

City Council Chamber, City Hall, Tuesday, August 28, 2007

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 28, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Ms. Claudia Vasquez, Director Citizens Assistance; Mr. Terence H. Fontaine, Deputy Chief of Staff for Operations; and Ms. Marty Stein, Agenda Director present. Council Member Addie Wiseman absent on personal business. Council Member Michael Berry absent.

At 2:04 p.m. Mayor White stated that presentations would begin with Council Member Lawrence; and Council Member Lawrence invited Mr. Bob Mitchell to the podium and stated that Mr. Mitchell was with the Korean War Veterans Lone Star Chapter and nationally sat on the board of directors for the National Korean War Museum and Library which was being built in Springfield, Illinois, today he would like to make a presentation to Mayor White; that they wanted to make sure service for veterans no longer fell through the cracks and Houston could be proud of the way veterans were treated here when they came home and she hoped all would get involved in committees and in making Houston a shining star; and Mr. Mitchell stated that he was a Korean War veteran and introduced others with the South Korean Consulate and leading members of the Korean community and Korean War veterans; Mr. Mitchell reviewed the work being done on the museum, presented brochures for the Mayor and Council Members, a DVD for Council Member Berry and stated that they had a Color Guard which could assist if anyone needed them and presented Mayor White with a medallion. Dr. Lee stated that he was a Korean veteran and they were eternally grateful to the United States for helping them, for repairing communist aggression and rebuilding and now they were building a museum in Springfield; and the Korean War was beginning of the new era; and Mayor White stated that they supported his efforts. Council Members Johnson, Edwards and Holm absent.

Council Member Alvarado invited Mr. and Mrs. Craig Biggio to the podium and stated that it was her pleasure to bring one of Houston's most beloved sons of the Astros team; that last night some Council Members attended the city gala where they honored Craig Biggio and they started out bringing him to Council for making his 3,000 hit and then he announced his retirement and now this was to honor him for both; that she also wanted to take a minute to honor Patty, his wife, who was his partner and just as involved as he with the Sunshine Kids and together they helped raise over \$2.5 million for the Sunshine Kids; that Craig broke many records with 10,795 at bats, 3,040 hits with only 27 players making it into the 3,000 league and only one Astro which was Craig Biggio, 291 homeruns, 664 doubles and the most by a right hander, 1,156 walks and 1,837 runs, 7 All-Star Games, 5 Silver Sluggers and 4 Golden Gloves at second base; that last night they heard from a terminally ill child's parent about all he did and meant to her son and all hoped they both would stay in Houston; that it was unheard of today to have athletes come to a city and stay and he had spent 20 seasons here and she would doubt they would ever see that again; that this city was so lucky he had been here and set such an example; that he was a class act and all he did he did with style and grace; and all thanked him for being a part of this city; and presented him a Proclamation proclaiming August 28, 2007, as "Craig Biggio Day" in Houston, Texas. Council Member Alvarado invited all others present with the Astros to the podium recognizing each.

Mr. Biggio stated that it was a big honor to have a Proclamation, a day named after you, it was a proud day for him and his family and the Astros organization who were also his family; and the City of Houston; that he came in 1988 from New York and had been here 21 years and this was his home; that his children went to school here and they would not be leaving; and he thanked them very much for the honor.

Council Member Brown appeared with Ms. Ferro and stated that Ilchi Lee was a teacher who concentrated on development of human potential and care of natural environment; and Ms Ferro stated that she found a yoga studio five years ago it was for brain, body and spirit and she had been actively involved since and found it to have amazing results; that Ilchi Lee started this yoga years ago in a park with a stroke victim and now had about 300 studios all over the world with eleven in Houston; that he wanted to change society by focusing on the brain; and presented his book, Human Technology for Mayor White along with testimonials. Council Member Brown invited Mr. Lee and his translator to the podium and Mr. Lee stated through his translator thanks for making this a meaningful day; that he was born in 1950 during the Korean War, if it was not for the veterans present today he may not have been born; that he believed the brain education he founded was making a difference in American society today and he truly hoped the people of Houston would find health, happiness and peace by practicing brain education. Council Member Brown presented a Proclamation to Mr. Lee proclaiming August 28, 2007, as "Ilchi Lee Day" in Houston, Texas. Council Member Lovell absent.

Council Member Holm invited those with her proclamation to the podium and stated that much of what made Houston so incredibly great was the volunteers and partnerships of citizens contributing time, talent and resources to make things happen and today Library Director Lawson and Ms. Susan Bischoff from the board were present to be recipients of a gift of the Friends of Neighborhood Libraries and Ms. Bonnie Brooks and Ms. Diane Webber were present; that a new library was being opened and that was because a community came together and participated in its revitalization; and Ms. Brooks stated that over the years the Friends of Neighborhood Libraries had raised \$2.5 million to give to the City of Houston, they were all volunteer and over 98% of every penny was given directly to the city; that this was a labor of love and they were very excited to give another installment of \$500,000; that they saved their local library and now hoped they could go forward with new standards for branch libraries as they had an important place; and Ms. Webber invited all September 5, 2007, from 4:00 p.m. to 6:00 p.m. at Willowick @ Westheimer. Council Member Johnson absent.

At 2:49 p. m. Council Member Brown led all in prayer and in the pledge. Mayor White absent. Council Member Alvarado presiding.

At 2:49 p.m. the meeting was called to order and the City Secretary called the roll. Council Member Wiseman absent on personal business. Council Member Berry absent.

Council Members Garcia and Holm moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Johnson absent. Council Member Wiseman absent on personal business. Council Member Berry absent. MOTION ADOPTED.

Council Member Khan moved the rules be suspended for the purpose of hearing Mr. Andrew Adams at the top of the speakers list and to add Ms. Beverly Ford to the list of speakers, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on personal business. Council Member Berry absent. Council Members Johnson and Holm absent. MOTION 2007-0890 ADOPTED.

Council Member Garcia moved the rules be suspended for the purpose of hearing Mr. Thomas Webb at the top of the Non-Agenda speakers list, seconded by Council Member Brown. All voting aye. Nays none. Council Member Wiseman absent on personal business. Council Member Berry absent. Council Members Johnson and Holm absent. MOTION 2007-0891 ADOPTED.

At 2:52 p.m. the City Secretary began calling the public speakers. Council Members Johnson and Holm absent.

Mr. Andrew Adams, 10906 Holly Springs Drive, Houston, Texas 77042 (713-785-8703) appeared and stated that he was president of the Jamaica Foundation of Houston and with him was Mrs. Beverly Ford from the Jamaican Consulate in Houston; that he was present regarding the Hurricane Dean relief effort for Jamaica; that August 19, 2007, Hurricane Dean hit Jamaica with winds up to 150 miles per hour and caused widespread damage; that as of today more than 100,000 people were still without power and the Office of Disaster Preparedness and Emergency Management of the Parish of St. Catherine, Jamaica, had appealed to them for help in the form of medical and health clinic supplies, nonperishable foods, building materials and elementary school supplies; that they were appealing for cash donations to purchase a container and to be able to transport two container loads of relief materials to Jamaica; that cash donations could be made at www.jamaicafoundationofhouston.org by credit card or mailed check to the Jamaica Foundation, P. O. Box 710824, Houston, Texas 77271-0824 with notation on memo line "For Hurricane Relief". Council Members Johnson and Holm absent.

Council Member Khan stated that there was tremendous devastation caused by Hurricane Dean in the Caribbean and Jamaica was one of the worst hit; that they appreciated the information on how Houston could help as Houston was a very generous city and he hoped with their appeal today help would come through. Council Members Johnson and Holm absent.

Ms. Beverly Ford, who was previously added to the speakers list, had appeared with Mr. Adams but did not speak when her name was called. Council Members Johnson and Holm absent.

Mr. Randall Kallinen, 1406 Castle Court, Houston, Texas 77006 (713-320-3785) appeared and stated that he was president of the American Rights Association and a civil rights attorney and was present regarding red light camera; that recently a law was passed by the state which did not allow the city to issue anymore red light camera tickets in three days; that as of September 1, 2007, Senate Bill 1119 would become law and it stated a local authority may not impose a civil penalty under this chapter on the owner of a motor vehicle if the local authority violated two other subsections, one of which was that engineering studies had to be done at each individual intersection and so as of September 1st the city would no longer have authority to impose a fine on the red light camera and today he was trying to get the city to comply. Council Members Johnson and Holm absent.

Upon questions by Council Member Edwards, Mr. Kallinen stated that people should not run red lights, but the red light camera law which was passed by the state and goes into effect September 1st stated that a local authority may not impose a civil penalty, they could still write criminal tickets. Council Member Holm absent.

Ms. Adriene Anderson, 14226 Glasgow Place, Houston, Texas 77077 (832-289-3000) appeared and stated that she was a Texas Certified License Investigator, licensed by the Texas Department of Public Safety and was concerned over the subject of Vectra reports handling accident reports on behalf of the Houston Police Department; that Roy Marler was the incorporator of the vectrereports.com out of Oklahoma, the company who wanted to provide accident reports on behalf of Houston and Mr. Marler was vice president of the claims record unit for Choice Point out of Georgia; that Mr. Marler introduced a new database information system he named Carrier Discovery and it would allow the insurance industry to instantly identify insurance carrier information on people involved in automobile accidents and she believed the information would be discriminated from Houston accident reports and her question was why was Choice Point going through the back door using the name Vectra, Mr. Marler was Vectra and he was also Choice Point and why they did not say they wanted the reports to make a pecuniary gain she did not understand, she believed if Mr. Marler was given access to the

core of H.P.D.'s accident reports it would be used for a marketing tool for the insurance company by Choice Point and she believed it should be turned over to the Attorney General and ask if it was in violation of the Texas Transportation Code or if it at least constituted a conflict of interest by Mr. Marler between Vectra and Choice Point. Council Members Lawrence and Holm absent.

Mayor White thanked Ms. Anderson for bringing the matter to Council's attention. Council Members Lawrence and Holm absent.

Mr. Johnny Rohf, 14226 Glasgow Place, Houston, Texas 77077 (832-289-3000) appeared and stated that he had a company, Axofax, and he disseminated accident information for claims and insurance companies and private investigators, etc, and currently he was told the city wanted Vectra to sell their accident reports and his concerns were that the State Transportation Code dictated three things had to be done to get an accident report, fill out the form, give two to three pieces of information and must pay a fee of \$6.00, however, Vectra would not have to fulfill those requirements as they would own the reports and give the city access to them; second was cost, the current cost by code was \$6.00 to reproduce the accident report, but San Antonio found it only cost them \$2.25 to reproduce the accident report therefore they had to adjust cost; that when he asked the records division if he would be put out of business by this they said they did not know what the ramifications would be, but if another company did what he did would get reports first and then he would have to get them from that company and he felt it was in violation of a couple of statutes, one being unequal access; that an alternative would be for the city to give him the reports and let him give back a fee off each one he sold. Council Members Lawrence and Holm absent.

Mr. Thomas Webb, 4299 San Felipe #200, Houston, Texas 77029 (713-403-8888) appeared and stated that he was a member of the HOPE executive board and present to bring a brief update on the situation with the members in the Building Services Division at Bush Intercontinental Airport; that they came before Council recently stating they were informed the night shift would be eliminated and moved to a ten hour shift and many would have their shift end at 2:00 a.m. which would cause great hardship for many and some felt they were being encouraged to leave, however, since they last spoke they now had good news and they greatly appreciated efforts by Council Members to encourage leadership of the Aviation Department to engage with them and thanks to their calls and efforts of the members they would be sitting down next week with Mr. Vacar as well as Assistant Director Ms. Castle to discuss concerns and they looked forward to discussing other successful transitions from eight to ten hour shifts at the airport; and they were happy to see comments from Mr. Vacar to the local press and in memos to the city leadership that he promised to find accommodations for employees who were unable to transition to these shifts, employees were unaware of that promise until it was read about; and they thanked all as now they were on the right road. Council Members Lawrence, Holm, Garcia and Alvarado absent.

Council Member Lovell thanked Mr. Webb for coming and letting Council know that things were worked out; and stated that she was glad they were sitting down and conversations were going on; and would like for them to be kept advised. Council Members Lawrence, Holm, Garcia and Alvarado absent.

Mr. Shelton Modelist, 5619 Lakefield, Houston, Texas 77033 (713-733-6994) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Holm, Garcia and Alvarado absent.

Mr. Reginald Fears, 9910 Willow, Houston, Texas 77078 (713-631-7170) appeared, presented information for Council Members and stated that his presentation was called Equal

Justice for All, uncovering the truth; that in 1993 he was wrongfully detained, wrongfully charged and wrongfully convicted and sentenced to 25 years in TDC; that he was charged with possession of a controlled substance, cocaine, he did possess a crack pipe, but no crack and it was proven the Houston Toxicology Crime Lab was scientifically unsound and defective, the toxicology technician along with his court appointed lawyer and district attorney worked together under the color of the law in unity to conspire and convict him; that he was now asking to be put on the list for his case to be reviewed and he was asking because he was poor and felt he was discriminated against; that his attached information would show all evidence submitted to be reviewed and he was asking Council to place him on the list for the truth to be uncovered; that instead of charging him with paraphernalia he was charged with possession of a controlled substance; that they wrongfully charged him and TDC records stated he was charged with a second degree felony and that carried from two to twenty years, but he was given twenty five, they exceeded the time. Council Members Lawrence, Holm and Alvarado absent.

Council Member Johnson thanked Mr. Fears for coming and upon questions, Mr. Fears stated that the list he referred to was the list Jeremiah Sutton was on which proved his innocence with the HPD crime lab; that he called the lab and explained as he was explaining now and the lab said he needed a lawyer to get on the list, but he did not have the money, if they wanted it retested he would pay for that; and Council Member Johnson stated that unfortunately many men like him were put into a situation where a system unjust prosecuted him and the Crime Lab for the City of Houston was found to have flaws and many cases were overturned, but he did not know of authority they had to have his case reheard, but he did have his office talk with him and give him numbers of pro bono attorneys who might take this on and he understood he tried to call and was referred elsewhere; that perhaps his colleagues could help him, but he did believe he needed an attorney and his office would continue to speak with him. Council Members Lawrence, Holm and Alvarado absent.

Upon questions by Mayor White, Mr. Fears stated that the conviction was in 1993. Council Members Lawrence, Holm and Alvarado absent.

Upon questions by Council Member Edwards, Mr. Fears stated that his case was not one of those for review on the list of Mr. Bromwich; that he had not contacted the NAACP Legal Defense Fund; and Council Member Edwards suggested someone help him look through the crime lab report list and see if he was on that list. Council Members Lawrence, Holm and Alvarado absent.

Upon questions by Council Member Green, Mr. Fears stated that he did have the crack pipe but if his crime would be reduced to misdemeanor paraphernalia he would accept it, but the person from the toxicology lab did not produce anything they just took her word and his attorney filed no motions for evidence or objected and he was a judge now; and Council Member Green stated that he needed an appeal filed and the Council body could not do that, but as it related to cases being retested his was probably not at the top of the list as they would probably start with those still in jail and as Council Member Edwards suggested he probably should contact the NAACP Legal Defense Fund; and Mr. Fears stated that the Mayor was the manager of the city and over the Chief; and Council Member Green stated that the Mayor was bound by the law as well. Council Members Lawrence, Holm and Alvarado absent.

Mayor White stated that Mr. Fears had received some advise and he would like to take a few minutes to communicate with him and his colleagues; that in the criminal process there was a role, police, prosecutors and the judicial branch which was a third branch in the state government in the same way that the federal judiciary under constitution was the third branch of the federal government and there were certain responsibilities and legal limitations on the role of Police Departments and responsibilities of the prosecutors and some responsibilities at law and

by responsibilities he meant they were the only people who could do it, the judicial branch of government, and there were under state and federal law, if you dealt with rules, regulations and procedures that the third branch of government, the third branch of government, the judicial branch was the one in the system who was given the responsibility for redressing any unlawful conduct by those people once they were convicted of a crime and there were responsibilities too and people went above and beyond those responsibilities as was done at some point when certain cases were reviewed when there was new evidence that did not exist before, in bringing it to attention of prosecutors and only a lawyer or someone who could navigate the system themselves could bring that new evidence to the attention to various people in the judicial branch of government and he mentioned this because some people from time to time, he wanted to communicate clearly because that was treating him with respect; that he had helped people before in this situation and it was that third branch of government, what Council Member Green called an appellate or post conviction process of which there were many law books and rules and regulations on what judges could and could not do and that was the situation he was in right now and on what they did in the crime lab it had to do with certain categories of evidence dealing with DNA and serology where the prosecutors and police compared or did testing or retesting in certain categories of cases after a certain date and he did not want him to think they had not heard him and he took more time, but some thought the city could do more than they could under the law. Council Members Lawrence, Clutterbuck and Holm absent.

Mr. Edward Chetta, 3363 McCue Road #409, Houston, Texas 77056 (832-236-4719) appeared and stated that he was present to speak about World Peace I to World Peace X and its goals and initiatives; that he had a packet with all information from the company, its mission and its purpose and its future projects; that World Peace I was a live broadcast concert and telethon ranging from 45 countries to 190 cities and it would be the largest broadcast humanitarian event ever; that the World Peace I Team was looking to take it to six cities in the U. S. and hopefully one would be Houston and he was trying to work with Rice University, but the movement went well beyond the concert and they wanted to dive into the educational system to help the young understand how important world peace was; that since 1945 there had been 26 days of peace which meant there were 62 years plus of violence and war in the world; and the biggest war right now being fought was the war to create peace; that the team had reached billions of viewers through Live Aid, Farm Aid, Life Earth, Super Bowl, etc., and today he was asking for the Mayor and Council's support to help bring this to Houston and to implement to all schools how important peace was; and presented a package to Ms. Vasquez for the Mayor and Council to view. Council Members Lawrence, Clutterbuck and Holm absent.

Council Member Johnson moved the rules be suspended for the purpose of hearing Mr. Otis Jordan out of order at this time, seconded by Council Member Brown. All voting aye. Nays none. Council Member Wiseman absent on personal business. Council Member Berry absent. Council Members Clutterbuck, Khan and Lovell absent. MOTION 2007-0892 ADOPTED.

Mr. Otis Jordan, 7663 South Glen Willow, Missouri City, Texas 77489 (281-723-3700) appeared, presented information and stated that the Houston Fire Department over the past years continued to be plagued with many examples of racial discrimination, gender discrimination and culture insensitivity and as a member of the Houston Black firefighters Association they felt when it came to race relation, intimidation, retaliation and culture insensitivity the Fire Department was asleep at the wheel and all continued to be ignored; that when such was reported to upper management often times it was ignored and covered up and many times the one making complaints became the victim of departmental retaliation; that on Saturday, August 25th, Station 59 Ladder Crew participated in a Willowridge High School community parade and after the parade they stopped by Station 80 who they had substituted for and Captain David Dean made an inappropriate and cruel and insensitive remark when he stated, "There is a whole lot of fat bitches marching in that parade", referring to some of the

Willowridge High School students, most who happened to be young African American female students and they did not appreciate him talking about their kids; that they were now in front of Council as they wanted him removed from being a captain at any station, he needed a desk job until the investigation was complete and it did need to be addressed. Council Members Clutterbuck, Khan and Lovell absent.

Upon questions by Members of Council, Mr. Jordan stated that a complaint had been filed and the fire chief said he would probably receive a letter of reprimand, but that was not enough, he needed to be removed out of the community, his behavior could not be tolerated and members of his crew were witness; that the OIG investigated to the fullest, but depending on who it was this could come back unfounded; that they had rules and regulations and the OIG for filing complaints but they were biased; that a Black female at the same station was forced into a corner and picked up a chair on the captain and he was removed from communications at the OEC because he pointed a finger as though it was a gun at an employee, they removed him from there but sent him to their station, Station 59, and when she was forced into a corner they transferred her out for picking up the chair and now another captain was calling children "Fat B's" and they could not remove him but could remove a female who picked up a chair on a 6'3" captain and she had to be scared to pick it up; that he wanted the Mayor and Council to find out about the Fire Department, they were tired of coming and asking something be done which should be done; that he used to speak to the Mayor all the time and now could not even get his E-mail address; and this was an example of why officers should not be picked from a test score, they should be assessed and see what they were thinking about; that he would guess the Mayor and Council were over the OIG; and Council Member Johnson stated that he wanted to see the complaint and talk to the Chief on the outcome; and Council Member Edwards stated that this would go on as long as the city allowed it and she was tired of it and did not want a person like that out there handling things, they should be removed from authority and responsibility, she drew the line when it involved children and wanted to be kept informed of the outcome of OIG; and Council Member Brown stated that he would read in detail what was presented and they would try and have it resolved; and Council Member Khan stated that the complaint should be given seriousness and find out what was going on, if something was missing the Mayor and Council should be responsible in closing the gap; and Mayor White stated that the complaint was made Monday, referred to the OIG earlier this morning and he did monitor some OIG investigations and there was a group within OIG composed of various law enforcement professionals and procedures designed to protect the integrity of the department and the individual and credibility must be weighed and people needed to take into account; Mr. Jordan stated he was unable to get his E-mail address and tens of thousands of Houstonians were able to do so, but he would take his word there was a malfunction, but someone had to find out facts and then act in accordance to those; that if the allegation was true he would follow what the consequences were and whether under terms of the current state law collective bargaining agreement and fire fighters civil service what kind of discipline could be done; that it was clear people in position of responsibility could not make statements, no one should make statements, when wearing uniform for the city and policies were in writing; and he would follow this. Council Member Noriega stated that this would be followed and she was sorry this happened and did apologize; Council Member Lawrence stated that she would appreciate copies of materials sent so it was not just say so and then she would work with him. Council Members Holm, Alvarado and Green absent.

Mr. Bryce Gilbert, 5625 Antoine, Houston, Texas 77091 (832-885-2055) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Alvarado and Green absent.

Ms. Becky Ketcher, P. O. Box 62233, Houston, Texas 77205, (281-227-8992) appeared and stated that she lived in the 13200 block of Aldine Westfield and her husband had pictures

they wanted to share with Council Members; that they moved there in May 2006 and understood it to be a no flood area, unfortunately, during the year and three months they were there they had flooded five times and told call Harris County and they did but were told call the City of Houston and the argument went back and forth; that the second time they flooded they called Harris County and City of Houston and again nothing was done; that the third time they flooded they called and Harris County sent out two gentlemen, they investigated and said they believed part of the problem was Halls Bayou and they called the city and logged #153494 and they continued to call for updates and were being told it was being looked into; that they lived in the kitchen and where a refrigerator and stove would be their boxes were piled and they were wanting this to be their home and decided to come speak with the Mayor and Council; that Mr. Norman called yesterday and said they were trying to evaluate the area to see what needed to be done and she hoped they could get the issue resolved. Council Members Holm, Garcia, Alvarado, Lovell and Green absent.

Upon questions by Mayor White, Ms. Ketcher stated that they lived on the city/county line; that the ditches she was talking about were attached to 13200 Aldine Westfield; that her residence was 1926 Debany Drive and considered Harris County, however, it bordered on the line and the ditches needing fixed were the ones mentioned; and Mayor White stated that Mr. Norman had information and they looked at ditches from the 13000 to 13600 blocks and looked at the culverts; that one tree needed to be taken out and to the north they re-graded 700 feet of ditches; that they would ask they look at the storm flows and he knew they just wanted the water out of the house; that some places neighborhoods were not designed to handle flooding and it was an unfortunate fact and if that was the case someone should look them in the eye and let them know, but Mr. Norman was present and would figure out the situation and they would let her know what could and could not be done; and Ms. Ketcher stated that the man who owned the house said to let him know his taxes were going up and he paid every year; and Mayor White stated that she should tell him he does not pay city taxes. Council Members Johnson, Holm, Garcia, Alvarado and Green absent.

Mr. Larry Ketcher, P. O. Box 62233, Houston, Texas 77205, (281-227-8992) appeared and stated that a new storm drain, etc., was installed on Aldine Westfield and he thought it should be continued to the bayou so they would have a better storm drain system; that it had been about a year and they received no help from anyone; and Mayor White stated that Mr. Norman would check, but he wanted to share that because if someone in the city limits had a flooding problem, those who did pay city taxes would be put first in line, but they would work with them as they were a neighbor and he did not want them caught in the middle; and they would get an answer. Council Members Johnson, Holm, Garcia and Green absent.

Council Member Edwards stated that the County Commissioner was their elected official and she was not sure of their precinct, but would suggest maybe Mr. Norman could help them identify their Commissioner, if it was a county situation that would be where they needed to go. Council Members Johnson, Holm, Garcia and Green absent.

Mr. Kishor Madrasi, 6009 North Freeway, Houston, Texas 77076 (713-695-1777) appeared, presented information and stated that he would like Ms. Jones to read for him; and upon questions by Mayor White, Ms. Nicole Jones stated her name and that she was the manager of the Guest Motel and she would read what Mr. Madrasi presented; and Mayor White stated that with no objections she could read for him or he might want to hit high points and they would read as he spoke; and Mr. Madrasi stated that they were having a problem with a city inspector, he came and represented himself differently each time; that they did not know what he was and he denied giving them his supervisor's name; that previously there were problems, but they did not have them, they did not allow criminals, prostitutes or drug dealers to stay and they worked with HPD Officer Cris Slatter and he knew their story and spoke with Mr. Willie

Pratt but Mr. Pratt would not understand and bringing them different problems; that they wanted to work with the government but also wanted help from the government. Council Members Johnson, Holm, Garcia and Green absent.

Upon questions by Council Member Khan, Mr. Madrasi stated that he was owner of the motel, since October 2006; that arrests were made but the officers were using the motel's address and they were saying they should right near 6009 North Freeway, only one incident happened there, a prostitute came but they told her they did not rent to them and the officer came and arrested her, but they were denying the business; that HPD said they now had less work or no work, but Mr. Pratt was keeping them responsible for past records; and Council Member Khan stated that the city's job was to help people who were doing all they could to fight crime and he hoped his situation improved. Council Members Johnson, Holm, Garcia and Green absent.

Upon questions by Council Member Brown, Mr. Madrasi stated that the incident report was from the previous owner and there were no incidents at his place; that number four on the report was where they were denied service and picked up in their parking lot and number one was outside the motel, number two was where they were followed from Wal-Mart and then arrested on the premises, but used their address and that was not right; that there were many crimes but now they had a curfew and even the officer said there was no work there now. Council Members Johnson, Holm and Garcia absent.

Council Member Clutterbuck stated that she was thrilled they shared the city's position against prostitution, drugs, etc., and that this instance did highlight for her an issue when they passed the apartment ordinance and reviewed the FAST operations, if someone was fleeing from a crime and the ultimate arrest occurred on someone's property that should not be counted against the facility, but if this person was fleeing she wondered how he wound up in room 66, how he had a key or was it open; at what point was the drug deal completed and if the person was not renting the room or on the lease of the apartment it raised a number of legal issues and she urged the FAST team to evaluate each individually. Council Members Johnson, Holm, Garcia and Alvarado absent.

Upon questions by Mayor White, Mr. Madrasi stated that Mr. Pratt told Ms. Nicole he was going to write this and that and wanted all to go his way, but he could not overstep the housekeepers, etc., he was harassing her in his absence, why did he only want to come when she was there; and Mayor White thanked them for coming and stated that he said he made a 99% improvement in clientele compared to before he bought it and one issue Council Member Brown pointed out was it was a magnet for crime so he hoped he did not pay much, he did not know facts, but if Mr. Pratt was citing him for things accurate he supported him, the fact he made improvements in the property should be taken into account with some in the FAST unit, if that was the case, but if people report they see prostitutes in front of the property it was not a good thing and he did want Mr. Pratt to be on top of it and he would not tell him to back off; and Mr. Madrasi stated that the prostitutes sat in McDonalds for hours and hours; and Mayor White stated that there might be a reason they were at McDonalds next to his motel, they may not always be unemployed. Council Members Johnson, Clutterbuck, Holm, Garcia and Alvarado absent.

Upon questions by Council Member Brown, Mr. Madrasi stated that they paid their hotel occupancy tax every quarter and he was the director on the board of Hotel Motel Association of CEMA in Houston. Council Members Johnson, Clutterbuck, Holm, Garcia and Alvarado absent.

Upon questions by Council Member Edwards, Mr. Madrasi stated that he did not charge by hour, only daily and weekly. Council Members Johnson, Clutterbuck, Holm, Garcia and Alvarado absent.

Ms. Inez Boatman, P. O. Box 15354, Houston, Texas 77220-5354 (713-675-7517) had reserved time to speak but was not present when her name was called. Council Members Johnson, Clutterbuck, Holm, Garcia and Alvarado absent.

Ms. Margaret Marquart, 11718 Roos, Houston, Texas 77072 (281-933-4250) had reserved time to speak but was not present when her name was called. Council Members Johnson, Clutterbuck, Holm, Garcia and Alvarado absent.

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

Mr. Joseph Chase II, 4640 Main #265, Houston, Texas 77002 (713-823-6211) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Holm, Garcia and Alvarado absent.

Mr. Amanuel Hadis, 6245 Renwick, Houston, Texas 77081 (713-870-6470) appeared and stated that he had a hard time working as a taxi business and he changed it to a limousine; that one guy harassed him all the time when he was a taxi driver, Larry Jones, he asked him for \$10.00 to eat lunch, so he let him borrow it, but he collected money from most of the drivers and he came to ask him for \$10.00 more and he said he did not pay and would not give him more so he started writing him tickets; that when he was not downtown he sent his friend and he went to the Transportation Department and explained it to their boss Mr. Daniel Blanton and Mr. Blanton stated that he was not responsible to discipline his employees and the harassment was daily and he was afraid to drive downtown as Mr. Jones gave him tickets every day. Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado and Brown absent. (NO QUORUM PRESENT)

Mayor White stated that they understood and he knew he made this known through Ms. Tina Paez and her office; and thanked him for coming. Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado and Brown absent. (NO QUORUM PRESENT)

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado and Brown absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that his case address was again changed and the city did not have authority to have him fatally crucified by assassination; and continued expressing his personal opinions until his time expired. Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado and Brown absent. (NO QUORUM PRESENT)

Mr. Nebeil Al-Oboudi, 14129 1/2 Laternal Lane, Houston, Texas 77083 (281-575-9110) had reserved time to speak but was not present when his name was called. Council Members Johnson, Clutterbuck, Holm, Garcia, Alvarado and Brown absent. (NO QUORUM PRESENT)

At 4:32 p.m. City Council recessed until 9:00 a.m., Wednesday, August 29, 2007. Council Member Wiseman absent on personal business. Council Member Berry absent. Council

Members Johnson, Clutterbuck, Holm, Garcia, Alvarado and Brown absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, August 29, 2007

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, August 29, 2007, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Office, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

At 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:26 a.m. Mayor White called the meeting to order and stated that the first order of business was a public hearing. Council Members Wiseman, Khan, Garcia, Brown, Lovell and Green absent.

HEARINGS - 9:00 A.M.

1. **PUBLIC HEARING** - Pursuant to § 42.041(b)(14) of the Texas Human Resources Code, the City Council will conduct a public hearing to consider an ordinance readopting standards of care relating to the City Parks and Recreation Department's Youth Recreation Programs. For further information, see the draft ordinance that has been posted with this Agenda. Persons who desire to make public comments may contact the City Secretary's Office at 713-247-1840 in order to sign up to speak at the hearing. Alternatively, written comments may be delivered to the City Secretary's Office before commencement of the hearing – was called. Council Members Wiseman, Khan, Garcia, Brown, Lovell, Green and Berry absent.

The City Secretary stated that Mr. Doug Earl of the Parks Department would make remarks and that no citizens had reserved time to appear at the hearing. Council Members Wiseman, Khan, Garcia, Brown, Lovell, Green and Berry absent.

Mr. Earl stated that annually the Parks Department comes to the City Council in order for them to adopt the Standards of Care, that as they knew they offered an After School Recreation Program and since municipalities were exempt from State licensing they had to adopt a Standards of Care, which they had done for several years now and it just simply allowed them to operate After School Recreation Programs for the youth in the community. Council Members Wiseman, Khan, Garcia, Brown, Lovell, Green and Berry absent.

Council Member Lawrence moved to close the public hearing, seconded by Council Member Edwards. All voting aye. Nays none. Council Members Wiseman, Khan, Garcia, Brown, Lovell, Green and Berry absent. MOTION 2007-0893 ADOPTED.

- 1a. **ORDINANCE READOPTING ARTICLE XII, CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, regarding standards of care for Houston Youth Recreation Programs; containing findings and other provisions related to the subject; providing an effective date; providing for severability – was presented. All voting aye. Nays none. Council Members Wiseman, Khan, Garcia, Brown, Lovell, Green and Berry absent. ORDINANCE 2007-0964 ADOPTED.

MAYOR'S REPORT - Technology Initiatives

Mayor White stated that he would cover two different items during the Mayor's Report, that first Municipal Wi-Fi; that EarthLink had agreed with the City that they would pay \$5 million to the City, cash, and instead of having a requirement, that should have commenced during the summer, some of the activities, that they would have nine months to put together financing of the Wi-Fi Project, that it was a good deal for the citizens of Houston, they had expended no General Funds or any other funds to get it and they could use that money in any way they chose, that he recommended that they use to continue activities to close the digital divide and to make their public facilities more accessible to broadband in spirit with the Wi-Fi initiative, that he was optimistic that the City of Houston would be a leader in having mobile accessible computing for its citizens, that one of the reasons that EarthLink wanted new financing structure, a new financial model they called it, to undertake a system such as this was that the broadband access rates, by competitors, had come down, that there were some who said, who were knowledgeable in the industry, that when the City made their Wi-Fi announcements and the drop in the DSL and others, that it was the threat of competition that had decreased the cost of broadband access for many of their citizens, that the good news was that they would be able to continue funding those activities that could be used to bridge the digital divide, create Wi-Fi bubbles over public spaces and they had plenty of room to do so, that the City of Houston, in certain ways, bargained hard and to the credit of Richard Lewis, Janis Jefferson and others who were involved on a weekly basis, were able to pin them down to this agreement and get the consideration, that if somebody came up with a proposal to create a Wi-Fi bubble over the City at any time over the next nine months they could be free to take them up on the offer to do that, that in the mean time he would be working with the management of EarthLink to determine whether or not to assist and share ideas about the type of project financing that could be available if they continued to pursue the project; that they would be releasing and discussing with Council Members, that he did not know the whole sequence of discussions. Council Members Wiseman, Garcia and Berry absent.

Mayor White stated that the RFP on radios moving to certain portions of the 7800 spectrum, they call it Police radios, but it was really Police, Fire, EMS, Public Works and Aviation and was a citywide migration to the system and a big undertaking, that they had done years of preparations for it and he could not tell them that he knew where every penny of the financing would be able to come from on this project, that although they had made a significant amount of progress it was going to be one of the major procurements that they would do in the City of Houston, that please, he knew that there would be interested vendors, listen and help and have good communication from the onset, that there would be winners and losers, and the losers would claim that the City was unfair, they knew that it happened at every big procurement, to work together to get the best deal first and foremost for the citizens and for the first responders who were critically dependent on good and effective radio communications. Council Members Wiseman, Garcia and Berry absent.

Upon questions by Council Members, Mayor White stated that the contract which they improved created a twenty four month build out obligation, that build out obligation was triggered by the enactment by Council and they had agreed, in writing, to enter into certain pole attachment agreements with CenterPoint, there were a few issues but they resolved all those issues and he was personally involved and those issues were resolved in approximately June, they had a timetable that the City insisted on, as part of the contract, and it was a well negotiated contract, which had one of the first milestones coming up on September 7, 2007, that when the CEO of EarthLink died a new CEO came in and they became into discussions in early August and because frankly, as he said at the time and EarthLink representatives were present, one of who was terminated yesterday, or resigned, that it was by far in a way the largest Wi-Fi deployment anywhere in North America, to read that expensive in both the capital costs and the operating costs necessary to do the system, and there were a number of technology vendors, such as two that he was in touch with, or people directly with him, and by in touch he was talking about with the CEO's, Cisco and Intel, those were two of the top twenty companies by market capitalization in the United States of America, who had expressed

interest and had created funds for Wi-Fi investments, there were equipment vendors, potential equipment vendors, and they had a stake in all the ancillary products they had in broadband services, that he would give them another example, Apple, which had iPhones, which were popping up left and right, they made the iPhones to be Wi-Fi compatible because they predicted that there would be a day when they had more and more Wi-Fi bubbles out there and he guessed the question that EarthLink really had was much of a benefit of a Wi-Fi system could not be captured in a subscriber revenue model, so was there a way to have various technology companies assist them in doing the project funding or anybody else who may do the project, that it was a legitimate issue, they would not be paying \$5 million if they had not gone in a different direction from the beginning, but now instead of having a hard wired start date they could sort of have nine months to pick the start date, they had no rights after that nine months, that he thought it was in the City's interest to work with them during that period of time, that frankly EarthLink did not particularly request to push that option period but he thought they had invested a lot of time and resources in it, that if somebody came along and the City thought they were capable of building a system in that nine months then they would go with them and they had the right to do that; that the locations on Wi-Fi were rooftop locations, so the light poles were roof top locations, and within the context it was a pretty technical contract, but if there was someplace where there were no buildings then there was probably, a, no customers and b, no great public interest on access, that on one hand they wanted it to be so that they could not just cherry pick the places that it was put, which helped them bridge the digital divide and also makes the system stronger because it was more mobile within the area, but it was always envisioned to be a rooftop system with rooftops identified, that on the second topic that he talked about, which was public safety radios, there were some tower issues, but not Wi-Fi; that yes there were effects on timelines with the major layoffs happening at EarthLink now, that they wanted an extension and were paying \$5 million to get it, and during the extension if they had another plan then they would give EarthLink some notice and then proceed with the plan; that the City had not agreed, nor had EarthLink asked for, on the sort of the extension or option, he guessed they had the option not to do anything, but on reducing the standards and requirements for universal coverage's, that the City was going to be a lot better off than so many of the larger cities of the Country because they were going to be \$5 million ahead for one thing, which was not pocket change, and they were way far along compared to all big cities, save for two smaller cities, in understanding the technology and what it would take to do it and how it was deployed and dealings with the utility companies, so he thought they were going to be on track to be certainly the largest city by area and strongest economy and biggest city to get Wi-Fi, that most likely the current thinking within the industry, which he tended to agree with, was that as broadband access charges had come down for DSL cable and T1, then the market where Wi-Fi could play a particularly significant role in the next 5 years, would be people who would migrate from dial up access or who wanted a cheap alternative to dial up access and then past then there would be, because of the demand, different ways of delivering mobile broadband services of which some kind of Wi-Fi would be a part; that as to coverage for higher density in certain areas, the answer would be that it was 95% coverage within the city limits and it got a little bit technical because the more they got the receivers and radio transmitters up to buildings and the like, the more density they had, and the more bandwidth capacity they had fewer delays, etc., and they discussed in detail, and it was tightly negotiated how do they deal with Lake Houston, so they wanted them to be able to go across the bridge and not get cutoff, but they did not want to put towers in the middle of the lake, and the same would be true where it was sparsely populated, how would they want to deal with those particular areas, but it was a very comprehensive package that they put together with EarthLink and there were pluses and minuses, it was good for the City of Houston but it was very expensive for a vendor to build it; that to be very specific the change occurred because EarthLink's CEO died and their CEO and board were prepared to use their balance sheet to finance the project, with recourse to the balance, and now in light to the size of this, and perhaps other Wi-Fi efforts, they would like to get other sources of project financing and they could not do that before the deadlines were coming due, and whether or not they would do it, or somebody else would do it, and if the City would find somebody else to do it faster they could go with that, otherwise they would work with EarthLink, but in any event they were going to be way ahead of the number of cities such as Chicago, Minneapolis and

Atlanta who were a couple of steps behind Houston, that in his view the only city that was ahead of Houston, that was a big city, was Philadelphia, that a lot of others got better publicity because they put out press releases and their Mayor's traveled a lot and all that type of stuff, but he thought they had the best, and the terms of their deal was better than any other city, so he thought they would be ahead of any other cities; that the key components of the system were fifteen to twenty thousand attachments to light and utility poles, which would consist of a receiver and people had receivers in their houses so they could have Wi-Fi in their house, and then they had a radio transmitter and that radio transmitter would send the signal up to about 130 rooftops throughout their community and then from those rooftops it would be put into the wired infrastructure so yes they could scale up a system like this and it may be that in time it was built over a longer period of time rather than a shorter period of time but he thought it definitely had a future. Council Members Garcia and Berry absent.

At 9:48 Mayor White stated that they would move to the consent agenda. Council Member Berry absent.

CONSENT AGENDA NUMBERS 2 through 34

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the appointment of **MR. J. KENT FRIEDMAN**, as Chair of the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY**, for a term to expire August 31, 2009, and the reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2009:
Position Four - **MR. CURTIS V. FLOWERS**
Position Five - **MS. JANIE REYES**
- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0894 ADOPTED.
3. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **MEADOW CHASE CONDOMINIUM ASSOCIATION** for law enforcement services of one (1) deputy from Harris County Constable Precinct 7 - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2007-0895 ADOPTED.

Mayor White and Members of Council congratulated the newly appointed members of the Houston Harris County Sports Authority Board of Directors and thanked them for their service and Council Member Edwards stated that what she would really like to have a conversation with the Sports Authority about how they would develop a youth sports authority that would be dedicated to the same kind of development among youth that the Sports Authority had been able to do for professional sports. Council Member Berry absent.

ACCEPT WORK - NUMBERS 5 through 7

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,150,081.84 and acceptance of work on contract with **CONRAD CONSTRUCTION CO., INC** for Neighborhood Street Reconstruction Project No. 438, WBS N-000371-0001-4 - 1.59% under the original contract amount - **DISTRICTS A - LAWRENCE and G – HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Johnson and Berry absent. MOTION 2007-0896 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,323,201.05 and acceptance of work on contract with **D. E. WILLIAMS CONTRACTING COMPANY, INC** for Sanitary Sewer Repairs by Point Repair (Maintenance Repair Contract), WBS R-000266-0070-4 - 1.94% over the original contract amount - had been pulled from the Agenda by the Administration, and was not considered. Council Members Johnson and Berry absent.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,739,543.23 and acceptance of work on contract with **COLLINS CONSTRUCTION, LLC (formerly C AND C SERVICES)** for Water Line Replacement in the Belfort North Subdivision, WBS S-000035-00B5-4 - 6.07% under 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 Johnson and Berry absent. MOTION 2007-0897 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBER 9

9. **MACAULAY CONTROLS COMPANY** for Replacement Parts for Metering Pumps and Analyzers for Department of Public Works & Engineering - 5 Years - \$996,032.00 - Enterprise Fund - had been pulled from the Agenda by the Administration, and was not considered. Council Members Johnson and Berry absent.

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 34

10. RESOLUTION designating property at 2215 Decatur Street within the City of Houston as a Landmark and a Protected Landmark (Augusta Franck House) - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. RESOLUTION 2007-0034 ADOPTED.
11. RESOLUTION designating certain properties within the City of Houston as Historic Landmarks:
W. T. Carter, Jr. House - 18 Courtlandt Place Boulevard - **DISTRICT D - EDWARDS**
Charles W. Duncan Sr., House - 3664 Inverness Drive - **DISTRICT G - HOLM**
– was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. RESOLUTION 2007-0034 ADOPTED.
12. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a combination 10-foot-wide water line and five-foot-by-ten-foot fire hydrant easement, containing ±8,490 square feet of land, located in the John D. Taylor, Survey, A-72, Houston, Harris County, Texas (Parcel SY6-068); vacation and abandoning said easement to Second Baptist Church, the abutting owner, in consideration of its payment of \$250,455.00 and other consideration to the City - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0965 ADOPTED.
14. ORDINANCE appropriating \$25,000.00 out of Public Library Consolidated Construction Fund for Professional Architectural Services for the HPL Express Discovery Green; WBS E-000119-0001-3; under purchase order with **mARCHITECTS, LLC** - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0966 ADOPTED.

15. ORDINANCE approving and authorizing first amendments to contracts between the City and (1) **AAR INCORPORATED**, (2) **ORTHO CONSTRUCTION RENOVATION COMPANY**, (3) **ALFRED M. TORRES, JR. d/b/a R & A BUILDING SPECIALIST**, (4) **TREBOR INCORPORATED**, and (5) **LONNIE CHARLES WATSON d/b/a WATSON CONSOLIDATED** for Lead-Base Paint Hazard Reduction Construction Services – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0967 ADOPTED.
16. ORDINANCE approving and authorizing lease agreement between the City of Houston and **HUMBLE PLAZA, LTD, d/b/a MEADOWBROOK RETAIL CENTER**, for certain premises at William P. Hobby Airport - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0968 ADOPTED.
24. ORDINANCE amending Ordinance No. 2002-1180 to increase the maximum contract amount between the City of Houston and **GRACE INDUSTRIES, INC (formerly known as GRACE SALES, INC)** for Fire Rescue Monitoring and Accountability System for the Fire Department \$173,410.80 - General Fund – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0969 ADOPTED.
27. ORDINANCE amending Ordinance No. 2003-1009 to increase the maximum contract amount between the City of Houston and **JOHNSON CONTROLS, INC** for Alarm Monitoring, Inspection, Maintenance and Telephone Response Services for Various Departments - \$160,000.00 General Fund – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0970 ADOPTED.
29. ORDINANCE approving and authorizing first amendment to contract (approved by Ordinance No. 2007-0832) between the City of Houston and **EAGLE CONSTRUCTION AND ENVIRONMENTAL SERVICES, L.P.** for Handling and Disposal of Hazardous Materials for Various Departments – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0971 ADOPTED.
31. ORDINANCE appropriating \$481,351.00 out of Water & Sewer System Consolidated Construction Fund and \$465,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **PMI SCOTT L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Scott Park Subdivision; CIP S-000800-0105-4, R-000800-0105-4 and M-000800-0105-4 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0972 ADOPTED.
34. ORDINANCE No. 2007-941, passed second reading August 22, 2007
ORDINANCE granting to **VEOLIA ES TECHNICAL SOLUTIONS, LLC, a Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0941 ADOPTED THIRD AND FINAL READING IN FULL.

Council Member Lawrence moved to suspend the rules to consider Item No. 48 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Members Johnson and Berry absent. MOTION 2007-0898 ADOPTED.

48. ORDINANCE awarding contract to **BL TECHNOLOGY, INC** for Security System Installation and Repair Services for the General Services Department; providing a maximum contract amount 3 Years with two one-year options - \$16,259,339.00 - General, Grant, Enterprise and Other Funds – **(This was Item 49 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. All voting aye. Nays none. Council Members Johnson and Berry absent. ORDINANCE 2007-0972 ADOPTED.

Council Member Wiseman moved to suspend the rules to consider Item Numbers 30, 36, 38, 39 and 49 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Johnson and Berry absent. MOTION 2007-0899 ADOPTED.

30. ORDINANCE appropriating \$200,851.00 out of Water & Sewer System Consolidated Construction Fund and \$171,000.00 out of Drainage Improvement Commercial Paper Series F Fund; approving and authorizing an interlocal cost sharing contact between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Six of the Clearview Village Subdivision; CIP S-000800-0107-4, R-000800-0107-4 and M-000800-0107-4 - **DISTRICT E – WISEMAN** – was presented, and tagged by Council Member Wiseman. Council Members Johnson and Berry absent.

36. ORDINANCE appropriating \$422,583.49 out of the Water & Sewer System Consolidated Construction Fund and \$426,000.00 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Lake Way Village Subdivision, WBS S-000800-00M4-4/R-000800-00M4-4/M-000800-00M4-4 - **DISTRICT E - WISEMAN – (This was Item 29 on Agenda of August 15, 2007, POSTPONED BY MOTION #2007-865)** – was presented. Council Member Berry absent.

After a lengthy discussion by Council Members, Council Member Holm moved to suspend the rules to hear from Mr. Andy Icken, Public Works Department. on Item No. 36, seconded by Council Member Khan. All voting aye. Nays none. Council Members Edwards, Alvarado, Lovell and Berry absent. MOTION 2007-0900 ADOPTED.

Upon questions by Council Members, Mr. Andy Icken, Deputy Director, Public Works Department, stated that in general they had a process for any development that started with platting of a community, and it was so whether it was for a DPC Agreement or any other community that they go through water and waste water availability letters to be sure the utility system was sized to handle the facility and then in addition to that they had a drainage requirement, that the City Council in 2004 changed the detention requirement and the basic requirement that this Council set up at that time, and they actually moved towards the Harris County standard, was that any community had to have, with the impervious cover that they created, the capability to not contribute to what was going on in the surrounding community, i.e., they had a release rate from detention that held water in the community until such time that the water could go through the storm water system and not add to it, that in the case of the three DPC's that were in the southeast part, those three DPC's went through that rigorous test and they do not contribute, that he thought that what the Council Member had raised as an issue was that they had problems within the community, all over the community, that he was not going to suggest that the City did not have issues, as Council Member Edwards well knew with drainage, and there were improvements and they had mentioned a \$2 billion number, but in terms of the impact of these three DPC agreements that they had, they had looked at those and frankly since the Council Member raised the issue, they did find a problem in the sanitary sewer

there that they were not aware of and had not been brought to their attention before this, but in the case of the storm water they did not find, from a technical analysis and the best they could do this, that the DPC agreements and these communities would not contribute to flooding in that area. Council Member Berry absent.

Upon further questions by Council Member Edwards, Mr. Icken stated that the inspectors did do their job and assuming that the contractors and the build out of the community continued per the plan, which they would inspect it on a continuous basis in fact, they would meet the standards of the City, and Council Member Edwards stated that regarding the DPC if there needed to be a change they had a meeting that they did not get anything acknowledged in, other than people did not like it, and once again she would encourage those people who thought there needed to be changes to the DPC ordinance to submit those changes, that it did not need to come through the Flooding Committee, it could come through Mr. Icken, Council Member Lawrence or the Mayor, it did not matter, but the issue was that if they had an issue with changing DPC they needed to submit it, and Council Member Edwards asked Mr. Icken if they still did the 3-1-1 field calls, and Mr. Icken stated that it was a system that they responded to community related issues that 3-1-1 calls them and the very first step they take was the right-of-way group within Public Works and many times the issue was a clogged storm sewer system, and many times they send the right-of-way people out there to clear up the debris, if that was not solving the problem the next step was for them to look at the CIP Plan and see what it fact was needed in that area and incorporate and plan for issues in a broader community, and Council Member Edwards asked if they still had the Contractor On Call Program and if they did could Mr. Icken give them a quick synopsis, and Mr. Icken stated that it was the same issue there, if they did not have the resources within the control staff of Public Works then they had contractors that they had on call to deal with the issue of a broken conduit on the one hand, and it often happened that somehow a conduit had been broken or some other issue and that could breed minor maintenance and minor contracts that dealt not just with cleaning debris, but fixing things that could be fixed without having to go into the CIP system. Council Member Berry absent.

After further discussion by Council Members, Council Member Wiseman moved to refer Item No. 36 back to the administration, seconded by Council Member Johnson.

A roll call vote was called on the motion to refer Item No. 36 back to the administration.

ROLL CALL VOTE:

Mayor White voting no	Council Member Garcia voting no
Council Member Lawrence voting no	Council Member Alvarado voting aye
Council Member Johnson voting aye	Council Member Brown voting aye
Council Member Clutterbuck voting aye	Council Member Lovell voting no
Council Member Edwards voting no	Council Member Noriega voting no
Council Member Wiseman voting aye	Council Member Green voting no
Council Member Khan voting no	Council Member Berry absent.
Council Member Holm voting aye	MOTION 2007-0901 FAILED

A roll call vote was called on Item No. 36.

ROLL CALL VOTE:

Mayor White voting aye	Council Member Garcia voting aye
Council Member Lawrence voting aye	Council Member Alvarado voting no
Council Member Johnson voting no	Council Member Brown voting no
Council Member Clutterbuck voting no	Council Member Lovell voting aye
Council Member Edwards voting aye	Council Member Noriega voting aye
Council Member Wiseman voting no	Council Member Green voting aye
Council Member Khan voting aye	Council Member Berry absent.
Council Member Holm voting no	ORDINANCE 2007-0973 ADOPTED.

38. ORDINANCE appropriating \$420,496.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water and Sanitary Sewer Lines for Section One of South Meadow Place Subdivision, WBS S-000800-00M5-4/R-000800-00M5-4 - **DISTRICT E - WISEMAN – (This was Item 31 on Agenda of August 15, 2007, POSTPONED BY MOTION #2007-867)** – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2007-0974 ADOPTED.
39. ORDINANCE appropriating \$101,975.60 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **FAFB, LLC** for Construction of Water and Sewer Lines to serve the Red Robin Square Subdivision, WBS S-000800-0104-4 and R-000800-0104-4 - **DISTRICT E – WISEMAN – (This was Item 32 on Agenda of August 15, 2007, POSTPONED BY MOTION #2007-868)** – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2007-0975 ADOPTED.
49. ORDINANCE appropriating \$208,068.00 out of Water & Sewer System Consolidated Construction Fund and \$168,481.00 out of Drainage Improvement CPaper Series F Fund and approving and authorizing Interlocal Cost Sharing Contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 410**, WBS S-000800-0103-4, R-000800-0103-4, M-000800-0103-4 - **DISTRICT E - WISEMAN – (This was Item 50 on Agenda of August 22, 2007, POSTPONED BY MOTION #2007-888)** – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2007-0976 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

4. RECOMMENDATION from Director General Services Department for approval of final contract amount of \$2,564,753.09 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Renovation of West End Health Center and West End Multi-Service Center - Phase I, WBS H-000068-0001-4 - 04.97% over the original contract amount - **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 2007-0902 ADOPTED.

PURCHASING AND TABULATION OF BIDS

8. **BADGER METER, INC** - \$8,630,476.00, **HD SUPPLY WATERWORKS** - \$1,130,125.00, **AQUA-METRIC SALES COMPANY** - \$1,370,908.00 and **MACAULAY CONTROLS COMPANY** - \$1,037,529.00 for Water Meters and Water Meter Replacement Parts for Department of Public Works & Engineering - 5 Years - \$12,169,038.00 - Enterprise Funds - was presented, and tagged by Council Members Clutterbuck, Garcia and Johnson. Council Members Wiseman and Berry absent.

Council Member Clutterbuck stated that she knew the item had been tagged but she had a few questions, that as she recalled there had been a purchase of water meters that were supposed to be wireless and somehow submit a signal to tell the meter readers what the reading was and what she recalled there were significant problems with that, that there may have been like a 40% failure rate or something staggering and wondered if the Badger Meter in particular was one of those and if those items had been resolved and taken care of and if they could have answers to that, and Mayor White stated that they would get her a briefing on that. Council Members Wiseman and Berry absent.

Council Member Brown stated that it was his understanding that they made the same purchase three years ago, intending that it would last for five years, that just as a point of information he thought it would be helpful if they knew in these repetitive purchases when the last purchase was, if they had not bought these things for ten years that was one thing, but if they bought them three years ago and somehow ran out of money it was something else, so he had the same concern as Council Member Clutterbuck. Council Members Wiseman and Berry absent.

RESOLUTIONS AND ORDINANCES

13. ORDINANCE approving and authorizing the City of Houston to enter into contracts with each of nine (9) Non-profit organizations: [(1) **CHANCELLORS FAMILY CENTER**, (2) **CHINESE COMMUNITY CENTER**, (3) **COMMUNITY FAMILY CENTERS**, (4) **HOUSTON GATEWAY ACADEMY, INC**, (5) **JULIA C. HESTER HOUSE, INC**, (6) **LIVING WORD FELLOWSHIP CHURCH OF HOUSTON**, (7) **ST. JAMES SCHOOL**, (8) **URBAN AFFAIRS CORPORATION DBA COMMUNITY PARTNERS**, and (9) **YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA**] to administer an After School Achievement Program ("ASAP") - \$490,000.00 - General Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; F - KHAN; G - HOLM; H - GARCIA and I - ALVARADO** - was presented. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0977 ADOPTED.
17. ORDINANCE approving and authorizing Amendment No. 3 to contract between the City of Houston and **ROGER H. BATES**, a sole proprietor, for professional consulting services in connection with a traffic and earnings report and general advisory services for the Houston Airport System - \$100,000.00 - Enterprise Fund - was presented. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0978 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City of Houston and **BRACEWELL & GIULIANI, LLP** for Legal Services relating to Cause No. 2007-11183, Felix Michael Kubosh et. al. v. City of Houston, in the 127th Judicial District Court of Harris County, Texas, establishing a maximum contract amount - \$175,000.00 - Property and Casualty Fund - was presented. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0979 ADOPTED.

19. ORDINANCE amending Ordinance No. 2006-118 to increase the maximum contract amount and approving and authorizing first amendment to Contract #C62204 between the City of Houston and **PHOENIX BUSINESS CONSULTING** for Professional SAP Programming Services; containing provisions relating to the subject - \$2,250,000.00 - Equipment Acquisition Consolidated and Other Funds – was presented, and tagged by Council Members Khan and Holm. Council Members Wiseman and Berry absent.

Council Member Holm requested that someone visit with her about the success of the current SAP Program. Council Members Wiseman and Berry absent.

20. ORDINANCE approving and authorizing contract between the City of Houston and **SWAGIT PRODUCTIONS, LLC** for Streaming Video Services for Municipal Channel; providing a maximum contract amount - 3 Years with two one-year options - \$99,666.00 - Cable Television Fund – was presented. Council Members Wiseman and Berry absent.

Council Member Clutterbuck stated that this item would enable all of them to go online to the Municipal Channel site and specifically check the date that a particular discussion was had and be able to zero in on the exact time and comments that were made, that she was excited to support the item. Council Members Wiseman and Berry absent.

Council Member Holm stated that she agreed with Council Member Clutterbuck that the opportunity it offered the citizens was incredible and really applauded the move. Council Members Wiseman and Berry absent.

A vote was called on Item No. 20. All voting aye. Nays none. ORDINANCE 2007-0980 ADOPTED.

21. ORDINANCE approving and authorizing contract between the City of Houston and **VECTRAREPORTS.COM, INC** for Scanning, Storing and providing web-based retrieval of traffic accident reports for the Houston Police Department; providing a maximum contract amount 3 Years with two one-year options - \$70,000.00 - General Fund - was presented, and tagged by Council Members Clutterbuck and Holm. Council Members Wiseman and Berry absent.

Council Member Clutterbuck stated that they had two members of the public speak at public session about their concerns, that they may have been competitors but they raised some very real issues and she would like to have a meeting with someone in the Police Department about it and whether or not they may be able to accomplish it for much less of an expenditure, that she had tagged the item. Council Members Wiseman, Alvarado and Berry absent.

Council Member Holm stated that she would like some discussion to and thought some good points had been raised, that as they moved into the electronic age and being able to provide information she wanted to make sure they were providing it effectively and efficiently for their citizens and she was concerned about the cost that they were going to have to assume. Council Members Wiseman, Alvarado and Berry absent.

Council Member Garcia asked if the contract had any stipulation on preventing the company from using it for private purposes or for purposes outside the contract, and Mayor White stated that he was sure so but would make sure during week that he would get that information. Council Members Wiseman and Berry absent.

22. ORDINANCE appropriating \$4,781,139.91 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 2409) for use in the Reinspection and Repair of Homes, as mandated by the United States Department of Housing and Urban Development, through the competitive bid process – was presented. Council Members Wiseman, Alvarado and Berry absent.

Council Member Brown stated that Item No. 22 was \$4.7 million out of the Tax Increment Reinvestment Zone Affordable Housing Fund and he had asked Mr. Celli, Director, what was the housing policy of the City of Houston and what were the priorities, that he was not questioning that the item was a priority but thought that they were very scarce funds and they did have great needs in terms of affordable housing and it was a lot of money, how did it fit into the bigger picture, why were they spending \$4.7 million on re-inspection services. Council Members Wiseman, Alvarado and Berry absent.

Mayor White stated that it was a HUD requirement, and Council Member Brown stated that HUD did not tell them which fund to take it out of, that he was asking why were they using TIRZ Affordable Housing Funds, and Mayor White stated as opposed to the General Fund, that HUD would not permit them to use federal funds so there were two choices, that it had been about a thirty month process, a battle, which was that HUD said that it either had to be these funds or some other General Funds that they use as a City, based on the pre conduct on home repair before this administration.

A vote was called on Item No. 22. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0981 ADOPTED.

23. ORDINANCE approving and authorizing professional services contract with **HUDSON & MARSHALL OF TEXAS, INC.**, a Texas Corporation, to advertise and conduct an auction of thirty-six (36) surplus tracts of land owned by the City of Houston; approving and authorizing a form of purchase and sale agreement to be entered into for such property, by the City of Houston, seller, and the highest bidder at auction for each such property, purchaser; authorizing the Mayor to execute, and the city secretary to attest, special warranty deeds conveying the properties to the highest bidder - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS; E - WISEMAN; F - KHAN; G - HOLM and I – ALVARADO** - was presented. Council Members Wiseman and Berry absent.

Council Member Lawrence stated that she had talked to Mr. Jose Soto in General Services and would vote for the item but in each of the four properties in District A there would be a stipulation as far as deed restrictions for residential only, that she drove those areas and they were all usually at the end of a cul de sac that were solid homes and fed out to a major street with solid homes, that she had asked for that to be included and they said they could do it without her tagging the item. Council Members Wiseman and Berry absent.

Council Member Holm stated that there was one property in District G that she would like some more information on and would tag the item and if anybody had some concerns she would be happy to remove just her item. Council Members Wiseman and Berry absent.

Mayor White stated that in the course of having a formal policy that they work out concerning the disposition of a sale or abandonment of improved street right-of-ways, which took a little bit and had to do with a project in Council Member Clutterbuck's district to make sure they were not making mistakes or doing something that would not be a citywide application, there was a policy that was drafted in a prior administration, that did not have the Mayor's signature on it, by Director of Planning, Mr. Litke, that concerned the abandonment of where the street did not go through, stub streets, where neighborhoods wanted to adopt them

and convert them into a little park or something, that he was going to ask Ms. Stein to follow up with Ms. Gafrick and the Legal Department on whether that was ever implanted and whether it was a good idea because it may be a good idea, that there was a memo on all the reasons it was a good idea, that they ought to be able to work with neighborhoods, but he could not see anything in the file that there had been any action on it. Council Members Wiseman and Berry absent.

Council Member Edwards stated that she wanted to compliment Council Member Lawrence on her proposal on the project, that they had twelve properties in District D that she would like to discuss with General Services from the same position, if not single families that they be in line with the existing deed restrictions in the area. Council Members Wiseman and Berry absent.

Council Member Lovell asked if it was part of the policy or they did not have it, that properties that when sold that the deed restrictions apply and if not could they go ahead and make that part of the overall policy of all the properties that they put up for sale, that the deed restrictions be adhered to, and then they would not have to do it piece by piece. Council Members Wiseman and Berry absent.

Mayor White stated that he thought it was the policy, but they would make sure it was confirmed and clarified, so they would not speak overly broad, where it would be a residential plat that they would do xyz. Council Members Clutterbuck, Wiseman and Berry absent.

Council Member Lawrence stated that one of the pieces of property, and she drove them last weekend and Monday morning, there were homes and businesses there so she thought they did need to look at them separately because sometimes in some situations maybe there was a long strip that maybe there be a private street and then it fed out of a neighborhood into a commercial area, so there were some situations that would be very hard to interpret whether there was commercial or just residential in some situations and she had one of those where a decision had to be made, that they wanted them to move forward and be sold and put on the tax rolls but at the same time they wanted to protect their neighborhoods. Council Members Wiseman and Berry absent.

25. ORDINANCE amending Ordinance No. 2004-1130 to increase the maximum contract amount to contract between the City of Houston, **GT DISTRIBUTORS, INC** and **TASER INTERNATIONAL, INC** for Taser Devices, Accessories, Supplies and Repair Services for the Houston Police Department - \$1,871,942.22 - General Fund – was presented, and tagged by Council Members Johnson, Khan, Holm, Clutterbuck and Edwards.

Council Member Edwards stated that she wanted to ask the Chair of the Public Safety Committee if they could possibly have a quick briefing on what the item meant, that it would be helpful to do it as a committee. Council Members Wiseman and Berry absent.

Council Member Clutterbuck stated that she would also like an update on what the taser review policy was or what the results of the taser review were. Council Members Wiseman, Holm and Berry absent.

Mayor White stated that he knew Chief Charles A. McClelland did go through some of it at the agenda briefing, but if there was another forum that they needed to deal with some of that. Council Members Wiseman, Holm and Berry absent.

Council Member Garcia stated that there was a special meeting that he would be having on the issue as soon as they had the medical study completed, along with the University of

Houston's review, that he thought it would give all of them a very well rounded and objective review of the overall program. Council Members Wiseman, Holm and Berry absent.

Council Member Edwards asked if Council Member Garcia could include Controller Parker and the audit that she did. Council Members Wiseman, Holm and Berry absent.

26. ORDINANCE amending Ordinance No. 2004-864 to increase the maximum contract amount to Contract 4600000909 (C56253) between the City of Houston and **CARRIER CORPORATION** for Heating, Ventilation and Air Conditioning Maintenance Services for Various Departments \$2,260,892.50 - General and Enterprise Funds – was presented, and tagged by Council Member Johnson. Council Members Wiseman, Holm and Berry absent.

Council Member Garcia stated that if Council Member Johnson would allow, he would like to move for a two week delay on Item No. 26 so that they could have a committee hearing on it as they discussed yesterday at the MWBE Committee. Council Members Wiseman and Berry absent.

Council Member Johnson stated that he would release his tag on Item No. 26. Council Members Wiseman and Berry absent.

Council Member Garcia moved to postpone Item No. 26 for two weeks, seconded by Council Member Johnson. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0903 ADOPTED.

28. ORDINANCE amending Ordinance No. 2003-383 to increase the maximum contract amount between the City of Houston and **HOLLIDAY DOOR & GATE SYSTEMS, INC** for Overhead Door Repair Services for Various Departments - \$280,000.00 - General Fund – was presented. Council Members Wiseman and Berry absent.

Council Member Garcia moved to postpone Item No. 28 for two weeks, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0904 ADOPTED.

32. ORDINANCE awarding construction contract to **MILLIS DEVELOPMENT AND CONSTRUCTION, INC** for Burnett Bayland Park and Garden Villas Park Improvements; WBS F-000605-0001-4 and F-000640-0004-4; 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 services; construction management; and contingencies relating to construction of facilities financed out of the Federal Government-Grants Fund - \$724,000.00 - CDBG Funds - **DISTRICTS F - KHAN and I - ALVARADO** – was presented. Council Members Wiseman and Berry absent.

Council Member Khan stated that in a situation like this, whenever they were doing a project in a community, especially park projects, it was always good to hold some community meetings and share with the community what was going on, that it was not necessarily that they were wanting to change the scope of work but it was just a good practice that they get the community involved in whatever projects they were doing. Council Members Edwards, Wiseman and Berry absent.

A vote was called on Item No. 32. All voting aye. Nays none. Council Members Edwards, Wiseman and Berry absent. ORDINANCE 2007-0982 ADOPTED.

33. ORDINANCE No. 2007-940, passed second reading August 22, 2007
ORDINANCE granting to **AGGREGATE HAULERS, L.P., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Members Edwards, Wiseman and Berry absent. ORDINANCE 2007-0940 ADOPTED THIRD AND FINAL READING IN FULL.

NON CONSENT AGENDA - NUMBER 35

MISCELLANEOUS

35. SET HEARING DATE on amendments to **CHAPTER 42 OF THE CODE OF ORDINANCES SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - 1 WEEK FROM DATE OF PASSAGE** - was presented. Council Members Wiseman and Berry absent.

Council Member Garcia moved to set the hearing for Wednesday, September 12, 2007 at 9:00 a.m., seconded by Council Member Khan. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0905 ADOPTED.

MATTERS HELD - NUMBERS 36 through 49

37. ORDINANCE appropriating \$275,828.34 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Drainage Improvement CPaper Series F Fund; approving and authorizing Developer Participation Contract between the City of Houston and **OBRA HOMES, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Riverbend Village Subdivision, WBS S-000800-00M2-4/R-000800-00M2-4/M-000800-00M2-4 **DISTRICT B - JOHNSON** – **(This was Item 30 on Agenda of August 15, 2007, POSTPONED BY MOTION #2007-866)** - was presented. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0983 ADOPTED.
40. RECOMMENDATION from Director Planning & Development Department to designate an Honorary Street Marker for **DR. ELIJAH J. THOMAS - DISTRICT I – ALVARADO** – **(This was Item 4 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. nays none. Council Members Wiseman and Berry absent. MOTION 2007-0906 ADOPTED.
41. ORDINANCE **AMENDING SECTION 40-455 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to size requirements for newsracks; containing other provisions relating to the foregoing subject; providing for severability – **(This was Item 16 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBER LAWRENCE)** - was presented. Council Members Wiseman and Berry absent.

Council Member Lawrence stated that it was her understanding that the two newspapers that wanted a 3 inch extension were both newspapers that were handed out without a charge, that they were talking about boxes being 57 inches and if they put three or four next to each other how were they going to be able to see around the high structure, that they were voting to

put an apparatus that formed a wall right close to an intersection, that they would be blinded because 3 inches made a big deal. Council Members Edwards, Wiseman and Berry absent.

Council Member Holm stated that they had a task force that met over a year and a half and this was a change of three inches to what was agreed upon, that she understood and it was one of the task force's concerns when they entered into it to regulate newspapers and it was very much a safety issue, that for that reason there were specific setbacks from corners and intersections so that they absolutely protecting the integrity and safety of anyone approaching intersections, that what they were asking to do today was change the word "including" to "excluding" and the effectiveness of that would be 3 inches, but the ordinance itself was for a word change. Council Members Wiseman and Berry absent.

A vote was called on Item No. 41. Council Member Lawrence voting no, balance voting aye. Council Members Wiseman and Berry absent. ORDINANCE 2007-0984 ADOPTED.

42. **ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Photographic Traffic Signal Enforcement Systems; containing other provisions relating to the foregoing subject; providing an effective date; providing for severability – **(This was Item 17 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Members Wiseman and Berry absent.

Council Member Clutterbuck stated that she was going to vote no on Item No. 42 because she was concerned about the right on red aspect of it, but more importantly it was the principal of the matter, that she felt very strongly in the concept of local control, that she felt strongly that they needed to have their own authority to create their own ordinances with regard to their streets. Council Members Wiseman and Berry absent.

Council Member Edwards stated that she was still not clear on what it did, that everyone knew that running a red light was against the law and thought it was just piling on and still not changing anything, that she would be voting no on the red light situation. Council Members Wiseman and Berry absent.

A vote was called on Item No. 42. Council Members Clutterbuck, Edwards, Lawrence and Johnson voting no, balance voting aye. Council Members Wiseman and Berry absent. ORDINANCE 2007-0985 ADOPTED.

43. ORDINANCE consenting to the creation of the **HARRIS COUNTY IMPROVEMENT DISTRICT NO. 9** and the inclusion of certain land within the district – **(This was Item 19 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0986 ADOPTED.
44. ORDINANCE awarding contracts to **DRC EMERGENCY SERVICES, LLC** and **OMNI PINNACLE, LLC** for Disaster Debris Removal Services for the Solid Waste Management Department – **(This was Item 27 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBER HOLM)** - was presented. Council Members Wiseman and Berry absent.

Council Member Green stated that he has passed out a copy to clear up some clerical errors on Item No. 44 and moved to amend the DRC Emergency Services, LLC and Omni Pinnacle, LLC contracts as follows:

“The DRC Emergency Services, LLC’s contract be amended by substituting revised pages 1 of 42, 2 of 42 and 10 of 42 and The Omni Pinnacle, LLC’s contract be amended by substituting revised pages 2 of 42 and 10 of 42”, seconded by Council Member Alvarado.

Mayor White stated that they supported correcting the clerical errors. Council Members Wiseman and Berry absent.

After further discussion a vote was called on the motion to amend Item No. 44. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION TO AMEND 2007-0907 ADOPTED.

A vote was called on Item No. 44 as amended. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0987 ADOPTED AS AMENDED

45. ORDINANCE appropriating \$2,500,000.00 out of Airports Improvement Fund, and approving and authorizing Amendment No. 1 to Contract No. 55521 between the City of Houston and **KELLOGG BROWN & ROOT SERVICES, INC** for Job Order Contracting Services with the Houston Airport System; WBS #A-000348-0001-4-01 (Proj. 516) - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – **(This was Item 29 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBERS NORIEGA, GARCIA and ALVARADO)** – was presented. Council Members Wiseman and Berry absent.

Council Member Alvarado moved to postpone Item No. 45 for two weeks, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0908 ADOPTED.

Council Member Green moved to suspend the rules to extend the meeting beyond the scheduled noon recess to complete the agenda, seconded by Council Member Khan. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0909 ADOPTED.

46. ORDINANCE appropriating \$5,877,250.00 out of Airports Improvement Fund, WBS A-000439-0003-4-01 and awarding construction contract to **HONEYWELL INTERNATIONAL, INC** for Security System Upgrades and Modifications at William P. Hobby Airport, (Project 612W); setting a deadline for Honeywell International, Inc’s execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding Honeywell International, Inc, in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of the facilities financed by such fund - **DISTRICT I – ALVARADO** – **(This was Item 30 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBERS ALVARADO, GARCIA and JOHNSON)** – was presented. All voting aye. Nays none. Council Members Wiseman and Berry absent. ORDINANCE 2007-0988 ADOPTED.
47. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **APPLE GLASS COMPANY** for Automotive Glass for Various Departments - \$552,246.88 General Fund – **(This was Item 44 on Agenda of August 22, 2007, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. Council Members Wiseman and Berry absent.

Council Member Lawrence stated that she had passed out an amendment to amend Item No. 47 to remove the MWBE 2% as follows:

“I offer a motion to amend agenda item 47 to:

Remove the M/WBE requirement for the contract with Apple Glass Company and award the contract with a 0% M/WBE goal. The goal established in the bid was so low to offer negligible M/WBE participation.”

A vote was called on Council Member Lawrence's written motion to amend Item No. 47. Council Member Khan voting no, balance voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION TO AMEND CARRIED.

A vote was called on Item No. 47 as amended. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2007-0910 ADOPTED AS AMENDED.

Mayor White stated that they had gotten a hard copy memo from him on low bid purchase contracts and it did refer to another category of contracts, which were low bid construction contracts, and there was another category of contracts called professional services, and he just wanted to make sure that everybody knew the difference between those three categories of contracts and the laws that were applicable to them, and that everybody had the benefit of talking to Mr. Michel, Mr. Hall and Ms. Laws if they wanted to know about the legal issues involving those programs, both in the legal challenges still pending, the challenge to the settlement agreement, and the Supreme Court decisions. Council Members Wiseman and Berry absent.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Edwards stated that she had a handout for her colleagues, that it referred to the marginal success of Unity Day and Week, and the fact that they had some very serious, she thought, quality exchanges between different groups of their youth, between the Jewish Community Center, Ripley House and the Asian Community Center, that the article gives them a pretty in depth understanding and appreciation of what they were trying to accomplish, that the article said that they delivered on the promise, that she wanted to thank everyone who worked on it. Council Members Wiseman, Garcia, Brown, Lovell, Noriega and Berry absent.

Council Member Edwards stated that “Lucy” was at the Natural Science Museum and would be there from August 2007 until April 2008, that she knew it was going to be an international experience for the City in a different level other than energy, that there was an international concern and opportunity and she would encourage people to see a part of history that they had probably not seen in their own lifetimes. Council Members Wiseman, Khan, Garcia, Brown, Lovell, Noriega and Berry absent.

Council Member Edwards stated that Hurricane Dean really wrecked havoc in the Caribbean and she wanted to let people know that there was a need for assistance, that there was a coalition of organizations in the City that was working towards raising funds and resources for the Caribbean Islands, they were having a major thing on Labor Day and if they would call their office they could give them information as to where they might donate monies and/or articles and get a list of what they were in need of. Council Members Johnson, Wiseman, Khan, Garcia, Brown, Lovell, Noriega and Berry absent. (No Quorum Present)

Council Member Edwards stated that one of the things that was very disturbing to her at the public session was the presence of the firefighters talking about an incident that happened at the fire station, or allegedly that it happened, and she knew that OIG and the Mayor were investigating and she thought that was well and good but she thought at some point of time ever since she had been at Council they had those kinds of incidents, and she was really fearful that one time they would have the incident of somebody coming to Council and saying that somebody got knocked out or beat up at a fire station because of these types of remarks, that

she did not know what direction the Mayor or Chief Boriskie could take, but she thought something needed to be done, and she was not talking about this particular incident as the whole of the issue but there needed to be a line drawn that public servants could not cross, so she was waiting and encouraged by the Mayor and the Chief and OIG looking into it, and would wait to hear from them, but she thought they needed to send a message, especially when they were dealing with their children, comments regarding their children by anyone on the Council, an elected official or appointed official or employee, she thought, was inappropriate, that she thought it went beyond the bounds of another sensitivity class. Council Members Johnson, Wiseman, Khan, Brown, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Edwards stated that Scott and 610 and that whole area, yesterday they had the same incidents, that it was not as bad as two weeks ago, but it was pretty bad, that it was her understanding that there seemed to be a TXDOT situation that needed to be addressed, and Mayor White stated that that they highlighted it with the County Judge and Metro, that he would ask that on Friday morning Director Marcotte brief him on the problem they were having, and had been having since he had been in office, the area around Scott, and there were some of those north and south streets at 610 and how that drainage had built up, that he was in a helicopter over the floods of June 19, 2006, and they just needed to understand it. Council Members Johnson, Wiseman, Khan, Brown, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Edwards stated that she knew the Katrina anniversary was being commemorated, but August 23 was also the anniversary of the Camp Logan situation in Houston and all the historical preservation talk that had been going on regarding the City of Houston brought to mind the presentation of Channel 11 and Jerome Gray's documentary on Camp Logan and what was an awesome lesson; that today was the anniversary of Katrina, that she thought they had learned some lessons regarding Katrina and where they go, that she would like to have a whole briefing of where they were two years after Katrina in the City of Houston, their victories and their challenges. Council Members Johnson, Wiseman, Khan, Lovell, Noriega, Green and Berry absent.

Council Member Lawrence stated that it was a wonderful party last night and an event to raise money for scholarships for employees children, that she thought that was what Houston was all about. Council Members Johnson, Clutterbuck, Wiseman, Khan, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Lawrence stated that last Saturday was a wonderful event at Founders Memorial Park celebrating two of the founders of the City of Houston, that maybe next year they would celebrate another founder. Council Members Johnson, Clutterbuck, Wiseman, Khan, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Garcia stated that he wanted to talk about the discussions they had been having about the MWBE Program, that he thought the discussions they had at committee were extremely healthy and he believed it was moving in the right direction, but he thought it was also demonstrating how they still had progress to be made, that all he had heard around the Council table was that if they had a program that was intended to create opportunity to make sure that it was used correctly, that secondly, if there were community deficiencies then how could they be proactive to help create that capacity and see if someone could compete for a chance and opportunity, and third, and probably most critical was that internally were the various City departments understanding the program and using the program well and letting the program stand on it's merits; that by working to focus on ways to create opportunities for local businesses, he thought in a broader context, was a very important direction that they needed to move in, that he wanted to thank Ms. Velma Laws for the stake holder discussions that they had

been having with the various departments, but at the same token maybe Mr. Hall, since he had some of the most deepest institutional knowledge on this, maybe it would help just to have a sort of a one on one discussion with the department directors about revisiting the philosophy of Affirmative Action to make sure that people understood where that law had brought them to today and to make sure they understood the foundation of the law as it related to the program and make sure that all those things were understood and that they were not getting to a point of jailhouse lawyering, they sort of think they know it but they do not, to make sure they hear it from a person of authority with a legal background, that there seemed to be a struggle with perception, institutionalized thinking versus what they wanted the program to accomplish, that his colleagues yesterday had some real good points and he thought for the things that caused them the greatest difficulty in interpreting what they were seeing at the Council table they were now going to be able to review some things at committee to make sure they were fully informed and understood the program so they could do their job of helping the administration think through some of these things versus maybe creating some discussions that did not get them any place but maybe more trouble. Council Members Johnson, Wiseman, Alvarado, Lovell, Noriega, Green and Berry absent.

Mayor White stated that there was something that he had not sent out just because he needed to think who should be the recipients, that he would have an observation where he was a strong worker, a strong agreement and asking for help and knowledge and then one that was a word of caution, that he thought that Council Members Garcia and Edwards had as good a big picture view as anywhere around and it was one that he came in with that he feared when they were in a job for a while they might get tunnel vision when they had to explain what a sheet flow thing was for DPC than it was to look at things at 40,000 feet, but the big picture was that they only had a very tiny percentage of the procurement within their community done within the City of Houston, it was highly specialized and that their real success over the longer run was going to be in building capacity and mentoring , not just ownership but also employee managers, and the good news was that there were more and more people who got that doing a lot of work out there and they needed to know what that was, that he had the benefit of doing it, but if it was something that was working how could they triple it and how could they use their bully pulpit as elected officials within the community to encourage people to do it and adopt best practices because they were not going to have somebody pay somebody to be a small businessman who had not been one, so that was genius and they had to keep their eye on that ball and make sure they knew what people were doing and what was effective and what had worked in other communities on that mentoring capacity building, etc., that here was his word of caution, why did they think it was that they had come so far and done an incredible job, say within the Public Works Department, that no one was even close within the community, public or private, in building civil engineering capacity over a period of two decades, primes as well as subs, over 50% of the volume, and then they were always dealing with the issues on the low bid construction contracts, why did they think that was, that might it have something to do with the laws that they were operating under, not the hearts or minds of the people that were involved, they could only squeeze so much and he thought there were some people who thought that if they raise the goals they might have higher MWBE, that was not necessarily true, they might have less under law, that was something that was not well appreciated sometimes, because then people would say that if they were going to be maligned around the Council table for not meeting the goal they might as well not meet it and comply with the law and go through the procedural good faith, that in doing some of these things he would just say that he would love for them to focus on this thing from 30,000 feet and have ideas and suggestions where he needed help on of how do they promote mentoring capacity building with firms in this public entity and within the private sector and a little bit less on how could they maneuver around so that maybe somebody threads the needle of both being the low bidder and they knew they were there with a cattle prod if they missed a deadline with penalties, which he was not going to back off of, by the way, or disbarment, and then they had just the right number of contractors

choosing among people who in a busy city had plenty of people they could work for, that they needed to be careful about that. Council Members Johnson, Wiseman, Alvarado, Lovell, Noriega, Green and Berry absent.

Council Member Garcia stated that as long as the program was working the way it should then let the chips fall where they fall, but the bottom line was that they needed to make sure that their folks internally were using the program correctly and that the goals that were being set that they as policy makers understood it and they could help with it, but also that they make sure that it served specifically what purpose and effectively to and that was to build Houston's local economy. Council Members Johnson, Wiseman, Alvarado, Lovell, Noriega, Green and Berry absent.

Council Member Garcia stated that he wanted to thank Mr. Richard Celli, that tomorrow they would be having a Housing and Community Development Tour of areas in his district, that he wanted to thank Mr. Celli and his staff for working with his office in that regard, they would be doing a bus tour through various areas and seeing where progress was being made and opportunities to be had, that they would be bringing along folks that they could work to help challenge to continue the progress that had been laid in those areas. Council Members Johnson, Wiseman, Alvarado, Lovell, Noriega, Green and Berry absent.

Council Member Garcia stated that he wore his Texan jersey, that the highpoint was that they shooed away the little cowpokes, the Dallas Cowboys, out of town, that he was proud of Coach Kubiak and the attitude that he was putting on the players. Council Members Johnson, Wiseman, Alvarado, Brown, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Lawrence stated that Planning and Development was having a, "Tools to Protect Your Neighborhood", tonight at the United Way building at 50 Waugh Drive and she urged her colleagues to invite colleagues to attend that, that they would be talking about deed restrictions, etc., that it was a very important meeting. Council Members Johnson, Wiseman, Alvarado, Brown, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Holm stated that on Wednesday, September 5, 2007, from 4:00 p.m. to 6:00 p.m. there would be an official ribbon cutting and the door open for the newly reconstructed Looscan Library, that she encouraged the community to come to the library on Willowick. Council Members Lawrence, Johnson, Wiseman, Alvarado, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Khan stated that he wanted to thank Mayor White for programming this week the Caribbean Relief Week in Houston, that as they all knew Hurricane Dean visited the Caribbean and a lot of areas were impacted in a drastic fashion, that just as the Mayor had stated in the proclamation Houstonians had always shown a big heart in times of need, that they could go to the website, www.JamaicaFoundationofHouston.org and they could also send an email to Jamaica Foundation at EarthLink.net and another website was www.repairofthebreach.org, Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. Council Member Edwards presiding. (No Quorum Present)

Council Member Khan stated that the anniversary of September 11 was coming up and this year the Sister City's of Houston were going to organize a program and he would give them the details next week. Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. Council Member Edwards presiding. (No Quorum Present)

Council Member Brown stated that he thought they had a constructive discussion about DPC's or financial partnership to encourage development in the City and standards and flood control and drainage and was looking forward to some output very soon from the Council committees. Mayor White and Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. Council Member Edwards presiding. (No Quorum Present)

Council Member Brown reviewed an article titled "Consumer City". Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Clutterbuck stated that she wanted to thank people from Mayor White office, the 3-1-1 System and BARC for moving forward and working on the suggestion that was raised at the 3-1-1 discussions at the budget that all of the dangerous dog calls and animal calls be able to be routed through 3-1-1, that it was a logical idea and was always nice to see when people were working hard to implement good plans that were going to change things for the public. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

Council Member Clutterbuck stated that they had several of their Alley Task Force meetings, that it was a subcommittee of Council Member Lawrence's committee on Regulatory Affairs, and they had representatives from throughout the City and were all appointed by the different Council Members whose areas they represented, that they had a number of alley issue and were making some good headway, that she wanted to thank the Legal, Planning and Public Works Departments for participating in a meeting that they had in the community this past Friday, they hoped to have their recommendations ready by November 2007 to go to the committee and open it up to a larger discussion, so if anybody had any concerns or thoughts about alleys they were welcome to email them to her office. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 12:51 p.m. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell, Noriega, Green and Berry absent. (No Quorum Present)

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary