

City Council Chamber, City Hall, Tuesday, February 14, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, February 14, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present. Council Member Pam Holm out of the city.

At 1:53 p.m. Mayor White called the meeting to order and called on Council Member Garcia to begin presentations. Council Member Garcia invited Ms. Bessie Stratton to the podium and stated that her political credits in recent years included being president of the Washington Avenue Coalition and Super Neighborhood Council 22 and of the Woodcrest Neighborhood Civic Association and Chair of the (PIP) Positive Interaction Program and member of the Citizens Transportation Coalition Board and member of Washington and Westcott Roundabout Board of Directors; and presented Ms. Stratton a Proclamation proclaiming Tuesday, February 14, 2006, as "Bessie Stratton Day" within the City of Houston, Texas. Council Members Clutterbuck, Wiseman, Khan, Alvarado, Brown and Green absent.

Council Member Edwards invited those present with the Greater OST/South Union Super Neighborhood to the podium and stated this group was some of the hardest working people in the city in achieving goals for their neighborhood; and presented them a Proclamation congratulating them for their accomplishments, extending best wishes for success and proclaimed Tuesday, February 14, 2006, as "Greater OST/South Union Super Neighborhood Day" within the city of Houston, Texas. Council Members Johnson, Clutterbuck, Wiseman, Alvarado, Brown, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards invited all present for the Nathan Haller presentation to the podium and stated that this month Black History Month was being celebrated and they had looked at the first Africans in this state elected to the State Legislature and found her Chief of Staff's great grandfather, Mr. Nathan Haller, that he was born enslaved on July 8, 1840 and freed June 19, 1865, and in the late 1800's he was elected as a State Representative to the 23rd Legislature, he also served in the 24th Legislature and presented them a Proclamation saluting and commending Nathan H. Haller and proclaimed Tuesday, February 14, 2006, as "Nathan H. Haller Day" within the City of Houston, Texas. Council Members Johnson, Clutterbuck and Alvarado absent.

Council Member Green invited Ms. Yvette Chargois and her family and friends to the podium and stated that Ms. Chargois was a former city employee and former president of the National Forum for Black Public Administrators; that she served as chairperson for Harris County Precinct One Street Olympics and was now the second vice president of the board of directors of the Julia C. Hester House and served on the NAACP Steering Committee, and presented her a Certificate for her services and dedication and proclaimed Saturday as "Yvette Chargois Day" within the City of Houston, Texas. Council Member Berry absent.

Council Members thanked and congratulated Ms. Chargois for all her work and leadership.

Council Member Lovell invited those present for her presentation to the podium and stated that Houston was hosting the NBA All-Star Games here on February 18th and again Houston was in the spotlight and today special guests were present; that Houston had been selected as hosts the second time for the NBA All-Star Games and the 55th game would be played on February 19, 2006, that the NBA and Houston Rockets would partner with schools and community organizations and corporate partners to showcase the leagues ongoing commitment to the community by opening reading and learning centers, refurbishing basketball courts and encouraging countless youngsters to develop a love for reading; and presented a Proclamation proclaiming Friday, February 17, 2006, as "NBA All- Star Day" within Houston, Texas, and

encouraged all to wear NBA and WNBA attire throughout the day Friday. Council Member Garcia absent.

Mr. George Postolos, present CEO of the Houston Rockets, appeared and stated that it was a great honor and he thanked them all for being great partners; that they were very excited to be hosing All-Star Weekend. Ms. Kathy Barons, NBA Senior Vice President Community and Player Programs, appeared and stated that they thanked the Council for recognizing the NBA and the All-Star Week and their commitment to the community was what this week was all about, to give back and partner with the many schools and organizations on the goal of "Stay In School Program" and they were proud to work with the Houston Rockets and great legends from Houston; that this would be a great week for Houston. Council Members Khan and Garcia absent.

Council Member Edwards congratulated the NBA over the years from Sam Jones, Casey Jones, Bill Russell and Robert Reid and all those who came before; that it was an awesome ride; and on the WNBA, the Cynthia Cooper's, etc., she congratulated them. Council Members Garcia and Alvarado absent.

Council Member Lovell stated that she was referring this week to our own NBA legends as Houston Skyscrapers and introduced Mr. Johnny Egan, president of the Houston Chapter of the NBA Legends; and Mr. Egan stated that he was president of the Retired Players Association, Houston Chapter, and they had a partnership with the Mayor with the goal "Stay In School" and the majority of them would be going out to schools and talking to the youth; and introduced Mr. Robert Reid; and Mr. Reid stated that they were very honored to be present and today had made history in the City of Houston and introduced other players present, Mr. Reggie Dickson, Mr. Moses Malone, Mr. Macoy McLemore, Mr. Major Jones, Mr. Otto Moore, Mr. Steve Jones, Mr. Ricky Winslow, Mr. David Latin, Mr. Jimmie Blacklot, Ms. Monica Lamb, Mr. Johnny Egan and himself Mr. Robert Reid; and thanked the host committee members Council Members Lovell, Edwards, Brown and Sekula-Gibbs and to the other Council Members they could not do all this without them and he thanked the Mayor and Council. Council Members Garcia and Alvarado absent.

At 2:38 p.m. Council Member Sekula-Gibbs invited Father Paul English of St. Anne's Catholic Church to lead all in the prayer and Council Member Sekula-Gibbs led all in the pledge.

At 2:40 p.m. the City Secretary called the roll. Council Member Holm out of the city.

Council Members Khan and Garcia moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Holm out of the city. MOTION ADOPTED.

At 2:41 p.m. the City Secretary began calling the public speakers.

Mr. James Baumgartner, 3418 Georgetown, Houston, Texas 77005 (713-899-4905) appeared and stated that he was a pediatric neurosurgeon at University of Texas Houston and present to speak on a project they were starting using stem cell therapy to treat pediatric head injury; that it involved injured children going to Memorial Hermann and having an evaluation followed by an aspiration of their own bone marrow, the marrow would be taken and processed and then returned to the children in an intravenous fashion; that head injury in North America for people under 25 was the number one cause of death and disability, at this time there was no treatment designed to do anything other than support them, but stem cell discovery was allowing them to offer a treatment that might actually be reparative; that he ran into resistance with the project and it did not involve embryonic stem cells only adult stem cell therapy; that he thought this research was very doable in Houston and in other parts of the country this was receiving very much support; and Houston would benefit very much from support by the Mayor and Council.

Council Member Sekula-Gibbs stated that she did not have a clear understanding this research was going on at Hermann with partnership of Texas Children's Hospital and Baylor until she had heard Mr. Baumgartner speak previously; that now they only had supportive care, trying to keep them alive while the body healed itself and this was a very innovative and amazing step forward if it was successful in actually reducing the ultimate consequences of the head injury which was severe memory loss leading to learning difficulties and muscle weakness and it was the number one cause of death to children; and upon questions, Mr. Baumgartner stated that this was a high stakes game and California and New York had great support, but the problem for Houston was because there were so many places where resources were allocated by government were greater it drew the talented people; that the Texas Medical Center had several advantages but needed support; that the NIA did not give a grant for anything that did not look like a good bet and to try and develop the data to go after the money you needed private support; and if any Council Member would like to speak with him he would be glad to. Council Member Garcia absent.

Council Member Edwards stated that she was very excited and supportive of what he was doing; that stem cell research had great possibilities and she would love to submit a letter to whomever she needed to. Council Member Garcia absent.

Upon questions by Mayor White, Mr. Baumgartner stated that there was an enormous amount of ignorance about what stem cell research really was and unfortunately uninformed people were wading into this and making statements that were destructive, disruptive and misleading and he was against those type people wading in from a policy point and telling them how it was going to be, but on the other hand well informed people could be productive and people doing what he did were willing to go and speak to anyone and once they understood most were willing to get behind it. Council Member Garcia absent.

Upon questions by Council Member Khan, Mr. Baumgartner stated that preliminary data needed to be generated to attract federal money and that kind of support would move the ball for Houston in a big way; that he walked into this as a clinical doctor and had no understanding of the dynamics of funding issues, this was his first NIH money and first big clinical research project, but if they had any ideas of who he could speak with he would be very appreciative; and Council Member Khan stated that he was sure people at the Medical Center had expertise in dealing with NIH and other such agencies; and they should at least be able to reach out to them, he knew elected officials could always help a situation; and yielded to Mayor White. Council Member Garcia absent.

Mayor White stated that that they did keep up with this and he agreed with him it was critical to this community; that Dr. Willerson was familiar with some of the appropriation requests through the Legislature and would love to see the Legislature support what he wanted to do with the adult stem cell research and regenerative medicine and there was an organization of scientists who did research on regenerative medicine and they were very active with the Legislature, more to make sure people did not make decisions on basis of ignorance or politics rather than science and Ms. Marks had that information and Dr. Baumgartner may know some of them personally, but if not he had his contact information and they would put him in touch with some of the physicians organizing statewide on that. Council Members Garcia, Green and Berry absent.

Ms. Sudaphon Kinney, 225 Aldine Bender #708, Houston, Texas 77060 (281-448-4190) appeared and stated that she had been put out of her apartment for no reason; another subject was her phone was tapped for many years; that also her money was being kept and she was a U. S. citizen and her children had served this country and she wanted to live equal and was asking for assistance, she did not want to move. Council Members Garcia, Brown, Green and Berry absent.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) appeared and stated that he was present again regarding the elderly; and upon question, Mayor White stated that he did receive the letter he had from Mr. Wilson; and Mr. Winters stated that the figures on the second page did not add up right and continued going over the figures; and further stated that two million dollars was appropriated in '04 for seniors to buy homes and not much was spent and in July the money would be going back so why have the program if they were not going to use it correctly; and on behalf of the elderly they should be ashamed. Council Members Garcia, Brown, Green and Berry absent.

Ms. Lisa Hachicho, 21018 Lilac Meadow Lane, Richmond, Texas 77469 (281-633-0280) had reserved time to speak but was not present when her name was called. Council Members Garcia, Brown, Green and Berry absent.

Mr. Jesserine Anthony, 21 Half Penny Court, Sugarland, Texas 77479 (281-242-1125) had reserved time to speak but was not present when his name was called. Council Members Garcia, Brown, Green and Berry absent.

Mr. Joseph Omo Omari, 2820 Palm #2B, Houston, Texas 77004 (832-767-0870) appeared and stated that he hoped the Council would consider changing the form of government from a strong Mayor/weak Council government to a strong and balanced Council government; and this was Black History Month and he wanted to do a tribute to one of his ancestors, Mr. Paul Robertson, this is what he would see America as today; and sang his rendition of "America". Council Members Garcia, Brown, Green and Berry absent.

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) appeared and stated that she was present as she saw the last Council Meeting and heard about using one million dollars to help inform the public about energy companies and she did not understand because if they were going to advertise to let people know there were other energy companies she thought it unwise; that many seniors paid high light and gas bills and she would suggest if there was an extra million it should be put toward paying those bills for the elderly and maybe cut the water bill also. Council Members Garcia, Alvarado, Khan and Berry absent.

Council Member Edwards thanked Ms. Randle for her work and stated that she understood the Mayor to say there was a need for constituents to have a better understanding of what happened when you switch companies so people would not get caught in the middle; and she thought it would be helpful for the civic clubs to have the information. Council Members Garcia, Alvarado, Khan and Berry absent.

Mayor White stated that people did pay a lot on bills and that was why he thought public awareness should be raised, to get the bills down; that if enough pressure could be placed on the market he thought they would come off the electrical rates, where they would drop the rates within six weeks and people could comparison shop; that the money would not be taken from neighborhoods; that the Legislature wrote the law which said the rates could go up when natural gas prices went up but they could not go down when the rates went down and there was no reason for that except that the lobby did it and it was the law so he could not fight the law he could only try and scare people that they would lose customers without dropping their prices. Council Members Garcia, Alvarado and Berry absent.

Council Member Wiseman stated that she was proud to be her Council Member and she understood her concerns with taking one million in tax payer money to fund an ad campaign for a deregulated market; that the Mayor said they wanted the same thing, but she indicated she wanted to see assistance for seniors utilities instead of placing it in the market and she agreed she also would rather see it go for seniors instead of marketing for competitive companies and she also wanted to see a reduction in water rates and she would agree with that also, she did want to see a reduction in water rates and that was something this Council had a direct impact on; that the Mayor said if he did not do something people would be hurt, but it was not his place

it was the people's place to do something and make a choice. Council Members Garcia, Alvarado, Lovell and Berry absent.

Council Member Brown stated that the Mayor was very consciences about her concerns and they had discussed it and the program he was advocating would help inform consumers, if they were not informed the market did not work well and prices were not kept down; and he thought they might could include a neighborhood network to civic clubs so at their meetings they could inform consumers; and Mayor White stated that was absolutely a good idea, it was the type of stuff people needed; that a survey showed some people were hesitant to change power companies because they thought if the power went off there would be no one to put it back on, but that was not true because the company who turned the power back on had nothing to do with the marketing of the power; that company advertisements were all slanted toward their company; and Ms. Randle stated that they could invite the energy companies to their civic club meetings to inform them of what they could offer. Council Members Garcia, Alvarado, Lovell and Berry absent.

After a lengthy discussion Mayor White stated that no company had to bring their rates down; that it was Enron and others who designed a deregulation idea which passed through the Legislature in the late '90's and at the end of this year there was no authority by the state to regulate rates; that Rep. Turner passed a Bill and require they compare what would happen if someone would comparison shop and the study showed over the last three years a family could have saved \$640.00 if they did comparison shop, but many did not and half the population did not have a high enough credit score and were not eligible for another power company and a competitive system had to be created and for public interest the city was looking at obtaining some of their own power supply so they would not be as dependent on the middleman and they would be getting some wind energy; that Austin and San Antonio did sell energy but he was not sure Houston was in that business but did want the market to work. Council Members Clutterbuck, Garcia, Alvarado, Lovell, Green and Berry absent.

Mr. Harvey Baum, 3534 Glenwood Springs, Kingwood, Texas 77345 (281-360-2229) appeared and stated that he was present as his family was a hair from being murdered on February 2nd in a home invasion in Kingwood; that he was referring to police case no. 018049606-K; that his wife came from the Finger's family and she was placed on the ground at gunpoint at 4:45 a.m, at the back door; that four armed gloved black costumed gunmen attacked her and she screamed as he had never heard and it was a warning to him at the computer, he had a gun in the computer drawer and a costumed masked gunman came into the kitchen area and when the gunman saw he had a gun he darted into a dark dining room area he fired five times at him and managed to wound his legs and he crawled out; that KPRC and HPD reported him as having tattoos and drawings in Chinese on his body as was told to them by the neighbor two houses down where he was still four hours later being nurtured and helped to escape by the 17 year old son of the neighbor, they said they felt sorry for him and was trying to get him help and the son escorted him to the local Shell station and allowed him to use his cell phone to contact someone else to aid in his escape; that his family was offering \$50,000.00 cash in reward leading to arrest and conviction of the four gunmen still at large today; that he was trying to get a police drawing and the man had clearly been seen, but police said there were 47 other cases and he was asking for Council's assistance. Council Members Garcia, Alvarado, Green and Berry absent.

Council Member Clutterbuck stated that she had seen that on television and it was a terrifying story and knew they would try and do what they could to assist him. Council Members Garcia, Green and Berry absent.

Upon questions by Council Member Khan, Mr. Baum stated that it was case no. 018049606-K and it was assigned to Officer Jenkins; and Council Member Khan stated that it was important to do what they could and it was one of the most horrifying experiences to be a victim of any crime; that it was a responsibility to report crime and have criminals caught and he

would doubt his house was the first they invaded and he would bet it would not be the last if they were not apprehended; and he did not know why he was in his neighbor's home, no one just opened their home at that time in the morning so he was sure police had many questions for those people and he would appeal to everyone if they wanted crime reduced in their community they needed to be proactive and helpful to the Police Department in reporting crimes, activity and help solve crimes. Council Members Garcia, Green and Berry absent.

Council Member Wiseman stated that she understood through HPD there was an ongoing investigation and so she was hesitant to comment on the incident, but in speaking to them she was informed they did wish to assist him with any suspect sketches and a representative from HPD was present and could assist him in making sure the proper contact was made with respect to that. Council Members Garcia, Green and Berry absent.

Council Member Edwards stated that she did wish him the best of luck and hoped he would get a sketch and the persons would be caught. Council Members Garcia, Green and Berry absent.

Mayor White stated that he would ask the representative of HPD to give him a report, an account on the status of the investigation, and in particular if this citizen's account was true he wanted to know in plain language; and he hoped he was right that the neighbor's cell phone was used because he made a big mistake there and they should be able to help him, they should be able to catch him, he made a mistake and they wanted to make sure he paid for it; and Mr. Baum stated that he and his entire family thanked them very much. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Mrs. Michelle Baum-Alchatta, 9511 Vilven Lane, Houston, Texas 77080 (281-235-4930) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent.

Mr. Sammy Jones, 1415 W. Gulf Bank Road #211, Houston, Texas 77099 (no phone) appeared and stated that he was present a month ago regarding being billed by the Harris County Hospital District and he was told Council did not handle it, but he received a call about a week later saying the Mayor wanted the bill and he would like to turn them in now, have them make a copy and return them to him. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the first Black American President of the United States and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was over all security of all countries and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

Ms. Alice Jones, 3722 Simsbrook, Houston, Texas 77045 (713-413-2327) appeared and stated that she was again present regarding the mold in her house; that she was tired and worn down as nothing was being done and it was serious, unsafe and it needed to be taken care of. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tern Alvarado stated that she knew someone had been trying to work with her

and knew Council Member Edwards had done all she could to try and address her concerns; and someone with Citizen's Assistance would now visit with her if she would like. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

Mr. Stephen A. Hester, Jr., 7000 Regency Square #160, Houston, Texas 77035 (713-974-4621) appeared and stated that he was employed by the Houston Center for Independent Living and present as amendments needed to be made to the Houston Fair Housing Ordinance; that in 1988 the Federal Fair Housing Act was amended and added to protect classes of disability and familial status and those were not added to the Houston ordinance; and he was requesting it be added as quickly as possible. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tern Alvarado stated that she understood that was already in progress and in the Legal Department and did anticipate something coming soon. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

At 3:54 p.m. City Council recessed until 9:00 a.m., Wednesday, February 15, 2006. Council Member Holm out of the city. Mayor White, Council Members Lawrence, Clutterbuck, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tern Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, February 15, 2006

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, February 15, 2006, with Mayor Bill White presiding and with Council Members 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 and Ms. Martha Stein, Agenda Director present. Council Member Toni Lawrence absent due to being ill.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:25 a.m. Mayor White called the meeting to order. Council Members Johnson, Edwards, Holm, Garcia, Lovell, Sekula-Gibbs and Green absent.

## **MAYOR'S REPORT**

### **CONSENT AGENDA NUMBERS 1 through 41**

#### **MISCELLANEOUS** - NUMBER 1

1. RECOMMENDATION from the Chief of Police for the release of funds to **MICHAEL A. MARSHALL** - \$26,531.00 - Miscellaneous City Trust Fund – was presented, moved by Council Member Khan seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Garcia absent. MOTION 2006-0127 ADOPTED.

#### **ACCEPT WORK** - NUMBERS 2 and 4

2. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$592,868.21 and acceptance of work on contract with **PARALLAX BUILDERS, INC** for ADA Renovations at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field, Project 454, CIP A-0402 - 00.74% over the original

contract amount - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented, moved by Council Member Khan seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Garcia absent. MOTION 2006-0128 ADOPTED.

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,180,222.69 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Lyons Health Center Renovation, GFS H-0049-01-3 - 04.82% 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 Lawrence absent due to being ill. Council Member Garcia absent. MOTION 2006-0129 ADOPTED.

#### **PROPERTY - NUMBER 7**

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mr. Robert M. Atkinson, Jr. of R. M. Atkinson, Jr. Engineers, Inc., on behalf of Harris County, for the sale to Harris County of a ±7,800-square-foot easement for road and/or bridge purposes out of the City's fee-owned West Canal property to extend Southwood Trace Lane, located in the John Anderson Survey, Abstract No. 97, and a right of entry for Harris County, Parcels SY6-065 - **STAFF APPRAISERS** – was presented, moved by Council Member Khan seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. MOTION 2006-0130 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 10**

8. **KNAPP CHEVROLET** for Special Truck and Body Contract for Various Departments \$165,206.25 - General and Fleet Management Funds – was presented, moved by Council Member Khan seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. MOTION 2006-0131 ADOPTED.
9. **DOSKOCIL MANUFACTURING COMPANY** for Plastic Baggage Tubs Contract for Houston Airport System - \$57,000.00 - Enterprise Fund – was presented, moved by Council Member Khan seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. MOTION 2006-0132 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES - NUMBERS 11 through 41**

11. RESOLUTION in support of the Houston Police Department Training Academy – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
17. ORDINANCE appropriating \$250,000.00 out of Housing Special Revenue Fund and approving and authorizing contract between the City of Houston and **CENTER FOR AFRICAN-AMERICAN MILITARY HISTORY, INC** to provide a grant in connection with the construction of a Buffalo Soldiers National Museum on Southmore Boulevard, Houston, Texas - **DISTRICT D – EDWARDS** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
22. ORDINANCE consenting to the addition of 0.3448 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 21**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0141 ADOPTED.

23. ORDINANCE altering maximum prima facie speed limits in certain school zones in the City of Houston; making various findings and containing other provisions relating to the subject; declaring certain conduct to be unlawful and providing a penalty; providing for severability; containing a repealer; containing a savings clause - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0142 ADOPTED.
25. ORDINANCE appropriating \$125,000.00 out of Airport System Consolidated 2000 AMT Construction Fund (530); authorizing the 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-0421-12.1; approving purchase and sale agreement with the owner of the land (Michael T. Crabtree and Cindy Leigh Crabtree) - **DISTRICT B - JOHNSON** - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0143 ADOPTED.
26. ORDINANCE awarding contract to **U. S. FILTER RECOVERY SERVICES (MID-ATLANTIC)** for Parts Immersion Cleaning Services for Various Departments; providing a maximum contract amount - 3 Years with 2 one-year options - \$322,805.37 - General, Enterprise and Fleet Management Funds - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0144 ADOPTED.
27. ORDINANCE amending Ordinance No. 2000-0002 to increase the maximum contract amount to contract between the City of Houston and **GT FIRE EQUIPMENT CO., INC d/b/a AAA FIRE EQUIPMENT COMPANY** for Fire Extinguisher Equipment Inspection and Hydrostatics Testing Services for Various Departments - \$95,627.00 - General, Enterprise and Fleet Management Funds - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0145 ADOPTED.
29. ORDINANCE appropriating \$7,235,508.51 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing an Advanced Funding Agreement and second amendment to the Interlocal Agreement between the City of Houston and **TEXAS DEPARTMENT OF TRANSPORTATION** for Central Street Extension over Manchester Train Yard, GFS N-0676-01-3, R-0521-A3-3, S-0521-A3-3 (N-0676-01) - **DISTRICT I - ALVARADO** - had been pulled from the Agenda by the Administration, and was not considered.
30. ORDINANCE approving and authorizing contracts between the City and **ARIAS & ASSOCIATES, INC** for Engineering Materials Testing Services for the Department of Public Works and Engineering and the Houston Airport System - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0146 ADOPTED.
31. ORDINANCE approving and authorizing contracts between the City and **AUSTIN-REED ENGINEERS, LLC** for Engineering Materials Testing Services for the Department of Public Works and Engineering and the Houston Airport System - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0147 ADOPTED.
32. ORDINANCE approving and authorizing contracts between the City and **RONE ENGINEERING SERVICES, INC** for Engineering Materials Testing Services for the Department of Public Works and Engineering and the Houston Airport System - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0148 ADOPTED.
33. ORDINANCE approving and authorizing contracts between the City and **SOLUM**

**ENGINEERING, INC** for Engineering Materials Testing Services for the Department of Public Works and Engineering and the Houston Airport System - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0149 ADOPTED.

34. ORDINANCE approving and authorizing contract between the City of Houston and **JOHN KIRKSEY ASSOCIATES, ARCHITECTS, INC. D/B/A KIRKSEY** for Renovation and Expansion of Magnolia Health and Multiservice Center, GFS D-0080-01-2; providing funding for Civic Art Program and contingencies relating to construction of facilities financed by the Community Development Block Grant - \$389,500.00 - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0150 ADOPTED.
35. ORDINANCE appropriating \$275,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 49R and approving and authorizing Professional Engineering Services Contract between the City of Houston and **POLYTECH, INC. D/B/A PTI, INCORPORATED** for Negotiated Storm Drainage System Work Orders, GFS M-0126-56-2 (SM5062); providing funding for contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund No. 49R - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0151 ADOPTED.
36. ORDINANCE appropriating \$550,700.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **JONES AND CARTER, INC** for Design of Sabo Road Paving from Kingspoint to Fuqua Road and Kingspoint Road from Sabo to Kleckley Drive, GFS N-0688-01-2 (SB9233); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0152 ADOPTED.
37. ORDINANCE appropriating \$441,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CLR, INC** for Design of Paving Extension of Buffalo Speedway from West Airport Blvd. to Holmes Rd., GFS N-0784-01-2 (SB9240); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0153 ADOPTED.
38. ORDINANCE appropriating \$1,204,969.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CLAUNCH & MILLER, INC** for Design of Sanitary Sewer Services for Unserved Areas - Magnolia Point Subdivision, Plantation Hills Subdivision, Strange's Camp Subdivision Lift Station and Force Main from Hidden Echo to Huffman Eastgate, GFS R-0801-13-2 (WW4908); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0154 ADOPTED.
40. ORDINANCE awarding construction contract to **SUMCO, INC** for Construction of Hermann Park Greenway, GFS F-0525-01-3; 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; approving and authorizing an assignment of the construction contract to Hermann Park Conservancy (Ordinance 2005-0401) - \$1,000,000.00 Texas Parks and Wildlife

Regional Park Initiative Grant - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0155 ADOPTED.

41. ORDINANCE appropriating \$1,390,649.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for Sanitary Sewer Cleaning and Television Inspection in support of Rehabilitation, GFS R-0266-E8-3 (WW4277-27); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, project management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0156 ADOPTED.

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

**ACCEPT WORK**

3. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,365,650.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Parks Master Plan - Bid Package No. 1 Shady Lane, Windsor Village, and Beverly Hills Parks, GFS F-504A-03-3, F-504A-09-3 and F-504A-14-3 - 05.00% over the original contract amount **DISTRICTS B - JOHNSON; D - EDWARDS and E – WISEMAN** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. MOTION 2006-0133 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,697,914.72 and acceptance of work on contract with **LAUGHLIN-THYSSEN, LTD.** for Water Line Replacement Work Orders, GFS S-0035-R2-3 (WA10633-02) 00.09% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. MOTION 2006-0134 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,476,228.76 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Water Line Repairs by Point Repair Method, (WA10710) - 28.75% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. MOTION 2006-0135 ADOPTED.

**PURCHASING AND TABULATION OF BIDS**

10. **HOUSTON G & G DEMOLITION COMPANY** for Demolition, Site Clean-up and Fence Repair Services for Police Department - \$43,610.00 and contingencies for a total amount not to exceed \$45,790.50 - General and Dangerous Building Consolidated Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Lawrence absent due to being ill. MOTION 2006-0136 ADOPTED.

**RESOLUTIONS AND ORDINANCES**

12. ORDINANCE amending Exhibits A and B to Ordinance No. 2006-91 to correct certain classifications, ratios and prevailing wage rates to be paid to workers in building and engineering (Heavy-Highway) construction classifications; substituting the amended Exhibits A and B as part of the current prevailing wage rates for construction crafts and trades to be used in such contracts on or after the effective date; providing a repealing clause; providing for severability – was presented.

Council Member Berry asked if it was the first time they had seen the item and was it taggable, and Mayor White stated that it was an ordinance that would correct and the corrections would supersede certain items in the ordinance that was passed, and Council Member Berry stated that he got a call from the Associated Builders and Constructors and there were a couple of calls from HGC members but not from the organization itself and he had asked the question of Mr. Rasberry, one of the labor groups, if those groups had been part of the negotiations and he was told that they were and it turned out, according to those groups, and it was all by phone messages back and forth, that they were not, that he had committed to meet with them before he voted on the item, and would tag the item, that he did know if there was any opposition but at this point they said there were concerns that had not been addressed. (Note: Council Member Berry released his tag later in the meeting.)

Mayor White stated that Item No. 12 had been tagged by Council Member Berry.

13. ORDINANCE providing for an ad valorem tax exemption on a historical site known as the Texas State Hotel Building located at 720 Fannin Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events, providing for severability – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0157 ADOPTED.
14. ORDINANCE declaring the suspension or interruption of service by a regulated private water utility in violation of law to be a nuisance pursuant to Chapter 217 of the Local Government Code and authorizing the City Attorney to enforce the ordinance to prevent and summarily abate and remove such nuisance for all customers of any such utility within the City of Houston, Texas – was presented, and tagged by Council Member Wiseman.

Council Member Green asked if Mr. Michel could explain briefly what the benefits were and how it was going to help them, and Mr. Michel stated that the benefit was primarily that it gave the City injunctive authority to stop and address any disruption of water service or the suspension of it by a private water utility, that as they knew the City's enforcement powers were often by fine, which did very little when someone shut the water off, and this arose from a situation involving a private water utility in west Houston where the utility was proposed to be fined by the subsidence district for pumping out too much water, the fine had not even yet been issued, they were attempting to negotiate when the owner took the total amount of the fine, divided it up by the number of customers and billed the customers on a pro rata basis and stated in the bill that if it was not paid by a certain date that the water supply would be cut off, in that instance they worked with the Attorney General's Office who viewed it from a DPTA action and they were not shutting the water off and not going to collect that amount and were returning any checks that had already been submitted, but it arose from that situation to stop something similar in the future, and Council Member Green asked if it gave them the authority to turn the water back on, and Mr. Michel stated that they could go to district court and ask a judge to order that.

Mayor White stated that Item No. 14 had been tagged by Council Member Wiseman.

15. ORDINANCE approving and authorizing the application for and acceptance of the FY2006 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department Of Justice;

declaring the city's eligibility for such grant; authorizing the Mayor to act as the City's Representative in the application process; authorizing the Director of the Mayor's Office of Public Safety and Homeland Security to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program; and approving and authorizing an interlocal agreement with Harris County, A Joint Applicant and subrecipient of the grant – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Berry absent. ORDINANCE 2006-0158 ADOPTED.

16. ORDINANCE increasing the maximum contract amounts in Ordinance Numbers 2003-0848, 2003-0934, 2003-1052, 2004-0345 and 2004-0023 for contracts between the City of Houston and the **ASIAN AMERICAN FAMILY COUNSELING CENTER, THE CHINESE COMMUNITY CENTER, EYE CARE EXPRESS, HEIGHTS AUDIOLOGY, THE TIRR FOUNDATION, TEXAS SOUTHERN UNIVERSITY (CAREGIVER PROGRAM), SHELTERING ARMS** and **VN TEAMWORK** for services provided through the Harris County Area Agency On Aging \$789,142.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Berry absent. ORDINANCE 2006-0159 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City of Houston and the **JEWISH COMMUNITY CENTER OF HOUSTON, TEXAS**, to provide \$500,000.00 in Community Development Block Grant Funds for Partial funding of Renovation Work on a Public Facility located at 5601 South Braeswood - **DISTRICT C – CLUTTERBUCK** – was presented, and tagged by Council Member Edwards. Council Member Berry absent. (Note: Council Member Edwards released her tag later in the meeting.)
19. ORDINANCE amending and restating the standards, terms, provisions, and conditions upon which the City Council bases its consent for the creation of, or inclusion of land in, a conservation and reclamation district in the area of extraterritorial jurisdiction of the City, pursuant to Section 42.042, Texas Local Government Code, to permit the issuance of bonds by conservation and reclamation districts for certain recreational, road and fire-fighting facilities; making findings and containing other provisions related to the foregoing subject; containing a repealer – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Berry absent. ORDINANCE 2006-0160 ADOPTED.
20. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 462** – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.
21. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 463** – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.
24. ORDINANCE approving and authorizing a contract between the City of Houston and **FELDMAN & ROGERS, LLP**, for Legal Services to include representation and counsel to the City of Houston relating to Thomas P. Nixon v City of Houston and Harold Hurtt; providing a maximum contract amount - \$100,000.00 - Property and Casualty Fund – was presented, and tagged by Council Members Green and Khan. Council Member Berry absent.

After discussion by Council Members, Mayor White stated that Item No. 24 had been tagged. Council Members Garcia, Brown and Berry absent.

Council Member Edwards moved to suspend the rules to consider Item No. 17 out of order at this time, seconded by Council Member Khan. All voting aye. Nays none. Council Member

Lawrence absent due to being ill. Council Members Brown and Berry absent. MOTION 2006-0137 ADOPTED.

17. ORDINANCE appropriating \$250,000.00 out of Housing Special Revenue Fund and approving and authorizing contract between the City of Houston and **CENTER FOR AFRICAN-AMERICAN MILITARY HISTORY, INC** to provide a grant in connection with the construction of a Buffalo Soldiers National Museum on Southmore Boulevard, Houston, Texas - **DISTRICT D – EDWARDS** – was presented. Council Members Brown and Berry absent.

Council Member Sekula-Gibbs stated that she was supportive of the item in the sense that it looked like a good investment for the City for the Museum District and for a well known and established entity, that her question to the Mayor was that they had a couple of other museums that were interested in getting some support and she would like a chance to talk to the Mayor about that at some point. Council Member Berry absent.

Council Member Edwards stated that she wanted to congratulate the Buffalo Soldiers Museum and its leadership, that she had talked with most of the museums in the area and all of them applauded the work that they had been doing and encouraged the City to help them because they saw them as a very vital and substantial part of the Museum District. Council Member Berry absent.

Council Member Clutterbuck stated that her question related to the source of the funding for the museum and was curious how it qualified for funding out of the Housing Special Revenue Fund, and Mayor White stated that the Housing and Community Development Fund, there was some criteria, that the fund could be used for things other than housing that supported the quality of life, and asked if she would like a more technical answer at the Council table.

Council Member Clutterbuck moved to suspend the rules to hear from Mr. Milton Wilson, Director, Housing and Community Development Department, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-0138 ADOPTED.

Mayor White asked Mr. Wilson if he had the list of the things that the fund could be used for, and Mr. Wilson stated that he did not have the list but the Legal Department had cleared the fund for them, that they hoped to use Community Development Block Grant Funds for the item, that HUD had a question on it and they had appealed, he had written HUD that while they were using the fund should they approve eligibility for it they would like to have the fund paid back so they fully intended to use Community Development Block Grant Funds for it. Council Member Berry absent.

Council Member Edwards stated that she was sorry to interrupt and ask for a point of privilege to recognize a very distinguished person in the audience who had to leave and apologized to the Council, that it in no way defers the importance of the conversation on Item No. 17, but Mr. Irvin "Magic" Johnson was present to represent the NBA and wanted to appear before the City Council, and Mayor White stated that by consent he invited Mr. Johnson to the podium. Council Member Berry absent.

Mr. Johnson stated that he wanted to thank the Council for allowing him to take two seconds of their time to thank them for rolling out the red carpet for the NBA, the Commissioner, the players and the fans, they were looking forward to a tremendous time in the City, that Houston had always put on events in a great way and they were looking forward to the southern hospitality, that he also wanted to thank them and say that they had set a great example when they took in all of the hurricane victims, they rolled their sleeves up, the citizens rallied and showed love to all those people and they really did a great job in a quick and speedy fashion as

well, so from Los Angeles and all the people around the Country he wanted to say thank you for what they did for all those people, that he looked forward to some day bringing a lot of his businesses to the City of Houston as well. Council Member Berry absent.

Mayor White and Members of Council thanked Mr. Johnson for his business and investments in the City of Houston. Council Member Berry absent.

The City Council returned to Item No. 17 and Mayor Pro Tem Alvarado asked if there were any other questions and hearing none called for a vote on Item No. 17. All voting aye. nays none. Council Member Lawrence absent due to being ill. Mayor Pro Tem Alvarado presiding. Mayor White absent. ORDINANCE 2006-0161 ADOPTED.

Council Member Edwards asked for a moment of privilege to recognize the people present representing the Buffalo Soldiers, who were present in the audience and asked that they stand and be recognized, and invited them to the podium to speak to the Council. Mayor White absent. Mayor Pro Tem Alvarado presiding.

A representative of Mr. Paul J. Mathews, Founder and Director of the Buffalo Soldiers National Museum, stated that he wanted to thank the Mayor and City Council, specifically Council Member Edwards, for all of her support. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that she would release her tag on Item No. 18 and moved to consider Item No. 18 at this time, seconded by Council Member Khan. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2006-0139 ADOPTED.

18. ORDINANCE approving and authorizing contract between the City of Houston and the **JEWISH COMMUNITY CENTER OF HOUSTON, TEXAS**, to provide \$500,000.00 in Community Development Block Grant Funds for Partial funding of Renovation Work on a Public Facility located at 5601 South Braeswood - **DISTRICT C – CLUTTERBUCK** – was again before Council. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Council Member Holm stated that she continued to be concerned about the inconsistency with the Housing Department and their evaluation of usage of the money, that they had an issue not long ago that part of the problem was that they could not use the CDBG money because it could not be monitored and controlled access, that she understood that Item No. 18 was the same thing, it was all worked out appropriately but she still did have some concerns about the evaluation of it. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado requested Mr. Wilson to respond, and Mr. Wilson stated that it was not the same thing, the natatorium did qualify, as the Jewish Community Center did qualify, that HUD in their wisdom said that they would have to keep an accounting for the natatorium that put undue restrictions on them, that they would wind up having to pay the money back, the Jewish Community Center qualified as an area benefit so there was no inconsistency, they had fought the issue with HUD and the area, it was a stabilizing factor, southwest, that number two, right in that community were the Goldberg Towers, that were approved, that was strictly low to moderate income, HUD had questions that some of the people must pay \$600 to \$700 for membership and then a monthly fee of X amount of money, that was true, but that fee allowed a low to moderate income person to come there and use the benefit, that area was mostly made up of senior citizens and low to moderate income persons, that it had changed, that it was doing the whole gambit of the facilities, that any day they would go there they would find 60 senior citizens with arthritis in the swimming pool, when Katrina hit they took in free 25 people from New Orleans in their school, the fee that was charged was spread out for low to moderate

income persons, that it was a safe haven and a stabilizing force in the whole area, that the same criteria was used and was inconsistent with the natatorium. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

After further discussion by Council Members, Council Member Edwards stated that she would like to talk with someone from the Jewish Community Center for them to show her how they were going to outreach to make sure the communities they were saying were going to be benefiting from it knew that it was there, that they could participate and actively encourage that participation. Mayor White absent. Mayor Pro Tem Alvarado presiding.

After further discussion Council Member Lovell moved to call for the question, seconded by Council Member Clutterbuck. Council Members Holm and Garcia voting no, balance voting aye. Council Member Lawrence absent due to being ill. Council Members Edwards and Alvarado absent. MOTION 2006-0140 ADOPTED.

A vote was called on Item No. 18. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Members Edwards and Alvarado absent. ORDINANCE 2006-0162 ADOPTED.

28. ORDINANCE approving and authorizing third amendment to contract between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC** for Preparation of Wastewater Permit Applications, Biomonitoring, and Toxicity Reduction Evaluations; providing a maximum contract amount - 2 Years - \$1,160,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Alvarado absent. ORDINANCE 2006-0163 ADOPTED.
39. ORDINANCE appropriating \$1,628,061.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation and approving and authorizing first amendment for Engineering Services associated with the Design of Water Line Replacement in the Ellena Gardens North, GFS S-0035-N4-2, Shepherd Park Terrace, GFS S-0035-N5-2, Shepherd Park Plaza, GFS S-0035-N6-2 and Garden City Park, GFS S-0035-N7-2 under Professional Engineering Services Contract with **AMANI ENGINEERING, INC** (approved by Ordinance No. 2005-0316); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and H - GARCIA** – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Alvarado absent. ORDINANCE 2006-0164 ADOPTED.

**MATTERS HELD** - NUMBERS 42 through 46

42. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Planning & Development Department to accept the January 2006 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program – **(This was Item 2 on Agenda of February 8, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Alvarado absent. MOTION 2006-0141 ADOPTED.
- 42a. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering to transfer revenues and interest generated by Water and Wastewater Impact Fees in the amount of \$9,163,641.14 to Revenue Bond Debt Service as recommended in the January 2006 Semiannual Report of the Capital Improvements Advisory Committee (CIAC) – **(This was Item 2A on Agenda of February 8, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Lawrence absent due to

being ill. Council Member Alvarado absent. MOTION 2006-0142 ADOPTED.

43. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department to award to **HEWLETT PACKARD** for Hewlett-Packard Computer Hardware through the City's Master Agreement with the Texas Department of Information Resources (DIR) for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for Information Technology Department - \$1,380,792.00 Special Non-Recurring Project Fund – **(This was Item 8 on Agenda of February 8, 2006, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. Council Member Alvarado absent.

Council Member Sekula-Gibbs stated that she had a chance to look at the numbers again regarding Item No. 43 and understood from the conversation that Mr. Lewis had that there was a contingency fee set aside of around 6% and understood also that out of the \$22.7 million that was originally allocated in April 2005 for the SAP contract that this was actually going to be pushing up against that contingency fee and Mr. Lewis did say that he may have to come back and ask for an extension on that or an increase in that contingency and she just wanted to express her concern because it was a very large cost item. Council Member Alvarado absent.

A vote was called on Item No. 43. Council Member Sekula-Gibbs voting no, balance voting aye. Council Member Lawrence absent due to being ill. Council Member Alvarado absent. MOTION 2006-0143 ADOPTED.

44. ORDINANCE amending Exhibit A of the City of Houston Ordinance No. 2005-1338 (the Master Classification Ordinance) by creating a new classification of Senior Police Trainee; establishing the qualifications and pay grade for that classification; establishing conditions for payment of a hiring incentive amount; providing for prior experience credit; providing for severability – **(This was Item 12 on Agenda of February 8, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS, HOLM, KHAN, SEKULA-GIBBS and GREEN)** – was presented. Council Member Alvarado absent.

Council Member Khan stated that in the Homeland Security Committee meeting the Chief reported some understanding to the Police Union regarding officers who were already on board with the City having comparable increases in pay with the Senior Police training and asked if that was something that was finalized, because he understood that from \$900,000 originally, which was considered what it would cost and now it was coming down, and Mayor White stated that he thought the number was \$110,000 and Council Member Khan asked if that was finalized and Mayor White stated yes. Council Member Alvarado absent.

A vote was called on Item No. 44. Council Member Edwards voting no, balance voting aye. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0165 ADOPTED.

45. ORDINANCE amending Ordinance 2004-0770 to increase the maximum contract amount of contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON INC, ALLTECH SYSTEMS, INC, RUSHMORE CORPORATION d/b/a ALL TEMPS 1 PERSONNEL, ALSO TEMPS, INC, APPLE ONE TEXAS, INC, AT-TECH STAFFING SERVICES, INC, BERGAILA & ASSOCIATES, INC, CRINER-DANIELS & ASSOCIATES, INC, DATALOGIC CONSULTING, INC, ELITE COMPUTER CONSULTANTS, L.P., ELITE PERSONNEL CONSULTANTS, INC d/b/a EVINS TEMPORARIES, EXECUTEAM CORPORATION, PDS TECHNICAL SERVICES, INC and SILVER & ASSOCIATES, INC**, for Temporary Administrative/Industrial and Information Technology Staffing - \$12,000,000.00 - Central Service Revolving Fund – **(This was Item 27 on Agenda of February 8, 2006, TAGGED BY COUNCIL MEMBERS HOLM and SEKULA-GIBBS)** – was presented. Council Member Alvarado absent.

Council Member Sekula-Gibbs stated that she wanted to thank Mr. Lonnie Vara for

providing her with some information regarding the benefits that were provided to the temporary workers who would be employed through the staffing allotment of \$12,000,000, that he was very forthcoming in bringing that information to her office and she appreciated it, that she wanted to acknowledge that 71% of the employees would have an opportunity to share in some health benefits, and also some life insurance, paid vacation, 401K and retirement plans, that she applauded those temporary agencies who did offer the opportunity for their employees to have health care benefits, that it went back to what she had discussed briefly a while back, it would be something that the appropriate committee or the administration could look at, to try to allow the City to award some sort of extra credit to companies who were good employers and did give benefits to their employees, and Mayor White stated that he agreed with her and they would work to get it done.

A vote was called on Item No. 45. All voting aye. Nays none. Council Member Lawrence absent due to being ill. ORDINANCE 2006-0166 ADOPTED.

46. ORDINANCE awarding construction contract to **TRIPLE B SERVICES, L.L.P.** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section One of the El Tesoro Subdivision; approving and authorizing an assignment of the construction contract to **EL TESORO DEVELOPMENT, LTD.**, CIP S-0800-C6-03 and R-0800-C6-03 (DPC-084) - **DISTRICT E – WISEMAN – (This was Item 35 on Agenda of February 8, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, LAWRENCE, GREEN and SEKULA-GIBBS)** - was presented.

Council Member Wiseman stated that she tagged the item last week because she had some concerns with respect to development in the area, insuring that all of the infrastructure needs were being met, that the project was part of the developer participation program where the City, through the program, was able to provide, with the assistance of the developer, the infrastructure needs with respect to retention, storm drainage, sanitary and other services, that she had met with the developer to discuss the project and during the course of their discussion another issue was brought to her attention, that it was her contention that the developer intended to seek the annexation of this property into an adjacent inner City MUD that was in the process of being created, that the gentlemen was saying that he could annex the property he was developing because in his developer participation agreement he was not getting 100% reimbursement, that it was 70%, that he wanted to recoup more and wanted his development annexed into that MUD so that the property owners of his development would be paying a MUD tax but would be receiving water and sewer services from the City of Houston and her question was what services would they receive from the MUD and of course nothing, but they were going to be taxed to help to pay off the debt for the MUD, which made no sense, and his response was that they could then offer an even lower price on a home, if they could shave off maybe \$5,000 on the price of the home then it was to their benefit and they could compete better with the home builders that were building outside of the City, that it was her understanding that he wanted to pursue this effort with other area, he owned property also along Lake Houston and he indicated that he would like to annex that property into the MUD that was created by Beltway 8 on the southside of town, because he said that the law would allow him to do that and again for the purpose of helping out with the debt so he could get greater reimbursement, that she would like to visit with the Legal Department about the situation and see how they could address it. Council Member Holm absent.

Mayor White stated that they should timely remark because he talked with Mr. Michel, Public Works and Planning, that he would ask for a description, he did not want somebody to take three weeks to do it, on both the process and criteria for consensus for MUD creation and annexation to MUDs, that he understood there was a simple form that people filled out, that he wanted to know if there was criteria other than the statutory criteria they used, that he needed Mr. Michel, Ms. Gafrick and Mr. Marcotte to figure out who was going to give him the memo.

After further discussion a vote was called on Item No. 46. All voting aye. Nays none.

Council Member Lawrence absent due to being ill. ORDINANCE 2006-0167 ADOPTED.

**Item received during the meeting.**

11. RESOLUTION in support of the Houston Police Department Training Academy – was presented. All voting aye. Nays none. Council Member Lawrence absent due to being ill. RESOLUTION 2006-0002 ADOPTED.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS** - Council Member Brown first

Council Member Brown stated that as to Item Numbers 17 and 18 they appropriated money and he was very excited that they be tremendously successful and they wanted to do everything they could in terms of following up to make sure that where they spent their taxpayer dollars that those projects, enterprises and programs were successful and asked what mechanism did they have for reporting back, for giving a progress report on how their investments were doing. Council Member Alvarado absent.

Mayor White stated that there was very little follow up to report on the progress with Council on some of them, but for example Council Member Quan knew pretty much how things were going on pretty much each and every project, and a lot of stuff had been in plans that they approved, that he thought that the Housing and Community Development Committee would be a great way for people to check on the status. Council Members Alvarado and Green absent.

Council Member Berry stated that he passed around two invitations, the first one was the lecture series by the Rice Alliance, that it was four weeks in succession, lectures by four Mayors, and tonight was Mayor White, it was at the Museum of Fine Arts, Brown Auditorium at 7:00 p.m., that the other invitation was for next Monday night, it was the showing of the Camp Logan documentary at the Museum of Fine Arts, Brown Auditorium at 7:00 p.m. Council Members Alvarado and Green absent.

Council Member Khan stated that he wanted to bring up an issue that was creating a lot of anxiety in the community and that was where known sex offenders were living in the neighborhood and many of them were in non government funded halfway houses and there were more than one in a house, that they had the whole file with addresses of people living there who had a history of sex offenses, that he wanted to bring it up while he was present to see if there was anything they could do as a City, any ordinance they had on the books which could be enforced or if they could have an ordinance which called for some restrictions of having sex offenders within the schools or neighborhoods or restricting the numbers in a particular house or neighborhood, and Mayor White stated that there were various sex offender registrations, but it was something that probably the Public Safety Committee could bring up. Council Member Green absent.

Council Member Khan stated that Mayor White would be the guest speaker at the Alief Super Neighborhood Council meeting on Tuesday, February 28, 2006, that because they were expecting a huge crowd they moved the meeting to Alief Hastings Ninth Grade Center, at 6750 Cook Road at High Star, at 7:00 p.m. Council Members Johnson and Green absent.

Council Member Khan stated that early voting would start next Tuesday and in their district there were three locations where they could go for voting, Alief Regional Library on Kirkwood between Bellaire and Beechnut, Bayland Park at Bissonnet near Hillcroft and VN Teamwork, at Bellarie near Cook Road. Council Members Johnson and Green absent.

Council Member Khan stated that the Sharpstown Civic Club meeting would be on Thursday, February 3, 2006, that they would give an update on the Carnival Nightclub issue; that also their CIP meeting would be on Monday, February 27, 2006 at Sharpstown Park Community Center, located at 6600 Arbortown, between 6:00 p.m. and 8:00 p.m., that he would request his

At Large Council colleagues to join them at the CIP meeting. Council Members Johnson and Green absent.

Mayor White stated that he was having to spend time every day because people said they were going to do things and it was done and unless they reminded people eight times of what they promised and committed in writing it would never get done, it was unbelievable, that in November and December the Chief Operating Officer of Homeland Security and the head of FEMA were begging Houston to make apartments available so they could get people out of hotel rooms, which were exorbitantly expensive and so more apartments were made available in response to that and now they say that they wanted to audit all of the files before they pay for the extra apartments, that it was a typical thing that they had to go through with FEMA, that he was going to circulate it to all of the Council Members. Council Member Berry absent.

Council Member Berry stated that they contacted ABC and they were not apparently contacted on Item No. 12 and they were upset about that, but he thought they all learned from that, just to make sure they were all at the table, that they had no opposition to the ordinance as it was so he would release his tag on Item No. 12. Council Member Green absent.

12. ORDINANCE amending Exhibits A and B to Ordinance No. 2006-91 to correct certain classifications, ratios and prevailing wage rates to be paid to workers in building and engineering (Heavy-Highway) construction classifications; substituting the amended Exhibits A and B as part of the current prevailing wage rates for construction crafts and trades to be used in such contracts on or after the effective date; providing a repealing clause; providing for severability – was again before Council. Council Member Green absent.

Council Member Clutterbuck stated that she would like to encourage that in the future all of the stake holders be included in the Davis Bacon Survey, she was concerned that Associated Builders and Contractors were not included and was also concerned that they were left out of the process, that it was a law that they must comply with from the federal level and it was important that they have all of the stake holders involved in this important aspect. Council Member Green absent.

Council Member Wiseman stated that whenever they had any items that came before them on the agenda that they felt certain organizations and groups were going to take an interest in, when there was an opportunity, that they make an effort to contact them to make sure they were aware of it and see where their sentiments lay and if they had any concerns that they could address for them, but of course they could not always contact everyone and that was why it was important that people take it upon themselves to stay informed as to what the City Council was doing. Council Member Green absent.

A vote was called on Item No. 12. All voting aye. Nays none. Council Member Lawrence absent due to being ill. Council Member Green absent. ORDINANCE 2006-0168 ADOPTED.

Council Member Clutterbuck stated that she wanted to take the opportunity to follow up on a suggestion that Council Member Brown made that they have some kind of feedback as the items that were passed and later funded, such as the JCC, that they have some kind of reporting back and she would be delighted to be the point person on that for that particular grant that they approved today and she wanted to thank her colleagues for that, that she thought they were going to see tremendous increase in service in that area to people who desperately needed it from a very fine organization. Council Member Brown absent.

Council Member Clutterbuck stated that on Sunday, March 5, 2006, there was going to be a Texas Independence Day Band Concert at Welch Middle School, which would feature the Welch Middle School Jazz Ensemble, the Westbury Christian School Band, the Westbury High School Concert Band and the Houston Concert Band, that the event was free and would start at

2:30 p.m. Mayor White and Council Members Holm and Green absent. Mayor Pro Tem Alvarado presiding.

Council Member Wiseman stated that a constituent from Huffman called with respect to a sinkhole on a City of Houston easement next to his property and was thrilled by the action taken by Mr. Willie Cook and his crew, they promptly repaired the pipe which was causing the sinkhole and the constituent asked that she convey his thanks to Mr. Cook and his crew for a job well done. Mayor White and Council Members Holm, Lovell and Green absent. Mayor Pro Tem Alvarado presiding.

Council Member Wiseman stated that she wanted to bring up the issue of drag racing along Edgebrook, that it was a growing problem and she appreciated the effort that HPD had made with respect to the problem, that they had been out on weekends, but she feared that this evening once again the constituents would be dealing with the drag racing, squealing tires and drunken behavior that accompanied it, that it was a nightly occurrence, that she would request additional patrol and interest in that area. Mayor White and Council Members Holm, Lovell and Green absent. Mayor Pro Tem Alvarado presiding.

Council Member Wiseman stated that a group interested in unionizing City employees showed up at an executive level employee's home on a Sunday afternoon, one of her staff employees, and attempted to coerce the employee to sign up with them, that she knew they were free to contact employees to attempt to sign them on and bring them on board, but her employee felt they had just a little bit too much personal information about the employee that made the employee uncomfortable, that the employee did not appreciate how persistent they were, that she certainly did not condone that and would hope that people looked into the tactic, that AFSME was the organization, that she wanted to know to what extent as far as how much personal information about an employee they were able to obtain for their purposes. Mayor White and Council Members Holm, Brown, Lovell, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Wiseman stated that they would be having a CIP meeting tonight at the southside of their district at San Jacinto College, South Campus, in the Marie Flickenger Fine Arts Building from 7:00 p.m. to 9:00 p.m., that tomorrow night they would be having their Kingwood CIP meeting at Creekwood Middle School, at the Teaching Theater from 7:00 p.m. to 9:00 p.m. and she encouraged district residents to attend. Mayor White and Council Members Holm, Brown, Lovell, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Johnson stated that he wanted to compliment a couple of individuals who had done a fantastic job in the abatement of a long known crack house in his district, that he wanted to thank Mr. Duke Atkins and Ms. Myra Hippolite, that they were able to pull and knock the crack house down and it brought life back to their neighborhoods. Council Members Brown, Lovell, Green and Berry absent.

Council Member Johnson stated that on Friday he was driving home around 10:00 p.m. and at the corner of Golf and Pinemont there was a broken water main and there was a crew out there and he went up to the crew to find out what was going on and he gave him every bit of information that he needed to know about where they were with the water main, that for customer service he was on point and he wanted to thank him for that, that he did not get his card and could not remember his name but if he was out there and could hear him they did a fantastic job. Council Members Clutterbuck, Wiseman, Brown, Lovell, Green and Berry absent.

Council Member Johnson stated that he wanted to congratulate Ms. Jackie Mayhorn, the Super Neighborhood Council Alliance President and dealt with all of the super neighborhoods around Houston, that she was a capable person of doing the same job that Ms. Bessie Stratton had done. Council Members Clutterbuck, Wiseman, Brown, Lovell, Green and Berry absent.

Council Member Johnson stated that the Super Star Foundation Golf Tournament would be this weekend to help raise scholarship funds for the students of District B, that it was under the direction of Mr. John Eury, Executive Director, and he would be providing scholarships for students. Council Members Clutterbuck, Wiseman, Brown, Lovell, Green and Berry absent.

Council Member Johnson stated that MOCHA had been having some very successful programs at the Fifth Ward Multi Service Center, at the Hester House and Prince Complex, that he wanted to encourage people to bring photos. Council Members Clutterbuck, Wiseman, Brown, Lovell, Green and Berry absent.

Council Member Edwards stated that Council Members Clutterbuck and Brown had asked for follow up and how they handled that, that the Flooding Committee was meeting on February 20, 2006 and they were going to be dividing up the work, Council Member Clutterbuck would be leading the point on funding, Council Member Brown would be doing the point on regional planning and Council Member Johnson would be working towards the point on public awareness, that they would do the same process with Housing so that there would be a constant follow up, that they would have their first Housing meeting on Friday, that the Flooding Committee meeting would be at 2:00 p.m.. Council Members Johnson, Clutterbuck, Wiseman, Lovell, Green and Berry absent.

Council Member Edwards stated that on February 16, 2006 at 6:00 p.m. at TSU University School of Education would be the showing of "Freedom Song", that she thought it would be a very interesting presentation and would include some Q&A afterwards; that on February 20, 2006 would be the "Camp Logan" showing and wanted to thank Mayor White for taking the lead on it, that she wanted to thank Ms. Jill Jewet for making sure they had all the pieces right, that it would be at the Fine Arts Museum; she wanted to thank Mayor White and his staff, especially Ms. Susan Christian and her office for the "Vince Young Hero's Parade", Foley's, Macy's, the whole Madison High School family and the Young Family, that the students had an awesome experience. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Council Member Edwards stated that she wanted to congratulate OST South Union Super Neighborhood, that Mr. Preston Roe and that whole group had been working a long time and it was finally coming to fruition. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Council Member Edwards stated that once again District D had a handout on Black History Month and it dealt with Mr. Richard Allen who was Houston's first Black State Legislator, that they also wanted to recognize Mr. Nathan Haller's Family, who was a State Legislator from the Brazoria area and his great granddaughter worked in the District D office, that they had a display in the lobby and they had a thing regarding the 369<sup>th</sup>, the Harlem Hellians, a Black platoon of soldiers who fought primarily in France and were recognized by the French Government and the U.S. Government, that they found out that Mr. Tim Douglas, Chief of Staff for Council Member Clutterbuck, his grandfather was the commander of the 369<sup>th</sup>, Mr. Woodal A. Pickering, that Mr. Douglas had shared with them the citation that Mr. Pickering had received from General Pershing. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Council Member Edwards stated that she was excited that the WNBA had been included in the whole NBA experience and was excited about what opportunities were being made for the community with the jam sessions. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Mayor White stated that they were going to be working through some very important issues in committees in the next couple of weeks, for example the Health Benefits issue in the Finance Committee, they were big impact things within the budget, that they had made a lot of progress on funding and drainage dedicated funding, they were spending \$15 million a year and

then it dried up completely and they were up to \$60 million a year and had a lot of catching up to do but people had seen some real improvements, that the good news was that a lot of it was spent in almost every district and the bad news was that almost every district flooded or had places that flooded and they were doing it based on objective criteria, but some along the water sheds, that they took some actions in April 2004 and created a dedicated fund that had about \$165 million worth of projects that they could afford and last year they were able to expand that, this year through a variety of things, good management of the Water Sewer Drainage Utility Fund, they might be able to expand and have something that looked like a long term fix to something they never had and he needed the Council Members judgment because drainage projects were not free and not cheap, money did not come from nowhere and they could say that most private businesses had cost of living increases, prices went up with the cost of living generally, when government did it some people attack them, but he thought they could expand their drainage program without compromising water and sewer so when they had a hearing, he thought they had a meeting and that Council Member Green was involved in the meeting and others where they talked about the water and sewer system and some of the issues, that they needed something where the Drainage Committee meets with the Finance Committee to go over the Water Sewer Combined Utility, that Council Member Lawrence had been a big advocate of their reminding people that they had a lot of drainage projects to do, and it was not some miracle that had occurred that they were getting done now, that it was something they did and the public would support them when they explained clearly what they were doing and why they were doing it and they were not doing it on a patronage system, they were doing it on objective criteria, but they could see where he was coming from on that because he thought that after this year they may be pretty smooth sailing for quite a while if they decided they were going to gut it up and do something. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Council Member Edwards stated that when Council Member Ellis was over Finance they had the same discussion about how do they come together and the issue of funding, if it was going to be a referendum and all those issues, the point that Mayor White was making was the reason why they had asked Mr. Johnson about how do they get the word out about what they had done, not just in committee or in Council, but in civic clubs and on the ground, so that was one of the issues they were looking at, that she thought it needed to be looked at in a lot of ways in a lot of committees because she was very concerned that in coming up to budget that they get information that was so episodic and was not connected and with the limited budgets they had and the needs that they had for the City, she thought they had to figure out ways that they could have a more comprehensive and broader understanding of the issues and what they were talking about, as an example, she pulled up some stats off of the computer regarding crime and so forth and she needed to have a full discussion before she voted on a budget to figure out whose stats were correct and why and what was the difference and what did they need to do, so she would just encourage all of them to really look at how they could better utilize their committee meetings, that when they send their staffers to send them empowered to ask questions and not just sit there and not participate because they did not get the full benefit of what people were thinking or what their concerns were and how they kind of tied in with her challenges or concerns, that she was just encouraging them to make better use of the committee structure, that she thought it was an awesome opportunity for all of them to get a more in depth understanding of a lot of things. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Mayor White stated that he had instructed Ms. Johnson to talk to Ms. Bandy and the financial advisors on the Water Sewer Drainage System on the out year projections of availability for certain things, that he needed Mr. Marcotte and Mr. Kruger and those working with them to come up with what would be in the objective priority list on the scoring criteria, the next several hundred million dollars of drainage projects, they needed that available to him and the Council Members so they were well aware of what the stakes were. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Council Member Garcia stated that he would also ask as that information was being pulled together that the information was weighed against future development. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Council Member Garcia asked for a moment of silence to remember Ms. Mary Geneva Robinson, who was a precinct judge for Precinct 192 in the Independence Heights Community. Council Members Johnson, Wiseman, Lovell, Green and Berry absent.

Council Member Garcia stated that on Saturday they would have the cleanup for the route that would be coming into District H for the Connoco Phillips Fun Run; that also on Saturday there would be the CHIPS, children's health program, registration initiative that would be occurring at 12 McDonald's throughout the City, but at the McDonald's on Fulton and Boundary there would be immunization that would also be provided by Blue Cross Blue Shield Health Care Van, that he wanted to thank the Quijaro Family for their support, that he wanted to thank Clear Channel because they were providing billboards throughout the State of Texas informing of the importance of getting children on the CHIPS Program. Council Members Johnson, Edwards, Wiseman, Khan, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that there continued to be some concern about the communication and how it was delivered and the openness and transparency as Metro was addressing some of the system that they needed to be moving forward on at this point, that it was not as inclusive as it was and that it was a little bit more defensive, that she thought one of the things that could be really beneficial to them was if they would establish a very objective, clearly defined, process, that she thought the lack of knowing what the process was was really inhibiting them from building consensus instead of really having some people in communities going to war and at this point she was very concerned about the position that some of the communities felt because perception was reality and they were feeling very challenged, and threatened and unheard, that there was a board meeting at Metro tomorrow and she planned to go and knew that some of her colleagues planned to be there and she would just hope that they would have the Mayor's support, that one of the things that they could do as representatives was to help facilitate that communication, they were not experts in planning or building but they were good at facilitating and representing communication, so that was one of the things she was going to be offering one more time, just the encouragement of Metro to be able to utilize the resources of the community and the City in helping them move forward on this much needed plan. Council Members Johnson, Edwards, Wiseman, Khan, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that the District G State of the District Meeting would be at Westchester Academy on Monday from 6:00 p.m. to 8:00 p.m. on Yorkchester; that last Thursday evening the Spring Branch Independent School District at Stratford High School had a big community meeting because of the concerns they were having with what they perceived to be totally Katrina related, that as they all knew that was a significant part of it but there were a lot of things going on within the school systems with the crime situation, that she felt that confident that was going to be another big issue that was going to be the topic of conversation on Monday night in addition to the infrastructure projects that they had going, so she would like to encourage everyone to be a part of that and they would have some really good representatives out there. Council Members Johnson, Edwards, Wiseman, Khan, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that she heard there was an article in the newspaper and it had been on the news that because of a lack of prosecutors in New Orleans they were going to open the doors and release felons into the City of New Orleans, that concerned a lot of people in Houston that they might come to Houston, that she could not figure out why they were not reaching out as a City asking for prosecutors, that with all the attorneys throughout the Country it seemed to her that the best solution would be for someone to offer services to help indict as opposed to just release felons on the street because they did not have the enforcement they

needed. Council Members Johnson, Edwards, Wiseman, Khan, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he knew that if the American people were asked where should some of the priorities be, that keeping violent criminals off of the streets would be in the top two or three out of a thousand, that they were paying \$40 a cubic yard for people to gather debris in New Orleans, which was probably about five to ten to twenty times what it would take the Department of Solid Waste to do it, and yet they could not have enough prosecutors, that the Harris County District Attorney's office was working very hard right now, and Council Member Holm stated that if Mayor White would just tell them who in his office to kind of coordinate so they could put some well placed calls and it could be a coordinated effort to share their resources, and Mayor White stated that he would ask Ms. Ann Travis and Congressman McCall, that he would like to see if the Congressman could help them. Council Members Johnson, Edwards, Wiseman, Khan, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that this past weekend there was a townhall meeting with the Tri Congressional Caucus, the Hispanic, African American and Asian American Caucus, and Council Member Garcia was also present and they were here to hear some of the concerns that both the community and the City of Houston, as a government entity, had regarding FEMA reimbursement, that she was able to deliver Mayor White's message and talk about the concerns that he had with the housing component and the utilities that originally were agreed would be paid and now they were not and the Members of Congress present were very alarmed to hear that and had committed to working on that, that she was pleased that Mayor White was able to get something to them and knew that a lot of his time had been consumed with FEMA and making sure they got reimbursement but she wanted to thank him for staying on top of it and thought it was a good opportunity so they could hear it for themselves what some of the issues were that they were facing, that Council Member Garcia touched on some public safety issues as well. Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she wanted to thank Mr. Arturo Blanco with the Bureau of Air Quality Control and Ms. Marks, they along with the District I Office and several other elected officials hosted their second townhall meeting on air pollution this past week, that it was an issue that they had been trying to tackle, they had close to 200 people in the community show up and they highlighted a few things, that one of the things they highlighted was the agreement that City of Houston reached with TPC and some of her colleagues may not be aware of the extent of that agreement and how significant it was and how they were really setting the precedent for the way the City of Houston addresses environmental concerns realizing that they had such limited authority when it came to enforcement, that a lot of that responsibility lay with the TCEQ and the EPA but Mayor White's administration had been very creative in finding ways to not necessarily go out and sue people but try to strike an agreement that would really benefit the community, that she wanted to thank her colleagues, several Council Members showed up at that event, that it was an issue that they would continue to work on. Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that segueing on Council Member Alvarado's comments she wanted to acknowledge that was an excellent meeting and she was privileged to be able to attend as an At Large Council Member because air quality was vital to the citizens of the City and any efforts that they take in the East End were going to be multiplied across the health of the citizens in the whole area, that she was pleased to hear that perhaps because of the agreement that Council Member Alvarado referred and perhaps also because of the efforts by Mr. Glen Shankle and the people at TCEQ that Texas Petrochemicals reported that they had reduced their butadiene release by 28,000 per year and that was down from a baseline of 77,000 per year in 2004 and it was basically a little bit ahead of schedule in terms of what they

had agreed to in the agreement that was signed with the City and their goal was that by 2008 to have 38,600 pounds of butadiene per year, which still sounded like a lot to a lay person but apparently that was a major reduction and she applauded the administration for moving the industry in a very positive way, that the way they were accomplishing that were the fence line monitors, that were a part of the agreement, were showing that very little of the butadiene was actually making it beyond the margins of the property with then the flare gas recovery system that had been placed to actually reduce the emissions from the flares, which were outside of the fence line, was working and the other parts that they were working on were the rail loading piece and the maintenance of their connections in their pipeline and all of those became very real in terms of reducing the amount of pollution that could affect people's lungs and lives, that it was a very good move on the part of the community. Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that there was good news across the world because the Parliament of the United Kingdom had just voted to eliminate smoking in England and its fellow countries and would be implemented by 2007 in the summer, that it was a pretty broad band and would eliminate smoking from not only restaurants and pubs but also from clubs. Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that they had a new director in the BARC, Bureau of Animal Regulation and Care, Ms. Denise Arnold, that she had set some very good goals of increasing the rate of animal adoption. Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Brown stated that he wanted to support the suggestions that Council Member Holm made about Houston's efforts in transportation planning and coordinating with Metro and would offer a suggestion that he thought it would help the consensus building process if the Planning Department could play a role with Metro in building consensus along the transit corridors, and Mayor White stated that the Planning Department played an incredible role on the Main Street Coalition and the Main Street Rail Line. Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:55 a.m. Council Member Lawrence absent due to being ill. Council Members Johnson, Clutterbuck, Edwards, Khan, Holm, Garcia, Lovell, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary