

## City Council Chamber, City Hall, Tuesday, January 10, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, January 10, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present.

At 2:01 p.m. Mayor White called the meeting to order and called on Council Member Johnson who invited Rev. Boseman with Our Mother of Mercy Catholic Church to lead all in prayer and Council Member Johnson led all in the pledge. Council Members Garcia and Brown absent.

At 2:02 p.m. the City Secretary called the roll. Council Members Garcia and Brown absent.

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

At 2:04 p.m. Mayor White stated that Council would begin with presentations; and Council Member Berry stated that it was a very special day for the City of Houston as it was time to honor two of their favorite sons and say to Selvyn and Vincent Young how much they meant to all and invited Selvyn Young to the podium; Council Member Berry further stated that Selvyn was named the teams MVP and on and off the field carried himself as a true roll model; and Mayor White presented him a Proclamation proclaiming January 10, 2006, as "Selvyn Young Day" in Houston, Texas; and Mr. Young thanked all for the opportunity today, thanked his family for love and support, Vince for making it fun, and Houston as it was a great city he was proud to be a part of. Council Members thanked Mr. Young for what he said about Houston and for being the type of person so many could look up to.

Council Member Berry invited Vince Young to the podium and stated that many more were working on opportunities to honor him and Vince Young Day was more than a day, it was an event in this community and more important than what he had done on the field was the way he carried himself off the field; that it was unbelievable what he had done for Houston and people could not be prouder; that he was celebrated by many and proclaimed by for NFL safety Ronnie Lott to be the greatest quarterback to ever play college football; and Mayor White presented him a Proclamation proclaiming January 10, 2006, as "Vince Young Day" in Houston, Texas; and Mr. Young's Mother stated that she was a single mother and God turned her to be an example for her children that God was doing things in all their lives and she thanked everyone; and Mr. Young's Grandmother gave all praises to God, thanked all for what they were doing for them today, the city for this occasion, for honoring Selvyn and Vince as they were and asked that all continue to pray for them on this journey; and Mr. Young stated he wanted to give all praises to God for allowing him to be a leader, roll model and the guy in the spotlight who was respected and who kids could look up to; that he was enjoying it a lot and it took a lot of good hearted people around him to allow him to do so; that he and Selvyn said they were going to do this and they were; he thanked Council Member Edwards for all she was doing in the community; and stated that he loved coming home to Houston, loved what they were doing to the city; and if the Houston Texans were listening, "Come on and get me."

Council Members thanked the Young's' for being who they were, for being such an example to the young people, for making everyone in Houston so proud; congratulated all of UT and the team; and thanked the parents and grandparents for training them up in being the men they were today.

Council Member Edwards moved to allow the class present from Marshall Middle School to come up and congratulate and take a picture with Mr. Young; and Mayor White stated without an objection it was so ordered. Council Members Garcia and Sekula-Gibbs absent.

At 2:39 p.m. the City Secretary began calling the public speakers. Council Members Garcia and Sekula-Gibbs absent.

Mr. John Freeman, 2525 Georgia, Deer Park, Texas 77536 (713-675-0559) appeared, presented information and stated that he was vice president of the Houston Independent Automobile Dealers Association and wanted to thank Council Members Lawrence and Green for allowing them input on the curbstoning ordinance; that curbstoning was a crooked racket and his information would show what was transpiring; and he thanked them for what they were doing. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Lawrence thanked Mr. Freeman and stated that this was a major problem in the district two years ago and car dealers came and talked to her; that she was excited the legislature was doing something about this and now it was Council's turn to do something.

Council Member Green stated that Mr. Freeman's input had been invaluable; that they did not work hastily on this and with the input received he thought they had a good ordinance with which they could live and still make a better ordinance; and Mr. Freeman stated that the last page of his handout showed the tax fraud involved. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Ms. Annie Doering, 3700 Kenwood Drive, Kingwood, Texas 77339 (832-439-7741) had reserved time to speak but was not present when her name was called. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Ms. Alice Jones, 3722 Simsbrook, Houston, Texas 77045 (713-413-2327) appeared and stated that when she was present on the 13th she complained about work to be done on her home, but now mold was found and she had talked of that since 2003; that when the roof was put on in 2002 they did not finish until 2004 and the scent was getting stronger and stronger and they could not even sit on the patio it was so bad; and Mr. Wilson sent someone to do work on the 29th without a permit, electrical work and someone fixed her breaker box without a permit. Council Members Lawrence, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Edwards stated that Ms. Jones and her office had a running discussion and moved to suspend the rules to hear from Director Milton Wilson, seconded by Council Member Khan. All voting aye. Nays none. Council Members Lawrence, Garcia, Alvarado, Sekula-Gibbs and Berry absent. MOTION 2006-0015 ADOPTED.

Council Member Edwards thanked Mr. Wilson for providing a list of the work attempted to do with Ms. Jones's home on Simsbrook; and upon questions, Mr. Wilson stated that since 1999 the city had spent in excess of \$29,000.00 and that did not include the mold report Mr. Fontaine asked to be done which was another \$18,000.00, they had exceeded the amount which could be spent on one house; that she was correct the electrician hired did go do an emergency repair and put another circuit in the breaker and apologized for doing it without a permit; that he made a mistake for putting in the box without her so the issue was he did not speak with her before doing the work but he was a licensed contractor; that when she came to the last meeting he spent much time talking with her and could not agree with her and left and Mr. Fontaine began speaking with her and agreed to have a mold report done and significant amounts of mold were found, but the problem was there was no leak in the roof, it was a three way screen breezeway and she elected to enclose the breezeway and that was what caused the mold, there was no circulation and the city had no responsibility for it and court was the only option he could see; that she had complaints since 1999 and HUD closed the case in about 2004, the inspector said that was it and nothing else could be done; that he did not know of any

higher authority who could intervene; and upon further questions by Council Member Edwards, Ms. Jones stated that the city was responsible because the inspector said there was water, the hole was on the wrong side and the roof was leaking and going in the wall and she was sorry but Mr. Wilson was not telling the truth; and Mr. Wilson stated that he would be willing to personally pay for the roof if there was a leak, she had admitted there was no leak, if she would not have enclosed it there would be no mold. Council Members Lawrence, Holm, Garcia and Berry absent.

Mr. Conrad Ary, 7827 Windward Passage, Houston, Texas 77076 (713-828-1447) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Holm, Garcia and Berry absent.

Dr. Stephanie Hrabor, 5005 Georgia Lane, Houston, Texas 77092 (713-683-0638) appeared, displayed a poster board and stated that she was a member of the Environmental Initiative of the Houston Region Democrats and a nonpartisan group of the I-45 Coalition, a steering committee member, she had to manage her health and safety and likewise the city had the responsibility to manage the health and safety in air spaces under their control; that last year she made the poster which showed incidents of malignant cancer diagnoses by zip code for the three year period of 2000 to 2002 for some 42,913 humans at least 15 years old; that the data was gathered through the state information act and ironically roads were legally exempt from air monitoring according to the Texas Health Code and Clean Air Act and so was the health data; that she realized she did not know how Houston or Harris County defined a public health problem related to air quality and she could not understand why she could not get an answer to three questions, one, what were the citywide measures for public health, two, what was a reported incident for each measure by zip code and three, what number of incidences defined a public health problem. Council Members Lawrence, Edwards, Khan, Holm, Garcia and Berry absent.

Council Member Sekula-Gibbs stated that Dr. Hrabor was asking very important questions and she did not want to dissuade her from pursuing the information; and upon questions, Dr. Hrabor stated that her PHD was in Geology and she had 30 years in oil and gas exploration; that she was a scientist; and Council Member Sekula-Gibbs stated she would suggest going toward the epidemiological data available through the Texas Cancer Data Center to start as they obtained data throughout the state and did pinpoint whether there were high cancer diagnosis and high cancer deaths; and some people judge public health by longevity of the population, but by zip codes you do not necessarily die where you were born; and Dr. Hrabor stated that the state gave information by zip codes and she was not asking for more, her focus was literally her home in District A in Precinct four and it was inconceivable that the City of Houston was under an air mandate and implied there was a health problem so surely there must be specific health measures used by the city managers as a guide and she just wanted to know what that was. Council Members Johnson, Edwards, Garcia and Berry absent.

Council Member Lawrence stated that the city had a committee Health and Environmental Issues, and in her office Elana Marks and Council Member Sekula-Gibbs were all trying to get her information and she would continue to E-mail back and forth to them; that also the committee meetings were posted and perhaps she would like to attend; and Dr. Hrabor stated she wondered if they understood her concerns; that she could not talk to them or to Mr. Eversol because there was no common language, no common database, no common format of records and they were specifically interested in the 290/I-10 expansion and Antoine and it was frustrating that roads were exempt and public health information was exempt and legally inadmissible for the Draft Environmental Impact Statement. Council Members Johnson, Clutterbuck Edwards, Garcia and Berry absent.

Mr. Donald Mosher, 9323 Beverly Hills Street, Houston, Texas 77063 (713-789-5767) appeared and stated that he lived in the Westchase District around Gessner inside the Beltway between Westheimer and Richmond and within the last five to six months they had a crime

problem which had gone out of control on weekends; that there were several clubs between Westerland and Jeanetta on Richmond and only about seven officers on duty, even the officers say it's not safe and estimated about 10,000 people during a Friday night within that area; that they call HPD because of fights early in the morning and people park on their street and sit and listen to their music and sometimes are still partying at 4:00 a.m. Council Members Johnson, Clutterbuck Edwards, Garcia, Sekula-Gibbs and Berry absent.

Mayor White stated that he would take a look at that and look at the crime statistics in neighborhoods they targeted; that first they had a squad going to causes mid-December and January there were equivalent of 150 policemen in overtime and many concentrated on those two southern districts in the region and he would take a look at where he was. Council Members Johnson, Clutterbuck, Edwards, Holm, Garcia, Lovell, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that he was familiar with the district and knew what he was talking about; that crime was bad all over town, but the southside was more severely effected; that the Chief had come up with a new program and the Mayor appointed a committee to look into apartment complexes and they were aware of the nightclubs causing tremendous problems and they would be doing all possible within their means. Council Members Lawrence, Johnson, Clutterbuck, Edwards, Holm, Garcia, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Brown stated that this seemed to be a problem which occurred in many neighborhoods and rather than placing band-aids would there be a way to go after the clubs and cantinas; and Mayor White stated that this was time consuming but Council Members Alvarado, Lawrence and Garcia in particular had been great working with the City Attorney in contesting the liquor licensing applications, but to get to the root cause of an issue was to shut down the sale of liquor at a particular time, but the liquor lobby blocked them in the legislature and the only reason they got the Bill they did was because it was battled for by Representatives Farrar and Moreno. Council Member Berry stated that he was familiar with nuisance ordinances in other cities; and upon questions, Mayor White stated that when you bring in a nuisance action you have to think about what your remedy would be; that it could be great for pollution or volume of music, but there was a way residents could protect their block with parking regulations and a good person to turn to would be his Council Member and she could walk him through. Council Members Clutterbuck, Edwards, Holm, Garcia and Sekula-Gibbs absent.

Ms. Gabriela DeLeon, 8415 Bonner Drive, Houston, Texas 77017 (713-643-4342) appeared and stated that they went to the City of Houston to build a garage apartment and was told okay she only needed to bring a survey which she did, she also took plans and they were approved, the garage was done, the plumbing, electrical, sewer and all, but then she was told they had to stop because of deed restrictions; that now they had to stop and she did not know what to do; that she had neighbors call pretending they were going to build a garage and the City of Houston said all they needed was the survey to their property; that this was not right and also one person who called for her was told in 1980 a new law made it necessary to build a garage attached to your house, but she went in 1993 to build a detached garage and it was approved; that they had spent about \$12,000.00 on this and now wanted to finish it. Council Members Clutterbuck, Holm, Garcia and Sekula-Gibbs absent.

Council Member Alvarado stated that this really peeved her, she could not say how many times she had complained about this problem with deed restrictions, why could this not be stopped in the permitting process; that she had complained time and time again and it happened many times in each district, she did not know why there was not a data base so when an address was cued in it would popup and notify of deed restrictions; and upon questions, Ms. DeLeon stated that she received a sticker at her home and a letter in the mail, but in the pictures presented it showed a gorgeous mansion with a garage apartment and she was building at the same time she was and she was allowed to finish it; and Council Member

Alvarado stated that was another thing, so much inconsistency in permitting and she hoped Council Member Lawrence's committee would be cracking down on this, but Ms. DeLeon already spent \$12,000.00; and upon further questions, Mr. DeLeon stated they were given a paper with two boxes to check, one for deed restrictions and one for none and they truly thought there were no deed restrictions because of what was built in the area and they lived there eighteen years with his wife growing up in the area, so they thought they did the right thing; and Council Member Alvarado stated then the right document was brought up, but she did not think it should be the applicant's responsibility or why there could not be a database which could tell the intake person in permitting it was a deed restricted area; and Ms. DeLeon stated that the plumber put plumbing where the window was to go and she had to go back to permitting and that was when they started questioning the authorization of the permits. Council Members Clutterbuck, Holm, Garcia and Sekula-Gibbs absent.

Council Member Edwards stated that there was supposed to be a database and Mr. Litke was supposed to get it together, but she was not clear what they could do at this point; that when people checked the box it was supposed to be a legal document and she would like someone to verify they understood what they were checking, but if they were already building then the deed restrictions were already violated; and she would suggest Chairman Lawrence look into this issue. Council Members Clutterbuck, Holm, Garcia and Sekula-Gibbs absent.

Mayor White stated to Chairman Lawrence that someone should be very specific in charting the process so the answer could come for Council Member Alvarado's question; that he did know they subscribed to the Stewart Title Data Base and there should be some way in this day and age to zoom in what your house looked like on Google and pull up deed restrictions pretty quick. Council Members Clutterbuck, Holm, Garcia and Sekula-Gibbs absent.

Council Member Lawrence stated that the Director of Planning was meeting with them and seeing where that database was, she understood it was software, and people issuing permits could be more aware; and Mayor White stated that if you deal with residential separate from commercial and get people with seniority they would know because they would have dealt with it time and time again, but they did want improvement in the Permitting area; and upon questions by Council Member Lawrence, Ms. DeLeon stated that she lived in Meadowbrook and her Council Member was Council Member Alvarado. Council Members Clutterbuck, Holm, Garcia and Sekula-Gibbs absent.

Pastor James Nash, 8304 Brandon Street, Houston, Texas 77051 (713-725-1664) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Holm, Garcia and Sekula-Gibbs absent.

Ms. Mary Guerra Gonzales, 2015 Chapman, Houston, Texas 77009 (713-225-0877) appeared and presented a letter from which she partially stated, "I walk as a puzzle put together by a Catholic, Christian and community group. I refused to believe that my only sources come from the 4 street food group, backward alleys, and sympathy soldiers and the swift group..... I was guided to you today slowly since 1980 by issues and crap donated by governmental homes affiliated with video and broadcast at 2903 Robertson and 2911 Cochran." Ms. Gonzales continued expressing personal opinions until her time expired; and she asked if she could not get solutions to her problems or complaints. Council Members Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent.

Mayor White stated that they could not solve everything at the Council Table that she could present information to Mr. Cantu. Council Members Holm, Garcia, Sekula-Gibbs and Green absent.

Ms. Carolyn Webster, 6823 Reed Road, Houston, Texas 77087 (713-644-9266) appeared and stated that in the last two years in her subdivision there were three murders and they were afraid and concerned for children; that she lost a home fifteen years ago to right-of-way and she

was now asking for help for the Bayou Oaks Subdivision; that on the corner of Westover and Nunn they had prostitutes, drugs, everything and she spoke to the command station and they needed help. Council Members Garcia and Sekula-Gibbs absent.

Upon questions by Council Member Edwards, Ms. Webster stated that she had been to the storefront and at the command center they were very cordial and they rode the neighborhood and saw the problem, but it had gone beyond them, like the Mayor said they needed to get to the root of the problem; and Council Member Edwards stated that Ms. Rideaux in her office would contact her and set up a meeting for them to come out and see what they could do. Council Members Clutterbuck, Wiseman, Garcia, Lovell, Sekula-Gibbs and Green absent.

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

Mr. Robert Martinez, 6541 Avenue J, Houston, Texas 77011 (832-643-9906) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Edwards, Wiseman, Garcia, Lovell, Sekula-Gibbs and Green absent.

Ms. Virginia Sanchez, 216 W. Curtis Avenue, Pasadena, Texas 77502 (713-740-9213) appeared and stated that she was present regarding missing tickets since 2002 and now affecting the renewal of drivers license; that those at the Lubbock location said the tickets were still missing and so she went there and they showed the tickets were there and an arrest was out for her son, four tickets had been missing and her son had been in jail at Mykawa two times regarding to being picked up because of the warrant for his arrest and still the tickets were not found; that also DPS told her son that the date November 15, 2005 he needed to clear and he could get his license, but when she went Thursday that information was still missing and since it had been missing since 2002 she was asking that it be cleared for her son Edward; that he did have insurance up to 2003 and she was asking for the proof to be sent. Council Members Clutterbuck, Edwards, Wiseman, Garcia, Sekula-Gibbs and Green absent.

Mayor White stated that he would ask Mr. Cantu to follow-up; and Ms. Sanchez stated that she hoped it would show up they had been inquiring since 2002 on this and even in the third week of December the information was missing; and Mayor White stated that it would be checked into. Council Members Clutterbuck, Edwards, Wiseman, Garcia, Lovell, Sekula-Gibbs and Green absent.

Ms. Sudaphon Kinney, 225 Aldine Bender #708, Houston, Texas 77060 (281-448-4190) appeared and stated that she did not go out during night time and had much problem at her apartments; that someone comes in and wants something from her; that she needed help badly. Council Members Clutterbuck, Wiseman, Garcia, Sekula-Gibbs and Green absent.

Mayor White stated that he got the picture and to Mr. Cantu he would have high expectations of social service agencies or others that might need a referral, then they need to do that, sometimes others were more equipped than the city to do things and sometimes you had to guess about what it was, but he wanted a number for someone to be referred to. Council Members Clutterbuck, Wiseman, Garcia, Sekula-Gibbs and Green absent.

Mr. Cristobal Hinijosa, 810 McDaniel, Houston, Texas 77022 (713-642-5458) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Wiseman, Garcia, Sekula-Gibbs and Green absent.

Mr. John Ryan, 8342 Westview, Houston, Texas 77055 (no phone) had reserved time to speak but was not present when his name was called. Council Members Clutterbuck, Wiseman, Garcia, Sekula-Gibbs and Green absent.

Ms. Vera Hicks, 7637 Parker, Houston, Texas 77016 (713-491-8961) appeared and stated that she was present with a property tax issue, there was a conspiracy to take mainly Black senior citizens properties wrongfully in disguise of back taxes and this was her third year with the county tax office; that each time she paid off her taxes for the year the people at the county would go in and reevaluate her property behind the people at the appraisal office and add taxes and attorney fees; that every 90 days she received threatening letters and in November she told the clerk she was going to take care of what they overcharged her for and then within two days she immediately reevaluated her property; that every year she requested the value of property with the Appraisal Office and she had the paperwork where they consistently reevaluated for her and then when she paid them they took it on their own and were stealing everything from the Blacks not nailed down; that the Appraisal District was doing the right thing, but she had a battle. Council Members Lawrence, Clutterbuck, Wiseman, Garcia, Lovell, Sekula-Gibbs and Green absent.

Upon questions by Council Member Johnson, Ms. Hicks stated that two days after her taxes were paid off they were reevaluated; that three years straight she had gone before the County Appraisal and they lowered the value and then soon as she paid it off they added more taxes and attorney fees; and Council Member Johnson stated that he was interested in that and he would like to sit and talk with her; and Ms. Hicks stated that they simply went into the computer and changed it. Council Members Lawrence, Clutterbuck, Wiseman, Garcia, Lovell and Sekula-Gibbs absent.

Ms. Betty Ross, 8500 Nairn #130, Houston, Texas 77074 (281-222-5219) appeared and stated that her problem originated from Katrina and Rita; that last time she was present she told Council she took people to New Orleans in her taxi, but she never did get paid and she invited the same people to her home at 5606 Hickman and now she had a fire there and it burned down; that all her lawn equipment had been stolen since the fire and her utility van had been broken into and she needed to know what to do, no one had come to her rescue; that Red Cross came and assisted her with \$460.00 and FEMA came but for some reason the person they talked to must have been the one burglarizing the place. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Garcia and Sekula-Gibbs absent.

Upon questions by Council Member Edwards, Ms. Ross stated that she filed with the police three times but nothing happened; that on October 31st she had a fire and lost everything, but there was a shed behind the house that burned and that was where her lawn equipment was; and Council Member Edwards stated that she would like Mr. Cantu to ask for a status report on her filings at 5606 Hickman and then she would send the information she found to her address at Nairn. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Garcia and Sekula-Gibbs absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Garcia and Sekula-Gibbs absent.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the official President of the United States and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Wiseman, Garcia and Sekula-Gibbs absent.

Mr. John Mezick, 1811 Ruiz, Houston, Texas 77002 (713-283-9518) appeared, presented information and stated that what he presented was an accident report filed with METRO 90 days ago and no one had gotten back with him; that three people were hit by light rail this year with one being a blind man; and they were going to see people taking things into their own hands. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Sekula-Gibbs absent.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was God; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Sekula-Gibbs absent.

At 3:58 p.m. City Council recessed until 9:00 a.m., Wednesday, January 11, 2006. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia and Sekula-Gibbs absent.

City Council Chamber, City Hall, Wednesday, January 11, 2006

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, January 11, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Arturo Michel, City Attorney; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director present.

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

At 9:29 a.m. Mayor White called the meeting to order and stated that if there was no objection they would start with the Monthly Financial Report and then would have a very brief status report on Project Houston Hope, one facet of it. Council Members Wiseman, Garcia, Green and Berry absent.

**9:00 A.M.** - **REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was presented.

Ms. Annise Parker, City Controller, stated that it was the Monthly Financial and Operations Report for the period ending November 30, 2005, she wanted to welcome the new Council Members to the first monthly presentation of the Financial Report, that she regretted that they were unable to attend the Fiscal Affairs meeting on Monday, that she was looking forward to the opportunity to walk through what they did with the new Council Members, that there had been a few changes in the budget from last month, they were showing that the General Fund would end the fiscal year with a deficit of \$1.6 million, as compared to a \$2.9 million surplus that they predicted last month, it was due mainly to a decline in their revenue projections, that they had increased their sales tax projection by \$3.1 million due to higher than anticipated collections in the first four months of the fiscal year, however the increase was being more than offset by \$5.7 million decrease in projected revenues from Municipal Courts Fines and Forfeits, largely attributed to a decline in citations and then a \$1.7 million decrease in Other Fines and Forfeits, on the expenditure side they had decreased spending in General Government and it was offsetting nearly all of the \$6.1 million increase in overtime spending at HPD for a net increase in their expenditure projections of about three quarters of a million dollars, for the new Council Members if they looked in the back of the monthly report on about page 20 and 21 they would see the information on citations from the Police Department and they would see the drop, that was Katrina and Rita and the aftermath where they had officers doing other things, it was not indicative of a problem within Municipal Courts or the Police Department, that since Katrina and Rita they had also submitted a monthly report on the expenditures to date and each Council Member should have a copy of that, they had received total revenues of \$156.4 million, it included \$145 million from FEMA, a \$10 million transfer from Fund 405 and about \$1.5 million in outside contributions, that Council Member Garcia asked that they show a version of the report by month and they had included that this morning so they could see when the expenses came in, they currently had a balance in the Katrina Funds of \$12.3 million and again that included the \$10 million seed money, that they were unable to complete the CAFR, Comprehensive Annual Financial Report, on time, it was due to be delivered on December 31, 2005, due to difficulties

getting information from various City departments they anticipated that it would now be delivered January 31, 2006, they had notified the bond holders and distributed un-audited copies of the annual report to those who required it, and that concluded her report. Council Members Wiseman, Alvarado and Berry absent.

Ms. Judy Gray Johnson, Director, Finance and Administration, stated that overall their revenue estimates were a little bit higher than those of the City Controller, that in Municipal Courts Fines and Forfeits they were treating some of those as definitely more of a one time thing, that overall they were projecting revenues for the General Fund at about \$9.3 million more than budget, the main items were due to sales tax revenues, the last check they got was much higher than the one the same time a year ago, they also saw an increase well over budget in the Natural Gas Franchise Revenues, that was very much related to natural gas prices, that offsetting in part the fact that revenues were coming in over budget they did see some pressure on the expenditure side and their projection was if nothing else changed they would have \$2.3 million spending over budget, that together between the revenues over budget and expenditures slightly over budget they still expected to end the year higher than the fund balance that they started with, the difference in the revenues from the Controller indicated that they would expect them to end the year slightly lower than what they started with, but not significantly so, the main differences in the expenditure projections from the last month were that they had increased the Police Department projections back to the budget based on a review of under spending that had been reprogrammed but within the department, the Mayor authorized additional overtime program and some other expenses to allow the department to spend the full amount of the budget, they also had reduced their projection for retiree health benefits within the General Government category, that was not due to change in the health benefit costs, but change in the number of retirees, they had fewer people retiring, their health benefits cost for the departments were running close to what they had expected, slightly lower as well, and that concluded her report.

Upon questions by Council Members, Ms. Johnson stated that the Police Department did not categorize the ticket projections as a goal, that was an estimate upon which the budget was predicated, that they did not have the final totals for December but the trend was up a little bit in December and it was their expectation that the number of citations written would return to a more normal level and that was certainly what they expected to happen, that the Police Chief was well aware of that and was trying to balance all of the competing public safety needs within the Police Department to make sure that traffic control, while very important, was not overshadowing anything else, that for that period of time it was a relocation, that more officers were being redirected back to traffic enforcement duties, that they were seeing more officers on traffic enforcement and expected the citations to go back up, that for the funds generated by red light cameras there would be a trend indicator.

Council Member Green moved to accept the Monthly Financial Report, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0016 ADOPTED.

Council Member Alvarado stated that she wanted to recognize a special group of college students who were present, the Texas Legislative Internship Program that was sponsored by State Senator Rodney Ellis and joining them was former City Council Member Jew Don Boney, that many of the interns worked in the Council offices and did great work, that they had an extensive program that they went through, that the program had been in existence for several years and was a real success.

#### **MAYOR'S REPORT** - Project Houston Hope - Adult Education Opportunities

Ms. Linda Clarke stated that as they well knew 80% of the jobs today required education or training beyond a high school diploma so in an effort to increase adult education opportunities in the Houston Hope areas they were partnering with the Houston Community College and Houston Independent School District to provide adult learning classes, that they

would be on the campuses of Booker T. Washington High School, Kashmere High School and the Acres Home Multi Purpose and Third Ward Multi Purpose Center, they were going to be expanding them as space becomes available in the other areas and it was part of an \$8 million grant to the Houston Community College, the courses that would be offered were English as a second language, GED preparation and Adult Basic Education, there was no cost to the students that meet qualifications and if they did not meet the qualifications, which were simply that they would have to be beyond high school level there was a nominal fee of \$25 for each semester, the classes would initially be offered in the mornings and evenings and as the need expanded they were going to expand those classes to afternoons and Saturdays, they wanted to recruit adults in those communities of all ages, but also wanted to encourage parents of young, preschool students and school age students to enroll in the classes, that to enroll they simply had to call the HCC Northeast Literacy Hot Line at 713-718-5400, the classes would begin on January 17, 2006, and what was really exciting was that upon completion of the program the students would have the opportunity to participate in HCC college classes or career training programs where they could have a job with a starting salary of \$35,000 annually, they were going to be asking members of the community to work with those students as mentors and were going to be working with Work Source and other organizations so that they could have job fairs that would meet the needs, jobs and qualifications of these particular students.

Council Members thanked Ms. Clarke for her work and also thanked Mayor White for giving the report in a timely manner.

Council Member Alvarado moved to suspend the rules to consider Item Numbers 18, 32 and 19, after consideration of Item No. 1 at this time, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0017 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment of the following to the **HOUSTON LIBRARY BOARD OF DIRECTORS:**
  - Position One - **MS. ANN SHORT**, for an unexpired term ending 3/1/2006
  - Position Thirteen - **MS. SUSAN A. HUNT**, for a term to expire 3/1/2007
  - Position Fourteen - **MR. ROBERT B. TUDOR, III**, for an unexpired term ending 3/1/2007
  - Position Fifteen - **MS. ALISON LELAND**, for an unexpired term ending 3/1/2006
  - Position Seventeen - **MS. JUANITA ELIZONDO**, for an unexpired term ending 3/1/2007

– was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0018 ADOPTED.

Mayor White requested that any of the newly appointed board members stand and be recognized.

18. ORDINANCE approving and authorizing Joinder Agreement between the City and **HOUSTON HOST COMMITTEE, INC** for the 2006 National Basketball Association All-Star Game; authorizing allocation and payment of \$310,800.00 to the State Comptroller - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2006-0016 ADOPTED.
32. ORDINANCE appropriating \$4,000,000.00 out of Parks Consolidated Construction Fund and approving and authorizing restated and amended interlocal agreement between the City and **HARRIS COUNTY** for Design and construction of an Aquatic Center and de-obligating Community Development Block Grant (“CDBG”) Funds approved under the original interlocal agreement between the City and Harris County authorized by Ordinance No. 05-0092 – was presented.

Council Member Edwards presented a handout for an amendment and moved to amend the amount of money that the City was obligated to, that the amendment was “to reduce the City

of Houston's obligation from \$4 million to \$3,748,000, seconded by Council Member Alvarado.

Council Member Edwards moved to suspend the rules to hear from Mr. Milton Wilson, Director of Housing, to speak to how CDBG Funds and Park Bond funds were being used, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0019 ADOPTED.

Upon question by Council Members, Mr. Wilson stated that no, there would not be any parks in the City that would be in jeopardy of losing money because of the financing of the natatorium, that the Parks Department had a Master Plan for the parks and the natatorium would in no way affect that, in fact the Parks Department would probably get a few more parks because of it, that it was his understanding that in talking with the Parks Department that this item would in no way would affect any park from being closed that had a pool, that no swimming pool would be closed because of the natatorium. Council Member Garcia absent.

A vote was called on Council Member Edwards motion to amend Item No. 32. All voting aye. Nays none. Council Member Garcia absent. MOTION 2006-0020 ADOPTED.

A vote was called on Item No. 32 as amended. Council Member Berry voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2006-0017 ADOPTED.

19. ORDINANCE amending Ordinance No. 2005-1022 which created the Hurricane Katrina Aid and Recovery Fund to expand the purposes for which the fund may be used to include increased public safety needs for a larger population resulting from Hurricane Katrina – was presented, and tagged by Council Members Wiseman and Sekula-Gibbs. Council Member Johnson absent.

### **CONSENT AGENDA NUMBERS 1 through 32**

#### **MISCELLANEOUS** - NUMBER 5

5. ORDINANCE appropriating \$84,068.46 out of Street & Bridge Consolidated Construction Fund as additional funding for contract with **LONE STAR ROAD CONSTRUCTION, LTD.** for Bertner Bridge and Paving, Package II, Bertner Bridge, GFS N-0722-02-3 (SB9089-2), (approved by Ordinance No. 04-622) - **DISTRICT D – EDWARDS** – was presented. All voting aye. Nays none. Council Member Johnson absent. ORDINANCE 2006-0018 ADOPTED.
- 5a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 4 for \$84,068.46 on contract with **LONE STAR ROAD CONSTRUCTION, LTD.** for Construction of Bertner Bridge and Paving, Package II, Bertner Bridge, GFS N-0722-02-3 (SB9089-2) - **DISTRICT D – EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Johnson absent. MOTION 2006-0021 ADOPTED.

#### **ACCEPT WORK** - NUMBERS 8 through 11A

8. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$11,681,769.73 and acceptance of work on contract with **W. W. WEBBER, INC** for Runway 8L-26R Clearing, Grading & Drainage at George Bush Intercontinental Airport/Houston Project No. 522B, CIP A-0304 - 02.31% under the original contract amount - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0022 ADOPTED.

11. ORDINANCE appropriating \$15,479.10 out of Water & Sewer System Consolidated Construction Fund as additional funding for contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Water Line Replacement in Kennedy Heights Subdivision, GFS S-0035-KH-3 (WA10086-3), (approved by Ordinance No. 03-0201) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2006-0019 ADOPTED.
- 11a. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$37,251.38, final contract amount of \$619,612.89 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.** for Construction of Water Line Replacement in Kennedy Heights Subdivision, GFS S-0035-KH-3 (WA10086-3) - 07.69% over the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0023 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 13 through 17

13. **SECOA, INC (Bid No. 1)** for Theater House Curtains for Convention & Entertainment Facilities Department - \$39,339.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0024 ADOPTED.
14. **NATIONAL WATER WORKS, INC** for PVC Gravity SDR-35 Sewer Pipe and Fittings Contract for Department of Public Works & Engineering - \$114,290.04 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0025 ADOPTED.
15. **BERGER CONSTRUCTION COMPANY** for ADA Modifications at 4200 and 4215 Leeland for Department of Public Works & Engineering - \$121,632.00 and contingencies for a total amount not to exceed \$127,713.60 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0026 ADOPTED.
16. **EPSCO INTERNATIONAL, INC** for Repair and Reline Fiberglass Reinforced Plastic Storage Tanks for Department of Public Works & Engineering - \$40,900.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0027 ADOPTED.
17. **HEIL OF TEXAS** for Petersen Rear Steer Loader Replacement Parts and Service for Solid Waste Management Department - \$438,000.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0028 ADOPTED.

**ORDINANCES** - NUMBERS 21 through 31

21. ORDINANCE establishing the south side of the 2400 and 2500 blocks of Eagle Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0020 ADOPTED.
22. ORDINANCE establishing the north side of the 4400 block of Gibson Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0021 ADOPTED.

25. ORDINANCE appropriating \$95,000.00 out of Airport System Consolidated 2000 AMT Construction Fund (530); authorizing purchase of land and improvements thereon out of replat of Still Meadows Section One, Houston, Harris County, Texas, for Expansion of Bush Intercontinental Airport, CIP A-0421-09.1; approving purchase and sale agreement with the owner of the land (North Houston Commercial, Ltd.) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-0022 ADOPTED.
26. ORDINANCE appropriating \$276,979.42 out of Water & Sewer System Consolidated Construction Fund and \$210,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **INDIVISA CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section One of the Pine Tree Subdivision, CIP S-0800-H5-03 & R-0800-H5-03 **DISTRICT B - JOHNSON** – had been pulled from the Agenda by the Administration, and was not considered.
28. ORDINANCE appropriating \$2,415,160.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KUO & ASSOCIATES, INC** for Design of Water Line Replacement in Briar Park & Gulf Meadows II, GFS S-0035-L1-2, Del Monte, GFS S-0035-L2-2, Oak Estate, GFS S-0035-L3-2, Spring Oaks, GFS S-0035-L4-2 and Broad Oaks, GFS S-0035-L5-2; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; E - WISEMAN and G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2006-0023 ADOPTED.
29. ORDINANCE appropriating \$1,758,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS G&M, INC** for the Design of Water Line Replacement in Fontaine Place, GFS S-0035-M1-2, Noble-South, GFS S-0035-M2-2, Clinton-West, GFS S-0035-M3-2 and Gardendale, GFS S-0035-M4-2; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - JOHNSON and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0024 ADOPTED.
30. ORDINANCE appropriating \$1,485,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **OMEGA ENGINEERING, INC** for the Design of Water Line Grid Replacement in Alabonson, GFS S-0035-M5-2, Mangum Manor-South, GFS S-0035-M6-2 and Timber Oaks West, GFS S-0035-M7-2; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS A - LAWRENCE and B - JOHNSON** – was presented. All voting aye. Nays none. ORDINANCE 2006-0025 ADOPTED.
31. ORDINANCE appropriating \$493,450.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **KIT PROFESSIONALS, INC** for Design of Water Line Grid Extensions at various locations, GFS S-0700-63-2 (WA10868); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - CLUTTERBUCK; D - EDWARDS; G - HOLM and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2006-0026 ADOPTED.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**MISCELLANEOUS**

2. **RECOMMENDATION** for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2006 - January 1, 2006 through December 31, 2006 – was presented, and tagged by Council Member Wiseman.

Council Member Alvarado stated that she had a chance to visit with some of the 9-1-1 staff and there was some things that were taking place around the Country and things that had been mandated by Congress that affected how they received money for their 9-1-1 budget, that one of the things that they needed to be mindful of was that in June 2005 the FCC released an order adopting rules that interconnected VOIP providers to provide their new and existing subscribers with 9-1-1 service no later than November 28, 2005, that to date only Time Warner had done that and they were able to charge a fifty cent fee that went back to 9-1-1, but they still had hundreds if not thousands of providers that had not complied with that deadline and the longer they did not comply they had 9-1-1 service that was not working through VOIP and that service fee was not applied to their 9-1-1 budget, so they were losing and she thought they had to keep an eye on what takes place with the FCC, that she knew that some of those providers had received extensions, that this was something that had to be put on their Legislative forefront, that it continued to put a burden on the 9-1-1 budget.

Council Member Wiseman stated that she had concerns with respect to areas in the City that were not logged into the 9-1-1 system and that created an extreme emergency problem when people were in need of emergency system and the location was not in the system, that they had tried to resolve that for some areas within her district and they had not had much success and therefore she would be tagging the item and would like to meet with Mr. David Cutler to see how they could resolve it, and Mayor White asked that Council Member Wiseman let him know the results of that, and would ask representatives of HPD to make sure what was not communicated and when it was not communicated.

Council Member Garcia asked City Legal if there was any authority that they could institute on some of the VOIP providers, was there any restriction that they could put on them for selling their product with no 9-1-1 accessibility or inner activity because it continued to be a problem, as Council Member Alvarado identified, could they as a City make sure that consumers knew they were purchasing products that they could access 9-1-1 but it was not going to be the same level of service, and Mayor White stated that now they had telecommunications counsel that did not have a conflict, rather than have amateurs wing it, and Mr. Michel stated that was correct, they had the expertise, and Mayor White stated that he knew a bunch of stuff was preempted, but if somebody could not get 9-1-1 service, then should they not be required, in big black letters, to describe that so they would not have a citizen out there who was left in the lurch, that consumers deserved to know if they were not going to get served by 9-1-1, so if they could get an opinion on that, whether they would be preempted for that reason, not to penalize some one, but for fair disclosure.

Council Member Holm stated that she was wondering if it was not a big enough issue that they ought to take to committee and really look at, because if those companies were not going to disclose it, she thought they should be facilitating big lists of companies, just so consumers knew that the services the City offered were not being provided by certain companies, and Council Member Alvarado stated that there was a list and it was very lengthy, there were thousands of providers and they were in violation and Time Warner was the only one who had complied, and Council Member Holm stated that she agreed and wondered what was the structure to have a strategy and a plan for the City to bring compliance and enforcement and set the standards for their citizens.

Mayor White asked if the chair of the Public Safety Committee could convene a meeting on the topic and Council Member Garcia stated that he would be more than happy to, and Mayor White stated that he thought they would want to get FCC counsel as well as 9-1-1 and it's leadership. Council Member Berry absent.

Mayor White stated that Item No. 2 had been tagged. Council Member Berry absent.

3. RECOMMENDATION from Director Building Services to debar **STEPHENS CONSTRUCTION SERVICES** and **W. BRIAN STEPHENS**, President from receiving City public works contracts for a period of two years – was presented, moved by Council Member Green, seconded by Council Member Alvarado. Council Member Berry absent.

Council Member Green stated that he had a question about the contractor being able to get back into the City system, that he understood there was nothing in place that would permanently debar a contractor such as this, could they explore the process of debarring this person permanently, and would encourage them to explore that further, and Mayor White stated that they would do that. Council Member Berry absent.

Council Member Sekula-Gibbs asked how do they screen not only the company by name but also the principals involved for at least a period of time, that she was concerned about the individuals as well as the name of the company.

Mayor White stated that Council Member Sekula-Gibbs raised a good point, that he thought they had never debarred somebody under the ordinance so they were taking a strong action that was part and parcel of accountability and they would be taking more, that his goal was no debarments because everybody would do a good job, but where people did not do a good job people expected the City to hold people accountability, they wanted good companies to bid for City business, they did not want good companies to be discouraged from doing City business, that they were debarring the principal in the firm as well, and if Mr. Stephens became affiliated or had an ownership interest in some other firm will the debarment reach him, and Mr. Michel stated that he was not sure if it was clear enough because “person” was not a defined term in the ordinance but he would make sure that happened and come back with a proposed amendment if that was needed to insure that it would cover a person coming back in some other form. Council Member Berry absent.

Council Members Green and Khan stated that they would tag Item No. 3. Council Member Berry absent.

After further discussion by Council Members, Council Member Edwards asked for a list of contractors who did shoddy work or a rating system, because there was no way for her to know, just by a name, what a contractor’s history had been with the City, and Council Members Khan and Green stated that they would release their tag on Item No. 2.

A vote was called on Item no. 2. All voting aye. Nays none. MOTION 2006-0029 ADOPTED.

4. RECOMMENDATION from Director Finance & Administration Department for renewal of membership in the **TEXAS MUNICIPAL LEAGUE** - 1 Year - \$68,694.00 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

After a lengthy discussion by Council Members, Council Member Holm stated that they had to evaluate those organizations of which they did need to be a part of, but make sure that they were also benefiting for the benefit of their citizens, that it was really a benefit to the City of Houston.

Mayor White stated that Item No. 4 was tagged by Council Members Sekula-Gibbs, Clutterbuck, Lawrence and Khan. Council Member Lovell absent.

## **DAMAGES**

6. RECOMMENDATION from City Attorney for settlement of claims styled **SOUTHWESTERN BELL TELEPHONE, L.P.** vs. City of Houston; in the County Civil Court at Law No. One (1) of Harris County, Texas; Cause No. 813,747 - \$62,500.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. Council Member Lovell absent.

Council Member Edwards stated that she still had a question as to the employee's responsibility for when the City had to pay those type of charges, not only for this item but when there were accidents and they had to pay, were they fired or reprimanded or did they have to pay, that she would like for somebody to share with her what was the process when employees caused the kind of damage that the City had to repay, and Mayor White stated that he would take a look at it and they would check it out.

Council Member Holm stated that one of the things that they really needed to be looking at were what were the standards they could set, one with relocation, one with new construction and in identifying where the lines were and the City would set where they would be placed so that they would know them, map them and permit them.

A vote was called on Item No. 6. All voting aye. Nays none. MOTION 2006-0030 ADOPTED.

#### **ACCEPT WORK**

7. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$13,341,415.80 and acceptance of work on contract with **STEWART-MATL, LTD.** for New ARFF Stations at George Bush Intercontinental Airport/Houston Project No. 521B, CIP A-0008 and A-0422 - 03.02% over the original contract amount - **DISTRICT B – JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0031 ADOPTED.
9. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$26,838,859.27 and acceptance of work on contract with **SWINERTON BUILDERS (Formerly known as SWINERTON & WALBERG CO.)** for Terminals A & B Utility/Code Upgrades at George Bush Intercontinental Airport/Houston Project No. 531, CIP A-0318 and A-0327 - 03.71% over the original contract amount - **DISTRICT B - JOHNSON** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0032 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$549,883.35 and acceptance of work on contract with **HARD ROCK CONSTRUCTION, INC** for Safe Sidewalk Program C2 Project, GFS N-0610A-C2-3 (SB9049-2) 13.22% under the original contract amount - **DISTRICTS C - CLUTTERBUCK; F - KHAN and G – HOLM** – was presented, moved by Council Member Khan, seconded Council Member Alvarado.

Council Member Clutterbuck stated that the item related to safe sidewalk construction and she wanted it noted that the Shephard Street portion was the portion between University and Holcombe on the west side of Morningside, that it was not part of the Shephard Street reconstruction project that their office had been in contact with Public Works about, that when Shephard was reconstructed with TXDOT funds there was over \$800,000 in TXDOT funds returned to the City and items on a punch list to complete that project were submitted to the City and her office had been in contact with Public Works about tracking down that money.

A vote was called on Item No. 10. All voting aye. Nays none. MOTION 2006-0033 ADOPTED.

## **PURCHASING AND TABULATION OF BIDS**

12. **STARTEX GASOLINE & OIL DISTRIBUTORS, INC** - \$26,229.36, **WASTE MANAGEMENT OF TEXAS, INC** - \$79,821.70 and **SUN COAST RESOURCES, INC** - \$128,558.91 to Address Emergency Disaster Recovery - General and Fleet Management Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Sekula-Gibbs.

## **ORDINANCES**

20. ORDINANCE establishing the north side of the 1700 block of Albans Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C – CLUTTERBUCK** – was presented.

Council Member Garcia stated that was frustrated with some bizarre things that occurred last week at the Planning Commission, that his community had worked extensively on the ordinance over may years and had complied with the ordinance and the letter of the law, and the new batch of commissioners debated with Legal whether or not the community had complied with the ordinance and Legal had reiterated that they had and then the commission voted down a tremendous amount of community work.

Mayor White stated that he shared Council Member Garcia's surprise at the decision by the Planning Commission, that he knew that Ms. Gafrick and individual Planning Commission members had been in touch with the civic clubs and encouraged people to pursue the matter and not let it drop with the Planning Commission, that it was the largest request that had ever been made, that he would ask Ms. Gafrick to send to him, the City Controller and all Members of Council any information concerning contacts between people who expressed concern about the action of the civic club so they would know if there was lobbying going on and the organization that it was being done by, that he believed they had a good, honest, hard working and thoughtful group within the Planning Commission, that he thought it was a matter where the policy of the administration should be and now had been more clearly articulated to give them some guidance.

Council Member Clutterbuck stated that her concern was with the way the City treated the applicants, the application was submitted by Ms. Homemeyer in August of 2004 and if they would notice in the supplemental materials it was interesting that this particular application did not have a date stamp on their copy, that last week's application did have a date stamp on it and she was curious to know why the two applications, which were separate applications, why the department date stamped one and not the other and if they did have a policy of date stamping all of the applications why the current copy that they had did not have the date stamp on it, that the date stamp on the south side application was September 13, 2004, that she had not gotten information from Ms. Gafrick, but the information that she had been getting from the individuals was that there was a delay on the part of some of the people that they were dealing with and that there had been misrepresentation. Council Member Green absent.

Mayor White stated that they were going to have a directors meeting and if there were some problems with the application they would need to know what they were, if somebody just let something sit in their inbox for 10 months then that was grounds for termination so he really needed to understand, that they would talk about it at the directors meeting, and Council Member Clutterbuck stated that she would like an answer as to who made the date stamp, was it in Ms. Gafrick's office or the City Attorney's office and was it the policy to date stamp every piece of information and Mayor White stated that they would get that information to her. Council Member Green absent.

After further discussion by Council Members, Mayor White stated that he agreed with them that it was an opportunity for all of them to do two things, to give some direction to the Planning

Department concerning the policy, and that it did not mean that they did not welcome development within the City limits.

A vote was called on Item No. 20. All voting aye. Nays none. ORDINANCE 2006-0027 ADOPTED.

23. ORDINANCE appropriating \$21,500,000.00 out of Fund 626, C&E CP2002 Series A Construction Fund and approving and authorizing an Interlocal Agreement between the City of Houston and the Houston Downtown Park Corporation, a Texas Non-Profit Local Government Corporation Created by the City of Houston, to finance the construction of an Underground Parking Garage to be constructed in and on the City's Convention Center Parking Easement located under and across 5.46 acres of land, more or less, being portions of Blocks 122, 123, 124 and 125, Southside Buffalo Bayou; approving and authorizing a lease agreement between the City, as landlord, and Houston Downtown Park Corporation, as tenant, for the Convention Center Parking Easement; and approving and authorizing a Garage Development Management Agreement among the Houston Downtown Park Corporation, the Houston Downtown Park Conservancy and the City of Houston for the design, construction and construction management of the Underground Parking Garage on the Convention Center Parking Easement; approving necessary documents related thereto; making various findings and provisions related thereto - **DISTRICT I – ALVARADO** – was presented.

After discussion by Council Members, Mayor White stated that Council Members could direct to him and copy Mr. Dadoush ways that they thought they ought to save money without slowing things down they would be all over it because they wanted to save money so they could reinvest it; and Council Member Sekula-Gibbs stated that she wanted to make sure there were allocations available for repair and maintenance because these particular garages seemed to have a little more maintenance required then perhaps some of the better made garages that were above ground; that she had asked for a study early on regarding the tunnel possibilities and asked Council Member Brown to be on the look out for that as well, that they told her that there was no money to develop a tunnel that would connect the underground parking to either the George R. Brown or the Hilton.

After further discussion a vote was called on Item No. 23. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2006-0028 ADOPTED.

24. ORDINANCE approving and authorizing agreement for APM Operations and Maintenance Services at George Bush Intercontinental Airport, by and between the City of Houston and **JOHNSON CONTROLS, INC**; providing a maximum contract amount - \$20,393,000.00 Enterprise Fund - **DISTRICT B – JOHNSON** - was presented, and tagged by Council Members Clutterbuck, Khan and Johnson. Council Member Holm absent.
27. ORDINANCE appropriating \$194,767.94 out of Water & Sewer System Consolidated Construction Fund and \$187,993.11 out of Tax Increment Reinvestment Zone Affordable Housing Fund; approving and authorizing Developer Participation Contract between the City of Houston and **INDIVISA CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Pine Tree Subdivision, CIP S-0800-H6-03 & R-0800-H6-03 **DISTRICT B - JOHNSON** - was presented, and tagged by Council Member Johnson. Council Member Holm absent.

#### **NON CONSENT AGENDA** - NUMBER 33

#### **MISCELLANEOUS**

33. MOTION to set a date not less than seven days from January 11, 2006 to receive nominations for Positions One, Two and Two Alternate At-Large Positions of the

**HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one-year terms to expire December 31, 2006 – was presented.

Council Member Khan moved to set January 18 to receive nominations for Positions One, Two and Two Alternate At-Large Positions of the Houston-Galveston Area Council Board of Directors, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0034 ADOPTED.

**MATTERS HELD** - NUMBERS 34 through 38

34. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$2,241,210.58 awarded to **ENVIRONMENTAL ENGINEERS AND CONSTRUCTORS II, LTD.** and acceptance of work by final payment to the surety, **ST. PAUL TRAVELERS BOND, SURETY COMPANY** for Chocolate Bayou Wastewater Treatment Plant Improvements, GFS R-0512-10-3 (4768-3) - 00.66% over the original contract amount - **DISTRICT D – EDWARDS – (This was Item 5 on Agenda of January 4, 2006, TAGGED BY COUNCIL MEMBERS EDWARDS and GREEN)** – was presented. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0035 ADOPTED.
35. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY5-042, located in the 1200 block of Allen Street, owned by Southern Pacific Transportation Company, Paul G. Farrell, Senior Manager Contracts, for the **HOUSTON HERITAGE CORRIDOR BAYOU TRAILS EAST HIKE AND BIKE PROJECT**, CIP N-0420-17A-1 \$356,675.00 - Street and Bridge Consolidated Construction Fund - **DISTRICT H – GARCIA – (This was Item 7 on Agenda of January 4, 2006, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. Council Member Holm absent.

Council Member Garcia stated that he had visited with Council Member Brown on the item last week and he had identified some concerns that he would like some more time to research and moved to postpone Item No. 35 for two weeks, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0036 ADOPTED.

36. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2000-1552, 12/20/00, as amended by MOTION #2003-1450 and #2004-1056 TO EXTEND** expiration date from June 22, 2006 to June 30, 2009, and **TO INCREASE** spending authority from \$1,429,193.40 to \$2,626,842.20 for a Vehicle Locator System for Various Departments, awarded to **TELETRAC, INC** - General, Enterprise and Other Funds - **(This was Item 9 on Agenda of January 4, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Holm absent.

Council Member Wiseman stated that she wanted to extend her appreciation to the department heads who so quickly provided the information that she had been seeking with respect to the system and exactly how it was used, that it was discovered that there was a recognizable cost savings by using the system, that she had one last concern that she would like to visit with them about, if they were able to so closely monitor the vehicles she would like to see how they could utilize that monitoring to reduce the amount of usage of those vehicles outside of City work. Council Member Holm absent.

Mayor White stated that he would ask Mr. Fontaine to take that request into account. Council Member Holm absent.

A vote was called on Item No. 36. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0037 ADOPTED.

37. **ORDINANCE AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Sale of Used Motor Vehicles at certain locations; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 10 on Agenda of January 4, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN and KHAN)** – was presented. Council Member Holm absent.

Council Member Wiseman stated that she had circulated a written motion to amend Item No. 37 as follows:

“By copy of this memorandum, I move to amend Item No. 37 as follows:

In Section 2, which add Article XIV to Chapter 40 of the Code of Ordinances, Houston, Texas, by:

1. Amending Item (4) of Subsection (b) of Section 40-432 to read as follows:

- (4) A vehicle located on private property that has affixed on the windshield a notarized statement from the property owner or authorized agent indicating that the vehicle owner has permission to sell the vehicle on the property. The notarized statement shall include the name, address and telephone number of the property owner or authorized agent. If the property owner is a partnership or corporation, the notarized statement shall include the name, address, and telephone number of one of the partners or one of the principals.

2. Amending Subsection (b) of Section 40-434 to read as follows:

- (b) The owner or operator of a vehicle has the right to contest the towing of the vehicle under chapter 685 of the Texas Transportation Code. A hearing under chapter 685 shall be in the justice court having jurisdiction in the precinct in which the vehicle storage facility is located.”

After discussion by Council Members, a vote was called on Council Member Wiseman’s written motion to amend Item No. 37. All voting aye. Nays none. MOTION 2006-0038 ADOPTED.

A vote was called on Item No. 37 as amended. All voting aye. Nays none. ORDINANCE 2006-0029 ADOPTED.

Council Member Green moved to extend the Council meeting beyond the noon recess to continue the business agenda, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0039 ADOPTED.

38. ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY FLOOD CONTROL DISTRICT** for Channel Improvements along Vogel Creek from Confluence of White Oak Bayou to Arncliffe Drive, GFS N-0793-01-2 (SB9220) - **DISTRICTS A - LAWRENCE and B - JOHNSON** – **(This was Item 15 on Agenda of January 4, 2006, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented. All voting aye. Nays none. ORDINANCE 2006-0030 ADOPTED.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Alvarado stated that there was a new television show that might be of some interest to some of her colleagues, that it was called ‘To Your Health, A Minority Medical Report’, that it aired weekly on Friday’s and it highlighted health concerns of various minority communities in the Houston area, that it would debut on January 18, 2006 at 1:00 p.m. on Channel 55 and the first episode would be on child obesity. Council Member Lawrence absent.

Council Member Alvarado stated that yesterday they had a very informative Public Safety Committee meeting and she urged her colleagues to get a report or look at the tape, that there

were some very critical issues that were raised by the chairman and committee members, that she was most concerned about the three individuals that worked in the Crime Lab that had been punished after having involvement in not just making typographical errors or missing a deadline, but having a hand in critical analysis, cases that involved capital murder, that their punishment was reduced, they appealed it to the Civil Service Commission and the Civil Service Commission granted the appeal, that she had asked for a couple of things, she wanted to know who was on the Civil Service Commission; did the City have the authority to call in the chair or members of the Civil Service Commission and question them, that she could not see how anybody in their right mind sitting on the Civil Service Commission would have granted an appeal and at that time did anyone in the administration or department appeal the appeal, because of the decision by the Civil Service Commission those three were allowed to go back and work in the Crime Lab and contribute yet to more severe mistakes that occurred in the Crime Lab, that she was hoping that they could get that information from the Legal Department, that she wanted to get a copy of the report, the summary of their decision and who was on that committee. Council Members Lawrence, Khan and Holm absent.

Mayor White stated that as soon as they got the new members of the Civil Service Commission he would appreciate it if Council Member Alvarado and other Council Members take some time and review the situation with the Civil Service Commissioners and make sure they communicate what they expected out of them. Council Members Lawrence, Wiseman, Khan and Holm absent.

Council Member Sekula-Gibbs stated that the Riverside Clinic now had a new tenant, the South Central Community Health Center, which had moved into Riverside, that she wanted to thank Mayor White and Council Members Edwards and Alvarado for their support in making that happen, that it was now open as a primary and preventive care clinic, that it was located at 3315 Delano and the hours of operation were Monday and Wednesday from 8:00 a.m. to 5:00 p.m., Tuesday and Thursday, 8:00 a.m. to 7:00 p.m. and on Friday from 8:00 a.m. to 12:00 p.m.. Council Members Lawrence, Wiseman and Holm absent.

Council Member Sekula-Gibbs stated that she wanted to welcome and say thank you to Ms. Patricia Walker, who was the Deputy to the Assistant Secretary of Defense for Reserve Affairs, who had come to the City of Houston, to view Ellington Field and support the transfer of the Army, Navy and Marine Corps reserve units to Ellington Field as part of the creation of the joint reserve base at Ellington Field. Council Members Lawrence, Holm, Garcia and Lovell absent.

Council Member Khan stated that they would have a community meeting on Thursday, January 19, 2006 at 7:00 p.m. for Boone Road Park Improvement at Notre Dame Parish Hall at 7720 Boone Road; that there would be a building permit process improvement briefing and discussion on Thursday, January 19, 2006 from 2:00 p.m. to 4:00 p.m. at George R. Brown Convention Center; that they would have monthly tree planting on Bellaire Boulevard on Saturday between Dairy Ashford and Synott Road and invited all who were interested in volunteering and planting the trees, that he appreciated the efforts of the Alief Super Neighborhood Council and the Parks Department to help plant the trees, that it was sponsored by the Islamic Society of Greater Houston and were providing all of the supplies. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Green stated that he wanted to thank all of his colleagues for their support on the curbside ordinance, that he appreciated the support. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Alvarado, Lovell and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Green stated that Council Member Alvarado really summed up what his thoughts were on the DNA Crime Lab and the reinstatement, that he was not sending an

indictment of everybody in the Crime Lab because the report also showed that there were good and strong areas that some of the lab technicians performed; that they needed to look what the disciplinary procedures were and work with the Civil Service Commission so they would know the severity of what they were asked to do when they looked at the firings and the appeals. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Council Member Green stated that they were working on a new format for the Green Report that they were unveiling this year, that it had been a tool that had served them well for the last two years, that they would still be doing announcements but some articles and things highlighting departments and different things in different districts, that he sends the email distribution to about 25,000 of his closets friends. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Council Member Green stated that he had information from residents in Pleasantville, the library was broken into recently and the residents wanted to thank HPD for a prompt response. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Council Member Green stated that the committee assignments came out and he wanted to thank Mayor White for the trust he placed in him for the budget and Fiscal Affairs, that it was a great honor and also a lot of work, that he would be scheduling meetings with them to discuss their budget priorities. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Council Member Berry stated that he wanted to thank all of his colleagues for their assistance yesterday, that they got an email and call from a member of Selvyn Young's family to express a particular thanks and how much it meant to them, that he wanted to thank everyone on the Mayor's team. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Council Member Brown stated that referring to Riverside Health Clinic he wanted to commend his friend and landscape architect Mr. Craig Thompson, of the firm of Thompson and Hanson, he donated thousands of dollars of landscaping services to embellish the front of Riverside Health Clinic. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Council Member Brown stated that he wanted to commend Council Member Edwards for the information she gave them about Dr. Martin Luther King Jr. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent.

Council Member Brown stated that one of his roles as an architect was always to try to save his client money and thought that was a habit of the heart, that if Mayor White sometimes wondered why he was bringing something up it may very well have to do with trying to save the taxpayers some money wherever they could without compromising the quality and the schedule that building a great City was on. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that they saw a great quarterback yesterday and thought they had a great quarterback in Mayor White and looked forward to being a team player. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to commend Council Member Berry for bringing Mr. Vince Young and Mr. Selvyn Young to Council, that it was awesome to see a true representative of what a community could do, that they were going to be doing more things in

the community to show that, that they would not believe the amount of calls they had received from civic club members and from children in the community who were proud of that young man and what he represented, that she would appreciate any assistance with that. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that regarding the Crime Lab situation and the reinstatement of those three personnel, she would rather get a lawsuit regarding somebody not getting a job then a lawsuit regarding having someone wrongly incarcerated. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that Dr. Martin Luther King had a very interesting history in the City of Houston, and would refer them to the handout that her staff put together on his life, that on MLK Day the community would be cleaning Martin Luther King Boulevard and thought that was one of the ways that they could look at his life and try to wake up and fulfill his dream; that Bricker Park was the only public space that Houston, Texas that a bust or memorial of Dr. King, that on Friday, January 13, 2006 they would have a commemoration at that park; that next year their office would be sponsoring a march on Martin Luther King Boulevard that would include civic clubs, churches, groups and community people. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she would like to commend the committees, in particular the Health Committee, and the chairperson of that committee, there was a conference that was going on today called Healthcare for the Homeless and was a coalition of health care providers who provided services for the homeless community in Houston and one of the distinctions that they had gotten as the City of Houston was that they had been ranked the seventh meanest city in the Country to the homeless community, that she did not like it and thought they could move out of that designation. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that as to the curbstomping issue, a 22 year old Marine veteran, who was in Iraq for 18 months, went to a dealership in good faith and paid cash for a truck, took it home and found that the frame was bent and so forth, that the dealership's initial response was "that's the way life is", and he took it back and called her to say that he was meeting with senior management and hopefully it could be resolved, that she appreciated the work that had been done on the ordinance because it was a big issue in District D, as well as throughout the City. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:32 p.m. Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED