No. 2001-1140); WBS G-000058-0001-3 - **DISTRICTS D - EDWARDS; E - WISEMAN and I – ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1263 ADOPTED.
52. ORDINANCE approving and authorizing lease agreement between **WAYSIDE BUSINESS CENTER, LTD.**, a Texas Limited Partnership, as Landlord (“Landlord”), and the City of Houston, Texas, as Tenant (The “City”), for approximately 3,960 square feet of Office Space located at 4300 S. Wayside, Suite 109, Houston, Harris County, Texas, for use by the Public Works & Engineering Department - **DISTRICT I – ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1264 ADOPTED.
53. ORDINANCE appropriating \$41,973.12 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **THE PINEMONT PLAZA DEVELOPMENT CORPORATION** for Construction of Water Lines along Federal Plaza Drive; WBS S-000802-0047-4 - **DISTRICT A – LAWRENCE** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1265 ADOPTED.
55. ORDINANCE appropriating \$5,000.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing Professional Construction Management and Inspection Services Contract between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for Various Large Diameter Water Line Projects; WBS S-000900-00AC-4 - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1266 ADOPTED.
56. ORDINANCE appropriating \$800,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Construction Inspection Services Contract between the City of Houston and **OMEGA ENGINEERS, INC** (Approved by Ordinance No. 06-0274) (WBS No. S-000019-0031-4); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1267 ADOPTED.
57. ORDINANCE appropriating \$1,680,000.00 out of Drainage Improvements Commercial Paper Series F Fund, \$500,000.00 from Storm Water Utility Fund, awarding contract to **TOTAL CONTRACTING LIMITED** for On-Call Drainage Construction Contract (Work Order), WBS M-000126-00S8-4; setting a deadline for the bidder’s execution of the contract and delivery of all bonds, insurance, and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, and project

management relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund, Storm Water Utility Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1268 ADOPTED.

58. ORDINANCE appropriating \$919,803.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **STANDARD CEMENT MATERIALS, INC** for Wastewater Collection System Rehabilitation and Renewal, WBS No. R-000266-00G5-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed out of the Water & Sewer Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-1269 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. REQUEST from Mayor for confirmation of the reappointment of the following to the **HOUSTON MEDIASOURCE BOARD OF DIRECTORS**, for terms to expire December 31, 2008:

Position Three	-	MS. PATTY NILSSON
Position Five	-	REVEREND DR. DOUGLAS RICHNOW
Position Seven	-	MR. J. ALLEN PROVOST
Position Nine	-	MS. GILDA MCFAIL
Position Eleven	-	MR. RUDY GONZALEZ
Position Thirteen	-	MS. TERRI BAILEY PARRIS
Position Fifteen	-	MR. AL VERA

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Berry absent.

Council Member Lawrence stated that this was a heated discussion two years ago and all seven positions were appointed and it should be commended that all made a tremendous difference in their diversity and opinion on Media Source; and was pleased of the quality and thanked each for serving. Council Member Berry absent

Council Member Brown stated that he would second what Council Member Lawrence said and would single out Rev. Douglas Richnow who married him and his wife. Council Member Berry absent.

Council Member Garcia stated that he heard nothing but compliments to them, they understood and worked to make sure a great product was given and Mr. Al Vera was his teacher and Mr. Rudy Gonzalez was one who had a great future. Council Member Berry absent.

Council Member Green stated that on a point of personal privilege he saw appointments for Judges in the audience and again wished them to stand to be recognized. Council Member Berry absent.

Council Member Wiseman congratulated the directors for appointments and reappointments and thanked them for their commitment to quality programming; and Mayor White stated that they too were unsung heroes, people were asked to do tough things; and he thanked them.

A vote was called on Item No. 3. All voting aye. Nays none. MOTION 2006-1172 ADOPTED.

5. REQUEST from Mayor for reappointment of the following to the **PUBLIC PARKING COMMISSION**, for terms to expire December 31, 2008:
 - Position Seven - **MR. GERARD L. TORRES**
 - Position Nine - **MR. M. MARVIN KATZ**
 - Position Eleven - **MR. JOE R. MARTIN**
 - Position Thirteen - **MS. EVALYN LAING KRUDY**- was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Clutterbuck stated that she wanted to thank her good friend Ms. Evalyn Krudy and Marvin Katz, Mr. Torres and Mr. Martin; that this was a tremendous challenge and they were also unsung heroes.

Council Member Green stated that he wanted the record to reflect the name Gerard L. Torres and not Gerald L. Torres; and Mayor White stated that the record would reflect that.

Council Member Alvarado congratulated the individuals and recognized Liliana Rambo who had done a great job since she had been here; that all had a huge task but were off to a good start.

A vote was called on Item No. 5. All voting aye. Nays none. MOTION 2006-1173 ADOPTED.

7. RECOMMENDATION from Mayor's Office of Government Affairs for approval of renewal of membership dues with the **ALLIANCE FOR I-69 TEXAS** - \$30,000.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Clutterbuck stated that she wanted to add accolades to Ms. Ann Culver who was exceptional on her expertise of the issue and applauded the Greater Houston Partnership for keeping her in the leadership position.

Upon questions by Council Member Edwards; Mayor White stated to Mr. Michel and Ms. Stein that he did not know which entity had jurisdiction over statutes of trucking rules and regulations and safety and would like that answer; and Mr. Michel stated that they had pulled the regulations before and he would track them down.

Council Member Alvarado stated that she supported the alliance, but her experience with TXDOT was when public meetings were conducted there was little notice and all stake holders with jurisdiction should be notified.

Council Member Garcia stated that he supported the item and there would be discussion at the public safety meeting and he was glad it was moving into reality and Ms. Culver would discuss some issues at the meeting.

Council Member Brown stated that TXDOT had not shown great sensitivity to neighborhoods and landscaping was not included and he would like standards for that and for drainage; and Mayor White stated that he had dealt with some issues and there were a number of opportunities for public comment and as leaders they needed to think of how to remind people; that he personally never attended a stakeholder meeting of a highway project eight years out, but they needed to make sure issues were addressed and people showed up at meetings before projects were designed and contracts let, that was a real issue and one case where it worked right was the work Council Member Garcia and others put in on the I-45 issue where they changed big time what TXDOT was planning to do. Council Member Berry absent.

Council Member Lovell stated that her understanding was they were continuing to pay to be a member of the alliance and if they did not others would make decisions for them and it was important to be at the table and she would like them to map out their plan for the corridor in writing and use it as the blueprint in moving forward.

Council Member Holm stated that the TPC was an eye opener in how things happened and thought communication and education was the hardest task they had and they needed the TXDOT project but needed it to serve citizens; and they could also learn from TXDOT as once they began a project they knew how to manage it and how to get it done. Council Member Clutterbuck absent.

Council Member Edwards stated that she was not concerned about outreach but the use of leaded gas by the trucks, the inspection of tires, etc., and the issue of land acquisition as the highway went up; and that was her definitive questions; and Mayor White stated that over 50% of the vehicular emissions, regulated chemicals by the EPA, were in noncompliance and they needed to think clearly about what they did in the future; and again would ask did the treaty trump local and state law.

Council Member Lawrence stated that she would like to be sent copies of Council Member Edwards ideas.

Council Member Brown stated that a number of cities had an urban design review process that was a result of the state transportation agency working out an arrangement with the city and was very effective and that might be considered and he could draft out what the principles might be; and Mayor White stated that he would appreciate it. Council Member Berry absent.

A vote was called on Item No. 7. Council Member Edwards voting no. Balance voting aye. Council Member Berry absent. MOTION 2006-1174 ADOPTED.

9. RECOMMENDATION from Chief of Police for allocation of funding to Contract for Assessment Center for the Rank of Police Sergeant, between the City of Houston and **BOOTH RESEARCH GROUP, INC** for Houston Police Department - \$103,600.00 - General Fund – was presented and moved by Council Member Khan, seconded by Council Member Alvarado, and was tagged by Council Members Lawrence and Edwards. Council Member Berry absent.

Council Member Lawrence stated that to spend \$103,000.00 and on number 10 also, to spend that much money, at a time when money was tight she questioned the need to spend that much and thought a lot could be done in house and in the department and with a taskforce of outstanding citizens on boards such as approved today; and Mayor White stated that they would get an answer. Council Member Berry absent.

10. RECOMMENDATION from Chief of Police for allocation of funding to Contract for Assessment Center for the Rank of Police Lieutenant, between the City of Houston and **JUSTEX SYSTEMS, INC** for Houston Police Department - \$13,894.87 - General Fund – was presented and moved by Council Member Khan, seconded by Council Member Alvarado, and was tagged by Council Members Lawrence and Edwards. Council Member Berry absent.

PROPERTY

17. RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all costs of Court and withdraw objections to the award in connection with eminent domain proceeding styled City of Houston v. Realtycorp International Group, Ltd., a Texas limited partnership, et al., Cause No. 859,509; for acquisition of Parcel A98-14; for the **ROGERDALE PAVING PROJECT (Westpark Drive - Westheimer Road)**, CIP N-000644-0009-2 - **DISTRICT G - HOLM** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Berry absent.

Council Member Brown stated that in looking at the plans the section of Rogerdale had only about 50% sidewalks and when doing a construction project he believed the policy should be to put sidewalks in at that time, it was cheaper and safer; and Mayor White stated that Mr. Norman should get back with him. Council Member Berry absent.

A vote was called on Item 17. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-1175 ADOPTED.

PURCHASING AND TABULATION OF BIDS

25. **GTSI CORP.** for Web-Based Routing, Tracking and Scheduling System through the City's Intergovernmental Agreement with the County of Fairfax for Computer Products and Services under Section 791.025 of the Government Code for Solid Waste Management Department and that City Council declare the intent to reimburse this expenditure with proceeds from the City's General Obligation Commercial Paper Program Series E - \$838,571.64 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Green. All voting aye. Nays none. MOTION 2006-1176 ADOPTED.

ORDINANCES

27. ORDINANCE approving and authorizing special warranty deed conveying to Rogerio Gomez, a parcel of land containing 55,328 square feet (1.2702 acres), more or less, located in the J.T. Harrell Survey, A-329, (former Northeast Water Well Site No. 7, 3400 Dane Street, Parcel SY1-059); in consideration of Rogerio

Gomez's payment of \$166,698.40 and other consideration to the City - **DISTRICT H – GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2006-1270 ADOPTED.

28. ORDINANCE approving and authorizing special warranty deed conveying to Milroy Farms Business Park, Inc., a parcel of land containing 67,200 square feet (1.5427 acres), more or less, located in the Joseph Farwell Survey, A-262, (former Fire Station No. 89, located in the 14000 block of Bammel North Houston, Parcel SY6-042); in consideration of Milroy Farms Business Park, Inc.'s payment of \$285,600.00 and other consideration to the City - was presented. All voting aye. Nays none. ORDINANCE 2006-1271 ADOPTED.
29. ORDINANCE relating to **HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1**; consenting to the inclusion of certain land within the district; providing conditions for consent of the city to the creation of, and inclusion of land within, the district - **DISTRICTS A - LAWRENCE and G – HOLM** – was presented, and tagged by Council Member Berry. (NOTE: Council Member Berry released his tag later in the meeting.)

Council Member Lawrence stated that if possible she would like the item moved to the end of the Agenda, they may be able to resolve things; and Mayor White stated that it had been tagged so maybe as they went through the Agenda if things could be satisfied they would do it and if not the item was tagged.

34. ORDINANCE establishing the south side of the 2300 block of South Boulevard 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. ORDINANCE 2006-1272 ADOPTED.
35. ORDINANCE approving and authorizing first amendment to grant agreement between the City of Houston and **HOUSTON CHINESE SENIOR HOUSING CORPORATION** - **DISTRICT F – KHAN** - was presented. All voting aye. Nays none. ORDINANCE 2006-1273 ADOPTED.
37. ORDINANCE approving and authorizing contract between the City of Houston and **HEALTHCARE FOR THE HOMELESS-HOUSTON** providing up to \$230,000.00 in Community Development Block Grant (“CDBG”) Funds, which amount includes a limitation on additional funding in the amount of \$130,000.00, for the Administration and Operation of project access - was presented. All voting aye. Nays none. ORDINANCE 2006-1274 ADOPTED.
38. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON HELP, INC** providing up to \$288,096.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds for the Operation of a Community Residence and Child Care Facility, along with supportive services - **DISTRICT D – EDWARDS** - was presented. All voting aye. Nays none. ORDINANCE 2006-1275 ADOPTED.
43. ORDINANCE appropriating \$150,000.00 out of Storm Sewer Consolidated Fund and approving and authorizing contract between the City of Houston and **BECK**,

REDDEN & SECREST, LLP, for Professional Legal Services in connection with Southwestern Bell Telephone, LP, d/b/a AT&T Texas v. City of Houston (Civil Action No. 4:06-CV-03901 in the United States District Court for the Southern District of Texas, Houston Division) and related matters, providing a maximum contract amount – was presented, and was tagged by Council Member Wiseman.

54. ORDINANCE appropriating \$506,000.00 out of Street & Bridge Consolidated Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **COBB, FENDLEY & ASSOCIATES, INC** for Technical Assistance for Interagency Project Reviews; WBS N-000668-0011-3; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Fund - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; D - EDWARDS; G - HOLM; H - GARCIA and I - ALVARADO** – was presented, and tagged by Council Member Holm.

Council Member Holm stated the item called for \$506,000.00 from Street and Bridge Fund and she was tagging it as she had several questions, was it appropriated in the 2007 budget and if not what was being pushed; and this was to provide funding for engineering agreements for the METRO transit corridors of Harrisburg, Uptown, Southeast and Northline and why was the city paying for this and if this was work METRO needed to be providing the city why were they not a part of it and why were guidelines not set early on for the engineering process and the routes were already adopted so after the money was spent what option did they have should they find for some reason there was not compatibility with the mobility projection of infrastructure.

59. ORDINANCE authorizing an Interim Borrowing by the General Fund from various other funds of an amount not to exceed \$20,000,000.00; declaring an intent to reimburse such funds – was presented.

Council Member Wiseman stated that the borrowing of funds for a temporary period showed in the RCA a deficit was to occur on December 21st and she wanted to know the expectation; and Mayor White stated that he could give general but not specific and because of the two principal sources of revenue, property tax and sales tax, and because it was not evenly spaced to manage the cash flow they used inner fund borrowing; and Ms. Johnson was present and could answer questions; and Ms. Johnson stated that it would depend on how much property tax was received within the next two days, the county collected the city's tax revenues and sent them on a daily basis; that they may not need to borrow, but Friday there was a payroll of about \$40 million since all payrolls were now on the same day and just as a precaution they would like ability to borrow from other funds if needed and the same thing could occur at the next payroll date which would be January 4th and 5th; and Council Member Wiseman stated Council Members were being told this was not tagable and that was why she was posing questions; and upon further questions, Ms. Johnson stated that Friday if there were not enough taxes they would borrow enough to cover the difference and as soon as it came in starting next Wednesday and Thursday they would repay the funds and that would probably get them through, but once the second week in January came enough taxes would be paid in December that there should be no problems so if funds were borrowed they would be paid back by the middle of January. Council Members Holm and Berry absent.

Council Member Wiseman stated that she had a written amendment on Item 59 and presented a WRITTEN MOTION as follows: “to strike “no later than July 15, 2007” and replace, with “no later than January 31, 2007.”; and Ms. Johnson stated that she had no objection. Council Members Holm and Berry absent.

Upon questions by Council Member Garcia, Ms. Johnson stated that because of the short term it was not cost effective to go for outside borrowing; that if they had chosen that it would be a contract for Council’s vote. Council Members Holm and Berry absent.

Upon questions by Council Member Khan, Ms. Johnson stated that it was not a shortage of money overall, two things happened this year not anticipated last spring, the delay in setting the tax rate made tax bills go out later and they consolidated a two payroll system into one payroll; and with Council Member Wiseman’s amendment if they should have a need after January 31st they would have to come to Council, but that was when property taxes were due and they would have lots of money in cash and they never had a shortfall during that time period. Council Member Berry absent.

Council Member Wiseman stated that she was just speaking with Mr. Hall on another portion of the ordinance and that was the wording “intent”, it did not commit the city to paying within the listed timeframe; and Mr. Hall stated that he was explaining the F and A Director explained since time and memorial people paid taxes by January 31st and the budget year ran on a different cycle and she explained the cash flow; that if there was another Katrina and people could not get to the post office that last week in January would be the only reason; and Mayor White stated that if someone wanted to make an amendment which said “shall”; and Council Member Wiseman stated that she would move to change “intent” to “the city shall”; and Mayor White stated that with no objection by consent it was so amended and after one other speaker they would have Council Member Wiseman’s written amendment. Council Member Garcia absent.

Council Member Green stated that he did not oppose the written amendment but wanted to be sure the public knew this was inner city borrowing.

A vote was called on Council Member Wiseman’s written amendment which was amended by consent. All voting aye. Nays none. MOTION 2006-1176 ADOPTED.

A vote was called on Item 59 as amended. All voting aye. Nays none. ORDINANCE 2006-1276 ADOPTED.

MATTERS HELD - NUMBERS 60 through 63

60. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY5-042, located in the 1200 block of Allen Street, owned by Southern Pacific Transportation Company, Linda Baburek, Real Estate Property Manager, for the **HOUSTON HERITAGE CORRIDOR BAYOU TRAILS EAST HIKE AND BIKE PROJECT**, N-000420-0002-2-01-01 - **DISTRICT H - GARCIA** – **(This was Item 9 on Agenda of December 13, 2006, TAGGED BY COUNCIL MEMBER BROWN)** – was presented.

Council Member Brown moved to postpone Item 60 until January 10, 2007, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-1178 ADOPTED.

61. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **ALLSTEEL, INC** - \$172,778.27, **CORPORATE EXPRESS** - \$273,302.34, **GF OFFICE FURNITURE** - \$65,339.61, **LANDSCAPE FORMS** - \$48,761.65 and **THE HON COMPANY** - \$72,894.76 for Office Furniture from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$633,076.63 - General, Grant and Other Funds – **(This was Item 20 on Agenda of December 13, 2006, TAGGED BY COUNCIL MEMBER BERRY)** – was presented.

Council Member Berry stated that he had questions with regard to using grant money and other bond funds for furniture and he thanked Ms. Stein for getting him the answers and Mr. Norman for being upfront and proactive and Building Services.

A vote was called on Item 61. All voting aye. Nays none. MOTION 2006-1179 ADOPTED.

62. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Kleberg Street (Parcel No. SY3-046A), Fayette Street (Parcel No. SY3-046B), and Val Verde Street (Parcel No. SY3-046C), all as dedicated by Lamar Terrace Subdivision according to the plat thereof filed at Volume 32, Page 68, Harris County Map Records, between McCulloch Circle and Yorktown Street, as well as four utility easements, with attendant aerial easements, out of the following blocks of said Lamar Terrace Subdivision: 12,675 square feet out of Block 17 (Parcel No. SY3-046D), 8,296 square feet out of Block 16 (Parcel No. SY3-046E), 8,172 square feet out of Block 15 (Parcel No. SY3-046F), and 8,816 square feet out of Block 14 (Parcel No. SY3-046G); vacating and abandoning said streets to Houston Independent School District ("HISD") in consideration of the payment by HISD to the City of \$4,434,276.00 (to be paid out of HISD's Tax Increment participation in tax increment Reinvestment Zone Number One (the "St. George Place Zone") as revenues become available); vacating and abandoning said easements to HISD in consideration of the conveyance by HISD to the City of three utility easements containing 2,359 square feet (Parcel No. VY4-001A), 1,200 square feet (Parcel No. VY4-001B), and 1,200 square feet (Parcel No. VY4-001C), also located within said Lamar Terrace Subdivision, and the payment by HISD to the City of \$311,250 (to be paid partially in cash and partially by deduction in the balance of HISD's credit account established pursuant to an interlocal agreement between the City and HISD); and other good and valuable consideration **DISTRICT C – CLUTTERBUCK - (This was Item 22 on Agenda of December 13, 2006, TAGGED BY COUNCIL MEMBERS CLUTTERBUCK and BROWN)** – was presented.

Council Member Clutterbuck moved to postpone Item 62 to January 17, 2007, seconded by Council Member Brown. All voting aye. Nays none. MOTION 2006-1180 ADOPTED.

63. ORDINANCE granting the petition of **THE WOODLANDS LAND DEVELOPMENT COMPANY, L.P.** to include certain land in Montgomery County, Texas within the extraterritorial jurisdiction of the City of Houston; expanding and extending the extraterritorial jurisdiction of the City of Houston to include all of such land in accordance with Section 42.022(b) of the Texas Local Government Code – **(This was Item 24 on Agenda of December 13, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. ORDINANCE 2006-1277 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Brown wished all a wonderful holiday, Merry Christmas and Happy New Year; and stated that it was wonderful to serve on Council and wanted to endorse Council Member Garcia's idea for a master plan to get Vince Young to play for the Texans; and in 2007 would like a proactive approach taken to building Houston.

Council Member Brown read off a list of 10 resolutions he would like next year which were housing policies in neighborhoods, crime prevention programs restored, parks, historic preservations enacted and three neighborhood preservation plans adopted, litter on a stick pilot program to bury overhead utility lines, Buffalo Bayou Master Plan adoption, Houston Parking Authority establish with three public/private mixed use urban projects underway, Lower Fifth Ward Plan adoption and the Houston General Plan adopting part I with the envision and goal statement and analysis of future development trends. Council Members Khan, Lovell and Green absent.

Council Member Clutterbuck stated that she would like all to think of the noise ordinance and dangerous dog ordinance and enforcement; and Mayor White stated that he would say to Mr. Fontaine or Ms. Stein they knew the issues where HPD officers were qualified and responding to crime and this was a serious problem and he wondered if there was technology, noise sensors which could be placed around and give a sense of directionality and he would like help on going about the enforcement of the ordinance; and Council Member Clutterbuck stated that she would like to give thanks to Capt. Richard Gutner with the Westside Command Station who took it upon himself to bring parties together with Sam's Boat and the adjacent neighborhoods on Richmond to keep the overwhelming phone calls away from the HEC Center. Council Members Johnson, Khan, Lovell and Green absent.

Council Member Clutterbuck stated that it was a privilege to serve with each of her colleagues and she wished all a Merry Christmas and a Happy New Year. Council Members Johnson, Khan, Lovell and Green absent.

Council Member Wiseman stated that she wanted to thank some hard working employees and thanked Mr. Bobby Oaks with Code Enforcement for his quick action and service to constituents in District E and Ms. Susan Christian who can make things happen; and also wanted to congratulate the Kingwood High School Band who would be marching in the Rose Bowl Parade and needed streets closed for practice and with that wanted to thank Dr. Guy Sconzo, Dr. Linda Stegall, Capt. Mark Curran, Sgt. Bernard Simien, Capt. Glenn Yorek, Steve Whitton, Larry Shifflett and Ron Hickman for their efforts. Council Members Khan and Lovell absent.

Mayor White stated that Council Member's Berry and Lawrence were releasing their tag on Item 29; and asked the item be called. Council Members Khan and Lovell absent.

29. ORDINANCE relating to **HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1**; consenting to the inclusion of certain land within the district; providing conditions for consent of the city to the creation of, and inclusion of land within, the district - **DISTRICTS A - LAWRENCE and G - HOLM** – was again before Council. All voting aye. Nays none. ORDINANCE 2006-1278 ADOPTED. Council Member Khan and Lovell absent.

Council Member Johnson stated that he was thankful to be a part of a great Council and looked forward to an even greater year next year; and would echo Council Member Brown on the comprehensive plan; that he thought the lower Fifth Ward was an underserved neighborhood and would be moved in the right direction; and was excited about the future for District B and the whole City of Houston. Council Member Khan absent.

Council Member Johnson thanked all for a great year and wished all a blessed holiday season and prosperous new year. Council Members Clutterbuck and Khan absent.

Council Member Johnson stated that he wanted to report that the Winter Wonderland held Monday at the Wortham was a tremendous success with over 350 children from District B and the most beautiful was seeing all dressed in their formals and gowns performing the waltz and they had a sit down dinner with demonstrations of etiquette and a King and Queen were crowned and he thanked Council Member Brown and Rep. Turner for escorting them; that a lot of sponsors and people put in a lot of work and he thank them all. Council Members Clutterbuck, Khan and Berry absent.

Council Member Johnson stated that there was also a party held last week for senior citizens with food baskets given away; and as the season ends he wanted to say thank you to all who had done so much. Council Members Clutterbuck, Khan and Berry absent.

Council Member Johnson stated that with the season ending he would be having a Christmas Party tonight and invited all to come, eat, drink and be merry and it would be at the Red Cat Jazz Café and he also invited the entire district and hoped all would stop by. Council Member Clutterbuck absent.

Council Member Lovell wished all a Merry Christmas and Happy New Year; and stated that the year went quick but it was amazing and she still felt a sense of awe and responsibility each time she walked into the chamber and knew it was a privilege; that it was a privilege to have such colleagues and the people and diversity in Houston was incredible, it was a city of opportunity; and thanked her staff for making the year go so smoothly. Council Member Clutterbuck absent.

Council Member Edwards stated that she wished all a blessed Hanukah, blessed Kwanza, blessed Christmas and to those who celebrated neither a good two weeks off. Council Member Clutterbuck absent.

Council Member Edwards stated that the Children's Museum of Houston was number one out of 250 others in the country for the last three ratings and they should go visit. Council Member Clutterbuck absent.

Council Member Edwards stated that they were asking people to commit to 12 hours of service a month, it could even be to your own family, your kids, your spouse or your church, etc., but a lot could be accomplished. Council Member Clutterbuck absent.

Council Member Edwards stated that the flooding committee would be holding a meeting in January dealing with the new FEMA maps and what that meant to the city; that she congratulated them for a successful year as they had worked on tough ordinances which brought together large communities and with Public Works they got great ordinances passed. Council Member Clutterbuck absent.

Council Member Edwards stated that she had a policy she needed help with, when they passed the good neighbor ordinance two weeks ago they added the sex offender background check, but now she would like to know the process, if all applicants were to be screened or would there be an assumption if you were a police officer or firefighter did they consider you already having a background check; who would do the screening and how long would the background check be; and would they only be looking for sex offender felony or other felonies; and regarding city contracts, Mr. Michel was going to look as she did not want the check to be limited to poor people but to anyone who came into contact with the City of Houston, would the sex offender background check be added to the list of certification. Council Members Clutterbuck and Lovell absent.

Council Member Edwards stated that the Mayor made a statement yesterday that over \$50 million had been spent in overtime for police for aggressive police work; and Mayor White stated that it was this fiscal year and they were projected to spend through year end a little over \$50 million in overtime representing close to 600 FTE's; and Council Member Edwards stated that she had questions regarding that, the Fire Department had a line item for overtime and did the Police Department have a line item and was it \$50 million above the itemized budget or was it within the scope and based on the FBI report Capt. Reddy said it was not representative of what was real today, but where did they see them going with overtime for police as they went into the new year, what was the projection and who was making the projection and based on what; and on hot spots for policing she would like someone to give her information on the Houston Hope area, she was still hearing from many in Sunnyside about crime going on and it was not considered a hot spot so she was not clear on that definition and would like someone to sit with her as she wanted to be sure they were building homes in areas with good neighbors and pretty well protected. Council Members Clutterbuck and Lovell absent.

Council Member Lawrence stated that so many employees had the spirit of giving and it was an honor to work with all. Council Members Clutterbuck and Lovell absent.

Council Member Lawrence stated that Santa was to be here today, but something must have happened; and she also wanted to congratulate Wal-Mart and hoped to give them a Proclamation next month as they turned out over 25,000 people on Long Point and made it snow and rewarded Spring Branch ISD a tremendous amount of money and that was the community activist and businesses they had in Houston; and she thanked the Neighborhood Protection Committee for their participation; and thanked Legal and all

the attorneys who did a tremendous job; and in the spirit of giving Merry Christmas and happy holidays to all. Council Members Clutterbuck and Lovell absent.

Council Member Edwards stated that she wanted to shout out to a great Houstonian and great woman and awesome dancer, Lauren Anderson; that she was retiring from the Houston Ballet and she could dance and was a wonderful friend, wife and mother. Council Members Clutterbuck and Lovell absent.

Council Member Garcia stating he wanted to participate in the recognition of city employees, this year was very exciting with a lot done and a lot accomplished and it was to those who were nameless; that they went to work and got a job done and moved the city forward and it was important to mention them in the holiday season as many would still be working with time away from their families and he did thank them and they were not forgotten. Council Members Clutterbuck and Lovell absent.

Council Member Garcia stated that he also wanted to thank those in District H and it was an honor to be the representative for some of the oldest and most historical neighborhoods in the City of Houston; that there were many needs and they now had them on the front burner and they were trying to resolve them; and he was honored to work with his colleagues as it was a tough job and as a District Council Member it became personal, but it was exciting bringing effective change and many asked him to thank the Mayor for his time and for trying. Council Members Clutterbuck, Edwards and Lovell absent.

Council Member Garcia stated that so many people were willing to help and that was why he thought the graffiti ordinance was a heck of a piece of legislation, because so many at the Council table had so much input and they were sensitive to all issues and it was the citizens input that he was willing to invoke at this table. Council Members Clutterbuck, Edwards and Lovell absent.

Council Member Garcia stated that he thanked Mayor White for yesterday as he gave Officer Magliano a privilege of taking a photograph with him; that after 42 years he was retiring; and tomorrow they would be celebrating another retirement, Sgt. Janet Minks Garza who was the pioneer into what now was the Family Violence Unit of HPD, she had made a great change and the city and police department was much better for her work. Council Members Clutterbuck, Edwards and Lovell absent.

Council Member Garcia stated that this was a time to celebrate, but celebrate responsibility and he would remind all it was against the law to pop fireworks in the city limits and it was also against the law to use firearms in celebration as many were injured; and he wished all the safest and blessed holidays and prosperous new year. Council Members Clutterbuck and Lovell absent.

Council Member Holm wished all a Merry Christmas and happy holidays and a joyous, safe and healthy 2007; and stated that as a native Houstonian she loved this city and to share one resolution she knew she became worked up over critical decisions and she hoped to be a little more clear in her communication in a positive way. Council Members Clutterbuck, Lovell and Berry absent.

Council Member Holm stated that last Saturday she joined Mayor White at Memorial Park for dedication of the Vale Ash Playground and this gift was one of the best and

finest the city had received, it was a fully functional playground without limits and it had opened doors to children and parents with disabilities; and she hoped in 2007 they would continue to focus on such projects; and the Buffalo Bayou Partnership and what they had done with Brays Bayou in particular the Sabine area had been incredible and they were great project managers and she hoped they could look at ways to partner and expand that vision and move forward. Council Members Clutterbuck, Lovell and Berry absent.

Council Member Holm stated that something that continued to concern her was significant decisions on behalf of transportation still seemed to be being made on behalf of citizens without a real transparency and clear communication, yesterday she received the agenda for tomorrow's METRO meeting at 10:00 a.m. and it had the approval of the short list of the University line alternatives and she knew there had been discussion for a long time and she rearranged her calendar so she could sit and receive information and as leader of the city was she correct in assuming he knew the routes and approved them; and Mayor White stated that the routes were alternatives and she had more impact on it than anyone; that there was a problem with transparency and he had a problem with making tens of thousands of people simultaneously be the first to know; that they needed help in guidance and alternatives had been shaped by mass stakeholder meetings and the concrete impact of elected officials and if he wanted to recognize three it would be Council Member Holm, Clutterbuck and Edwards as well as citizens; and Council Member Holm stated that she had put forth an opinion from her district but wanted to make sure someone from the city knew; and Mayor White stated that the answer to the question was yes, he had been briefed. Council Members Clutterbuck, Lovell and Berry absent.

Council Member Alvarado stated that she wanted to thank her staff for the District I Christmas party, they handed out gifts to over 350 children and had a day filled with activities for them and their families and thanked the all corporate sponsors and schools who helped to make it possible. Council Members Clutterbuck, Lovell and Berry absent.

Council Member Alvarado congratulated Council Member Wiseman for having just assumed the chair for the HGAC. Council Members Clutterbuck, Lovell and Berry absent.

Council Member Alvarado stated that she would thank her staff and constituents of District I for all the hard work in helping develop policy and improve neighborhoods and thank all in her office and the interns for all they did. Council Members Clutterbuck, Lovell and Berry absent.

Council Member Alvarado stated that she had a resolution that they move pop-off time from 10 minutes to 5 minutes and maybe it could be thought about over the holidays. Council Members Clutterbuck, Lovell and Berry absent.

Council Member Khan stated that he also wanted to thank people and wanted to congratulate and thank Sgt. Janet Minks Garza who served the Westside Command Station and gave many years of fine service and was retiring; that he also wanted to thank the Eagle Scouts who would be honored by Troop 997 this Saturday, December 23, 2006, for having become Eagle Scouts; and he wanted to recognize and thank the Consul General of Saudi Arabia who just completed seven years of assignments in Houston and was leaving; and he had sent a letter to him thanking Houstonians and

saying he was impressed with services, cooperation and assistance provided him during his stay; and as this wonderful time of year was celebrated he wished all a Merry Christmas, Happy Hanukah and Happy New Year. Council Members Clutterbuck and Lovell absent.

Council Member Khan stated that he hoped all would find the true spirit of Christmas and that all would adapt teachings of Jesus Christ in their lives; that the world would be better off if what he taught was practiced. Council Members Clutterbuck and Lovell absent.

Council Member Khan thanked all colleagues for another wonderful year and stated that to him even after three years it was unbelievable to be serving as a Council Member and leadership provided around the table and from City Hall was amazing and he included all employees of the City of Houston who were dedicated public servants; and again wished all happy holidays and stated that husbands should cherish their wives and wives their husbands; that time together must be enjoyed as no one knew how much they had left. Council Members Clutterbuck and Lovell absent.

Council Member Green stated that over the past few weeks he mentioned the Budget and Fiscal Affairs Committee Meeting was January 2nd, but it was changed to January 8th at 2:00 p.m. and that was so opening day at the Texas Legislature could be attended and the MOFOR was changed to the 10th of January so no one had to rush back to the Fiscal Affairs Meeting on the 2nd. Council Members Clutterbuck and Lovell absent.

Council Member Green stated that today his office was doing the annual bike give away with their partner CH2M Hill and this was their third year and they were very generous and that would be at 2:00 today in the Annex; and he thanked all Council Member's for a great year; and wished all a happy holiday and Merry Christmas. Council Members Clutterbuck and Lovell absent.

Council Member Berry wished Doug Moore a happy birthday and stated he was a good journalist. Council Members Clutterbuck and Lovell absent.

Council Member Berry stated that many helped him do a good job and he wanted to thank them for going above and beyond and some of them were Deborah Veal, Gary Norman, Issa Dadoush, Vermeta Jones, Tremetria Love, Meric Hamilton, Gloria Bingham, Anthony Hall, Linda McQueen, Marty Stein and Stella and the rest of her team, Carolyn Lacy, Steve Schoonover, Stephanie Cooper, Bobby Oaks, Lilianna Rambo, his personal team of Aleks Maraovic, Carl Davis, Monica Aizburua, Katie Dorfman, Eunice Johnson and Anna Russell and wished a Merry Christmas and prosperous new year to all. Council Members Clutterbuck and Lovell absent.

There being no further business before Council, the City Council adjourned at 11:25 a.m. Council Members Clutterbuck and Lovell absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary