

City Council Chamber, City Hall, Tuesday, April 4, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 4, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., and Ronald C. Green, Michael Berry; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Mr. Richard Cantu, Director Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present.

At 2:11 p.m. Mayor White called the meeting to order and called on Council Member Alvarado to begin presentations. Council Member Alvarado invited Archbishop Joseph Fiorenza to the podium and stated that it was very special to stand with someone she considered a friend and who had been a great leader; that his retirement was effective February 28, 2006; that he stood and worked with the community and was named Bishop of Galveston/Houston by Pope John Paul II in 1984 and served on the board of trustees for University of St. Thomas and president of Board of Trustees for Catholic Charities; that he was a lifelong champion of social justice and was one of four Priests who marched for civil rights with Dr. Martin Luther King in Alabama in 1964; that he was retiring after nearly 52 years in the Priesthood; and presented him a Proclamation proclaiming April 4, 2006, as "Archbishop Joseph Fiorenza Day" in Houston, Texas.

Archbishop Fiorenza thanked all for the Proclamation in honor of his retirement and service in the community; that he had been here 52 years and it was his great privilege to serve this wonderful and growing multicultural, multilanguage City of Houston; that it was because of the type of public service received from city officials that this city was able to prosper; and he was deeply grateful for recognition and it was his privilege to work with so many wonderful religious leaders over the years. Council Members Khan, Garcia and Green absent.

Council Members thanked Archbishop Fiorenza for being a face of benevolence in the community and for truly being a man of faith; and all should strive to be like him. Council Members Wiseman, Khan and Garcia absent.

At 2:23 p.m. Council Member Brown invited Archbishop Fiorenza to lead all in prayer and Council Member Brown led all in the pledge. Council Members Khan, Garcia and Green absent.

At 2:24 p.m. the City Secretary called the roll. Council Members Khan and Garcia absent.

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

Council Member Johnson moved that the rules be suspended for the purpose of hearing Mr. Raymond Mbala as the first speaker, seconded by Council Member Wiseman. All voting aye. Nays none. Council Members Khan and Garcia absent. MOTION 2006-0261 ADOPTED

The City Secretary began calling the public speakers. Council Members Khan and Garcia absent.

Mr. Raymond Mbala, 5959 Westheimer #212, Houston, Texas 77057 (469-566-7299) appeared, presented information and stated that he was general counsel and vice president of operations for Texans Shuttle and present to speak on behalf of the company regarding the shared-ride issue which currently had a proposal through the Transportation Infrastructure Aviation Committee which proposed a monopoly further solidified for Yellow Cab by awarding

them an exclusive contract and they felt it inappropriate to award an exclusive contract and there were three major reasons. Council Members Khan and Garcia absent.

Upon questions by Council Member Johnson, Mr. Mbala stated that Texans Shuttle did submit a bid, but submitted their objection to the entire bid process before hand though they were one of two companies determined qualified to provide the service; that they wrote in September to Mr. Vacar and copied many Council Members and Mayor at that time and they listed reasons to award two contracts and Mr. Vacar was refusing to acknowledge how many contracts he would award and they felt the true intent behind the process was to keep their minority owned company from gaining equal opportunity for that shared ride service and in addition to that a study was commissioned by the Houston Airport System which stated there should be a minimum of two companies to provide the service and a number of other cities already provided the service which had multiple contractors and in looking at the geographical size of the City of Houston it dwarfed the other metropolitan areas and would stand to reason there would be multiple providers; that he submitted that research finding to Mr. Vacar and received no response. Council Members Garcia and Alvarado absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Mbala stated that he worked in other cities on this and all that was needed was for the Code to be amended and provide minimum requirements they felt were needed and then allow vendors to submit and minimum criteria as proposed here was a 25 van commitment so there would be an economic barrier prohibiting many from applying; that Mr. Vacar's decision was based on customer complaints which he was reading from and then it was limited destinations, perceived high cost, desire for cleaner new vehicles, long waiting time and more professional drivers and competition would give anyone incentive to provide greater service in all areas. Council Member Garcia absent.

Upon questions by Council Member Khan, Mr. Mbala stated that prior to their bid submission they submitted the letter to Mr. Vacar opposing the entire process as they felt it was just set up as a means to justify the end, the whole process was flawed with numerous misrepresentations and they were listed in his presentation. Council Member Garcia absent.

Upon questions by Council Member Brown, Mr. Mbala stated that he would suggest Council investigate the shared-ride RFP process due to the flawed nature, one misrepresentation told throughout was they would be judged by an independent group of business owners and five out of nine on the evaluation committee were HAS officials and that did not sound independent; that they would also ask Council to terminate any consideration of an exclusive contract to Yellow Cab and mandate to Mr. Vacar or Legal that the City Code be revised or amended to establish minimum criteria for the Shared-ride providers. Council Members Garcia and Alvarado absent.

Council Member Edwards stated that she was speaking of this in budget and did not need to determine the process, but the policy; that when the policy was developed Council always got the backend of it and if they were going to have say in it they needed to do it up front; that her concern was a large percentage of people on the screening committee were not evil but she needed to know why that was and a policy would guide that action. Council Members Garcia, Alvarado and Sekula-Gibbs absent.

Mr. Mbala stated that the many standing today were with Texans Shuttle and present to show how important this was to them and that a vote on an exclusive contract was a vote to take their jobs. Council Members Garcia, Alvarado and Sekula-Gibbs absent.

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) appeared and stated that he was present on Agenda Items 38, 39 and 40 as Houstonians were generally unaware they were shouldering the cost to re-inspect and cure problems detected in this program as agreed by HUD to cure; that the city agreed to re-inspect and cure problems of about 4,000 homes and still refused to warn families of the potential hazards and no one was

held accountable for the mess or responsible for the cost and all contractors and lenders for this had to carry insurance and indemnify the city for any loss and it had not been done; and encouraged Council Members to encourage the Mayor to start looking for the ones to pay and not get the taxpayers. Council Members Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Rev. Marvin Holmes, 3211 McIlhenny, Houston, Texas 77014 (832-398-9223) appeared and stated that he had issues and talked with Council Member Alvarado's office and gave them three months but no one ever came out; that police never showed up when they were called, loud music at all times, stores don't check I.D. and two stores sold to underage people and still sold alcohol to intoxicated people, drug activities at all times around Sampson and around the corner from him, people running stop signs on McIlhenny and Tidewester, vacant houses and weeded lots. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Edwards thanked Rev. Holmes for his concern and stated that she was aware of the area and would like to call and introduce him to Pastor Ruth Alston and maybe together through partnership they could attack the issues. Council Members Johnson, Alvarado, Sekula-Gibbs and Berry absent.

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

Ms. Eddie Mae Williams, 5900 Greens Road, Humble, Texas 77396 (281-441-2135) appeared and stated that her handicapped grandson was in the Harris County Jail and beaten and was told the Mayor and Council had nothing to do with that, but would like direction. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Edwards stated that she was sorry for what happened and the County Commissioner would be her primary point of contact and her office would help set a meeting with the appropriate commissioner and get her some resolve. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Mr. Charles Thompson, 8327 Tidwell, Houston, Texas 77040 (713-688-7925) had reserved time to speak but was not present when his name was called. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Ms. Roberta Bowden, 7618 Lakewood, Houston, Texas 77016 (713-459-8228) had reserved time to speak but was not present when her name was called. Council Members Johnson, Garcia, Alvarado, Sekula-Gibbs and Berry absent.

Mr. Cristobal Hinojosa, 810McDaniel, Houston, Texas 77022 (713-742-5458) appeared and stated that last Tuesday they were present with a group of students and the right of freedom of speech and they did not like their public servers who were supposed to respect those rights to express their opinions attacking them; that Council Member Berry expressed concern the police should be arresting the students and it went against their constitutional rights and many politicians did not understand their careers would be affected if they did not allow all to express their rights; that the students were suffering in the schools for expressing their rights of concern that their parents may be deported. Council Members Johnson, Garcia, Alvarado, Lovell and Sekula-Gibbs absent.

Ms. Stella Jimenez, 1307 Brooks, Houston, Texas 77009 (832-309-7022) appeared and spoke in Spanish and her translator stated that she was present expressing opposition to anyone who opposed protecting the constitutional rights of the students; that Council Member Lawrence was not to express racist or malicious comments about HISD protecting students and Council Member Berry was not supposed to make racist comments; that it was the students right to leave school to express concerns; that her son would only be one voice and no one

would listen, but together united they would be heard. Council Members Lawrence, Johnson, Alvarado, Lovell and Sekula-Gibbs absent.

Ms. Jessica Perez, 2423 Lupe Street, Houston, Texas 77026 (713-674-1571) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Alvarado, Lovell, Sekula-Gibbs and Green absent.

Ms. Sudaphon Kinney, 225 Aldine Bender #708, Houston, Texas 77060 (281-448-4190) appeared and stated that she just moved and all her money was taken again and she wanted it cleared up and guidance from City Hall. Council Members Lawrence, Johnson, Alvarado, Lovell, Sekula-Gibbs and Green absent.

Upon questions by Council Member Garcia, Ms. Kinney stated that she had her statements and someone took her money; and Council Member Garcia stated that he would recommend she visit with Captain Ready as it might be identity theft; and Mayor White thanked Ms. Kinney for coming and stated that they would get information; that Ms. Kinney had come with some frequency and they had listened to the nature of some of her problems. Council Members Lawrence, Johnson, Holm, Alvarado, Sekula-Gibbs and Green absent.

Ms. Angela Land, 919 Caperton, Houston, Texas 77022 (713-697-6217) appeared and stated that she was present today on the same issue as last week, help in saving her home, In Action saved her life and played an instrumental part in restoration of her family and without them she would be back homeless and maybe in the same mess she just came out of; that last week Council spent 20 minutes talking about parking and 15 minutes on the plight of animals and only 4.5 minutes about the lives of people; that In Action spoke for itself and why not help them. Council Members Lawrence, Khan, Alvarado, Sekula-Gibbs and Green absent.

Mr. Carlos Singleton, 919 Caperton, Houston, Texas 77022 (713-697-6217) appeared and stated that he did not know the avenue they needed to go down but wished someone would tell them; that Council Member Johnson spoke last week of a grant and he guessed no one got in touch with him but they did not have much time. Council Members Lawrence, Wiseman, Khan, Alvarado, Sekula-Gibbs and Green absent.

Upon questions by Council Member Edwards, Mr. Singleton stated that they were being evicted with previous finance problems, but they had a facility which helped people and had until April 15th to be out; that they were staying in four brand new homes and it was only time; and Council Member Edwards stated that she would like to discuss this with them and would like to get it together. Council Members Lawrence, Wiseman, Sekula-Gibbs and Green absent.

Upon questions by Council Member Garcia, Mr. Singleton stated that he currently played a director role, he graduated from the program about two years ago; and Council Member Garcia stated that he remembered last year Ms. Boykins came before them in a similar state of emergency; and Ms. Boykins stated that it was the middle part of last year; and Council Member Garcia stated that his staff was working to get information from her; and upon questions, Ms. Boykins stated that as she told Rebecca she only gave names and she had submitted for the CDBG funds and did appreciate it; that he did write her a check last time she was present and he had walked out back and presented it to her and she appreciated it, but thought it would have had more impact if he would have given it to her across the counter; and Council Member Garcia stated that early last year when that occurred they asked that she follow through with the Housing Department and he was not sure why it did not happen; and Ms. Boykins stated that yes, she was given information to go to Housing and there were certain things with Housing they did not qualify for, however, working with Ms. Hays she did submit a proposal and she would guess they had not gotten to it yet as she was not contacted; and Council Member Garcia stated that he wanted to be sure her application was submitted so he could follow through with it. Council Members Lawrence, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Upon questions by Council Member Green, Ms. Boykins stated that she apologized for not calling, she misunderstood and thought he was coming over, but they needed \$11,000 to put them in the present and then they needed funding to keep going; that Mr. Johnson at Fiesta Mart pledged \$2,500 and she knew how to take care of people; and Council Member Green stated that she needed to call his office and he would go out but needed to know specifics. Council Members Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that as chairman of the Housing Committee they would find out where the proposal was she submitted and what she needed so they would check the status. Council Members Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Mr. Alexander Berk, 919 Caperton, Houston, Texas 77022 (713-697-6217) appeared and stated that he was also with In Action Shelters and they had done a lot for him and he felt like Ms. Lamb if they closed he would be back on the street; that it was said every time you go back you do worse and he would hate to see what he would do; and he would like Ms. Boykins to speak on the rest of his time. Council Members Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Mayor White stated if there were no objections Ms. J. B. Boykins could speak at this time; and Ms. J. B. Boykins stated that they had an on-going fund raiser, "share your change to help them make a change" and she thought if they would wish them well it would have an impact on the whole city; and Mayor White stated that they did wish them success. Council Members Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Ms. Sharon Davis, had reserved time to speak but was not present when her name was called. Council Members Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Mr. Steven Weinstein, 1318 Rosalie, Houston, Texas 77004 (713-521-2920) appeared and stated that on November 6th two people broke into his home, attacked him and restrained him with handcuffs robbing him of \$40,000.00 and it was his first week there; that he was told he would be killed if he told police and about three weeks later he did call police and about one month later he was put into contact with someone who would investigate and when they met he identified one in a photo lineup and was told the suspect was already known and wanted; that he was later told a message was left for the suspect on January 6th and on January 8th his car was broken into.. Council Members Johnson, Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Upon questions by Council Member Berry, Mr. Weinstein stated that when the file was first looked at he was told it was thought to be insurance fraud; that he had gone to the station to report it and the DA's office gave him two reasons why not to pursue charges and one was the suspect never returned the call left by the officer and the second reason was he was acquainted with one of the two suspects; and Council Member Berry stated being acquainted was a material fact and if he would submit in writing what he just said he would make sure he received a response, some things sounded odd but this was not typical and he would see he got a response. Council Members Johnson, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Upon questions by Council Member Khan, Mr. Weinstein stated that the case number was 178420905 and the investigating officer was Max Wright. Council Members Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent.

Council Member Edwards stated that by his address he was a resident of District D and she checked with her staff and they never received a call from him; and upon questions, Mr. Weinstein stated that in meeting with the officer several weeks later he said at first he thought it looked like insurance fraud and that was why he wanted to meet him in person, but then he did not feel that was the case, but at this time the case was closed, they decided they wanted nothing to do with the case; and Council Member Edwards stated that as his district

representative she would call and find out how they closed it and what they determined. Council Members Johnson, Wiseman, Khan, Lovell, Sekula-Gibbs, Green and Berry absent.

Ms. Patricia Cooke, 15807 Bitridge Circle, Houston, Texas 77053 (281-808-3797) appeared and stated that she was present as a volunteer of the Mayor's Coalition and had several concerns, one being the lack of communication from the Houston Police Department Homicide Division regarding the death of Omar Beasley on December 13th; that he was murdered in the 4300 block of Holloway and she was asking Council for an increase in gang task force in their community as in their area there was an increase in homicides and other criminal activity and that was in South Acres I and II Subdivisions; that in this particular case they had no communication with the lead detective Ms. Connie Parks; that they had two gangs and they were not just speaking of this death as crime did not stop here it increased daily and she wanted something done to help stop the violence. Council Members Johnson, Clutterbuck, Wiseman, Lovell, Sekula-Gibbs and Green absent.

Upon questions by Council Member Edwards, Ms. Cooke stated that last Thursday they contacted her office and was contacted today; and Council Member Edwards stated that she had not seen it as yet, but the gang task force was not a budgeted line item for the budget it was grants and she had been trying to get it in the budget and people were working on it; that on the issue of Mr. Beasley's death she understood there was no investigation; and Ms. Cooke stated that Ms. Connie Parks was assigned in Homicide, however, there had been no communication and Sgt. Grysen had been actively involved but he was not assigned; that she asked today for a meeting; and Council Member Edwards stated that she would check and whatever her office could do to help facilitate a meeting they would do, but there also needed to be a partnership, working with community institutions who worked with kids no one else wanted to work with, they needed funding; that she would also suggest she speak with Council Member Garcia who was over the Public Safety Committee on such issues; and upon questions by Ms. Cooke, Council Member Edwards stated that the Task Force was not a separate entity, it was a program and not a department; that in her district a young man was molested and they pulled together and got \$23,000 and found the guy so a lot of it was the community saying they what they would not tolerate; that parks belonged to everyone and Margaret Lister was very community minded and worked with kids in the gangs but there were places she could hold fund raisers that would not cost her and she would help. Council Members Clutterbuck, Wiseman, Brown, Sekula-Gibbs and Green absent.

Upon questions by Council Member Khan, Ms. Cooke stated that Omara Beasley was her nephew and his mother was standing with her; and Council Member Khan stated that he was truly sorry for the loss of their loved one, Houston was getting a lot of praises from all over the country, but they also had a tremendous crime problem and it was time Houstonians started realizing they were living in a city where the crime rate went up on a daily basis and he would request Council Members get a regular briefing from the Police Chief on crime issues so they would not just be reading it in the Houston Chronicle; that it was serious and he thought they could at least raise the profile; and Mayor White stated that he would make a note, they would be discussing some things briefly in the Mayor's Report and they wanted to make sure every crime was treated seriously and the speaker here did present a responsible voice within the community and he would ask Captain Ready to help make sure someone responsible in Homicide did call a meeting and he would get some people an overview because they wanted accurate information and if they acted on exaggerations or hysteria they may not make rational policy for example in the first two months of this year the violent crime rate per thousand was down compared to the first two months of the prior year, homicides not so as that was up 10% and from the beginning of the year to yesterday was up by 14.4% with a 6% higher population and even more specific it was down sharply in 22 police districts and up sharply in the remaining two and that was not to say it was acceptable, but then it was not to say Houston was not a safe city and efforts being put in were paying off and every homicide was important and the clearance rate over the last five years was always good, a lot of research went into homicide and three or four out of five solved. Council Members Clutterbuck, Holm, Alvarado,

Sekula-Gibbs and Green absent.

Council Member Garcia stated that all crimes left an impact on families in one way or another with the most traumatic being when someone was stolen from them; that officers were needed but so were investigators; that he had much respect for investigators in Homicide as it was a challenge and they understood the trauma felt and did try to give closure to their cases; and would suggest they get with Parents of Murdered Children, it was an excellent group who understood better than anyone their feelings and frustrations and were great advocates to be sure things were being done; and his heart and prayers went to them and he would give her his number; and Ms. Cooke stated that they realized the department was overwhelmed, however, when calling Homicide Sgt. Booth said all you could do was leave a message or refer the call to Crime Stoppers and that was a problem, if someone was calling in with information on a case the information should be taken; that she was told those taking the information may not be in that day or may be in the field and that was a problem and she was Asking Council to address that and not just her case. Mayor White, Council Members Clutterbuck, Holm, Alvarado, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Brown, Ms. Cooke stated that there was drug activity, violence from gangs, more patrol was needed and it may not stop the violence but they would be more aware; that it would help to have hot spot units also. Mayor White, Council Members Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Edwards stated that she understood she wanted the policy addressed on how calls were handled and she would like her to meet with Captain Ready; that the issue of Sunnyside Park with Ms. Lister she was probably one of the most compassionate park directors and worked numerous hours with children others would not touch and she felt they could talk and see if they could get help; and upon questions, Ms. Cooke stated that she had talked with churches on fund raising and they said she should ask Council to waive the fees; and Council Member Edwards stated that she would be speaking with Ms. Lister, but needed to know exactly what she had in mind; and she would like to know if Ms. Cooke would serve on the Citizen's Advisory; and Ms. Cooke stated certainly. Mayor White, Council Members Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Ms. Carmen Brown, 4701 Paradise Lane, Houston, Texas 77048 (713-738-4228) appeared and stated that as the mother of Omar Beasley she wanted to appear with Ms. Cooke. Mayor White, Council Members Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Edwards stated that she was saddened to hear about the death of her son and went through the same thing as a mother with a young son killed on the streets and had a feeling for what she was going through, but people were working to sway the violence and one thing being looked at was giving children work or education opportunities, it would not remove all crime but would help. Mayor White, Council Members Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Frederick Dean, 5822 Knollwood Trails, Spring, Texas 77373 (281-209-1092) appeared, presented information and stated that he was present with the situation in China; that it was clear what was taking place, Falun Gong practitioners were being sent to concentration camps staffed with surgeons and people were having their organs ripped out; that he would urge Council to do what it could and not just seek to trade, to see to it something was done. Mayor White, Council Members Edwards, Garcia, Alvarado and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Edwards, Garcia, Alvarado and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Mr. Brent Muecke, 4714 Westchester, Pasadena, Texas 77505 (713-941-4500) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Edwards, Wiseman, Garcia, Alvarado and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Mr. Thomas Nixon, 10497 Town and Country Way #530, Houston, Texas 77024 (713-871-1001) appeared and stated that he was present regarding concerns at the Municipal Courts, during the week of January 11, 2006, City Controller Annise Parker took issue with the fact there was a \$5,000,000 shortfall in the budget due to officers not writing enough tickets; that officers did expect to enforce the law and accomplish this to a degree by writing tickets, however, many found it offensive that the city expected them to write a certain amount to satisfy their desire for tax revenue, such a corporate mentality seemed to infect the manner in which the administration managed, or mismanaged, the current courts; that for years citizens had the option to plea-bargain and officers had the option of informing the prosecutor they were "not-ready" to testify and allow the ticket to be dismissed and prevented officers from testifying to facts they may not accurately recall, unfortunately, both options had been circumvented by Jim Gallay the chief prosecutor for Municipal Court and his concerns were that the actions of Jim Gallay and the command staff would cause a great disservice to the Houston Police Department, its officers and citizens; that greed was being exhibited by the administration and placing officers in an untenable position in order for the City of Houston to make a desperate attempt at maintaining a stream of revenue not to mention a degree of chaos burdened the Municipal Court when thousands of traffic ticket cases had to be reset pushing the court docket back several months and citizens found themselves waiting several hours to get cases handled; that it appeared to many that the administration was more concerned with securing tax revenue than securing peace and justice and if it continued the only option officers may have would be not write tickets in the first place. Mayor White, Council Members Edwards, Wiseman, Garcia, Alvarado and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Khan, Mr. Nixon stated that there was no quota per say, but it was his experience if you wrote tickets your supervisor would give a better evaluation and the incentive came in with court overtime to handle their cases, but the problem was if he wrote a ticket and six months later it came to court he may not recall all facts necessary so he would tell the prosecutor to let it go or plea bargain so the ticket could be handled efficiently that day and not have to be reset, but somewhere in the chain of command someone got the idea they should force officers in the position of having to adjudicate the ticket, that was testify, which put the officer in a difficult position and they did not want to be in that position; that it was one thing to tell officers get out and write tickets, do your job, that was great, but when you put extraordinary pressures on officers they would do what any other human being would do and they would simply stop writing tickets; that in the mind of the average officer on the street they first decided if they would enforce the law and say there's drug dealers in a particular area and he went to start hammering them and arresting them every opportunity he got, he was human and made mistakes so invariably he would and a suspect would be put in the back of the car and some drugs were missed being found and he would dump it in the car, so if he put him in jail and entered the drugs he did find as evidence and then an officer on another shift found the drugs in the back of the car an internal investigation would come on him and he would get an unpaid suspension on his record and it would prevent him from going to another division later because he had an IAD history; that also sometimes they were attacked and then they had to defend themselves and sometimes it was video taped and then it was officer you used excessive force, but he was attacked. Mayor White, Council Members Edwards, Garcia, Brown and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Council Member Holm stated that she understood and appreciated much of what he said and the most important thing was to remember why the tickets were being written and what they needed to look at was an objective process; that she certainly understood it from his perspective and many Council Members were interested in looking at new policies and

procedures and this was a great opportunity to do it and they had to make sure any decision they made and the way it was addressed was to the benefit of the citizen and behavior modification of the citizen and that they protected the overall community they were in; and hopefully with the painful transition they were going through at the Municipal Courts at this point there would be some clarity of that and then hopefully they could gather information and establish objective criteria that was not so subjective that in the mind of a police officer they were always creating new scenarios to try and interpret what they would do and how they would do it; and Mr. Nixon stated that an arrest was an arrest whether he wrote it for speeding or aggravated robbery and they could guess which was easier and he would get the same credit for both. Mayor White, Council Members Garcia, Brown and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Ms. Betty Green 12203 Old Walter Road #1016, Houston, Texas 77014 (281-397-6399) appeared and stated that she was present in support of In Action Shelters; that she was a 25 year veteran nurse retired recently and she donated funds and worked for fund raisers for Ms. Boykins; that there were also children there and much gang activity started with a child feeling worthless and Ms. Boykins was making an effort if they could just get support. Mayor White, Council Members Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Francisco Campos, 1842 Huger Oaks, Houston, Texas 77055 (713-907-8327) appeared and stated that he was present with concerns on the RFP process used by the Hermann Park Conservancy as he believed jobs were awarded to vendors who did not apply for specific jobs as stated in the RFP and also that a qualified vendor was passed up for a job even though he had a winning bid; thanks to Mr. Patterson and his suggestions he met with the Parks Department and the Conservancy and Mr. Dwise responded it was not the City's business what process the Conservancy used as Council had approved the agreement and they could do what they wanted in choosing subcontractors and after the meeting he left doubting the entire process, their so-called competitive bid was more like a popularity contest and he believed there was a problem with every contract awarded including his; that the greater goal was to provide service to the public and it was overlooked and prices have increased and vendor fees ranged from 30% to 100% of sales and after September 2006 there were no plans for park vendors and there was now a petition started for a vendor program to be developed and he was asking for a fair process and opportunity to provide services at Hermann Park and he was asking for Council's support. Mayor White, Council Members Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Holm, Mr. Campos stated that he did have a contract with Hermann Park at this time and it expired in September; that he had been a vendor there since 2000; and upon questions, Mr. Campos stated that he wanted a vendor program developed that the Conservancy would have to follow as they had no program, after 2006 they had no vendors in the park, he asked if there was a program and he was told no there was no plan for vendors at the park; that even if there was construction other areas would allow for vendors and there should be a plan, he asked Ms. Dorene Stoler and she said there was no program. Mayor White, Council Members Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Willis Taborn, 6139 Belarbor Street, Houston, Texas 77033 (713-733-1193) appeared and stated that after sitting and listening to all the problems Council Members had to deal with he was embarrassed to be standing there with his petty problem, but having said that he had come to rail against an individual who worked for the Mayor and after listening to all the good people who went before him and since he did not want to get anyone in any more trouble he would just say they were doing a fabulous job, they should keep up the good work and he would never be heard from again; that he appreciated them, especially Council Members Edwards and Wiseman. Mayor White, Council Members Holm, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Justice Allah, 3215 Dowling, Houston, Texas 77004 (713-806-9981) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Holm, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. William (Beal) Reagan, 6230 Symare Avenue, Van Nuys, California 91401 (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Holm, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was Allah; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Holm, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Ms. Andria Hunt, 3230 S. Gessner #309, Houston, Texas 77063 (281-250-7981) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Holm, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the official President of the United States and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Holm, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

At 4:28 p.m. City Council recessed until 9:00 a.m., Wednesday, April 5, 2006. Mayor White, Council Members Lawrence, Holm, Garcia, Brown, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

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

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, April 5, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Arturo Michel, City Attorney; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director and Ms. Stella Ortega, Agenda Office, present.

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

At 9:30 a.m. Mayor White called the meeting to order and stated that if there was no objection they would do the Monthly Financial Report before the Mayor's Report and upon hearing none it was so ordered. Mayor White called on the City Controller and Director of Finance and Administration. Council Members Garcia, Alvarado, Lovell and Sekula-Gibbs absent.

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

Ms. Annise Parker, City Controller, stated that it was the Monthly Financial Report for the period ending February 28, 2006, that according to their latest projections the General Fund

would end the fiscal year with a surplus of \$7.5 million, that over last month their overall revenue projection had increased by \$5.2 million, that \$4 million of that change was due to higher than anticipated collections of delinquent property taxes, the rest of the increase was due to higher interest earnings and true ups of several accounts, that their overall expenditure projection increased by \$600,000, it was a net increase after \$1.9 million in higher electricity costs in Building Services and Public Works and were offset by \$1.3 million decline in anticipated insurance costs for retirees, that it was a little bit up and a little bit down and they were monitoring all those different numbers, that with regard to the Katrina relief effort they had another spreadsheet, most of Council saw it yesterday bit to repeat they received a little more than \$198 million from all sources, that was FEMA, charitable contributions, interest on pooled investments and the \$10 million investment from the City, that figure did include \$40 million obligated from FEMA just last week so they were showing it on the books, they had spent their encumbered \$176 million leaving a balance of \$21.5 million, that did include the City's \$10 million but \$21.5 million available to spend, that also they distributed yesterday a sheet on budgetary impact of pension under funding, the report on page 13 had updated pension numbers on the Municipal Pension, that she knew there were updated numbers on the firefighters pension that had not made the report yet, but the numbers were \$75 million worth on the firefighter side, they just wanted the Council to be aware that the total pension liability was \$2 billion and growing with about half of that in the Municipal Pension and to give Council Members an idea of the impact on the budget, if they looked at the pension under funding handout, for the last three years the City's pension costs totaled just under \$790 million but their actual contributions for the last three years totaled \$426 million with \$120 million of that being borrowed money in the form of pension obligation bonds, they were also talking about another \$60 million in pension obligation bonds for the next fiscal year, although pragmatic for the short term they were very concerned with the City continuing to rely on long term financing for what was essentially a day to day payroll expense and they all understood that the changes negotiated in 2004 greatly reduced the amount of the unfunded liability and there was a desire on the part of the administration to see the impact of those changes over time but there was still a very large long term funding gap that must be closed and she wanted to urge Council to keep that in mind as they considered their budget priorities for the next year, and that concluded her report. Council Members Edwards, Garcia and Alvarado absent.

Ms. Judy Gray Johnson, Director, Finance and Administration, stated that financial picture continued to look much as it had, the Property Tax Revenue estimate this month they had increased, not due to higher valuations but to better collections of delinquent taxes, that they expected to be \$4.5 million to \$5 million ahead of last year in terms of the total delinquent collections for the City, that they also had increased their sales tax projection once again and were trending upward on that, they were not expecting to continue at these double digit increase levels but did see that Dallas and San Antonio and other cities in Texas were also experiencing it, it was good news about the economy in Houston and the economy in Texas as well, they had some minor adjustments to revenue offsetting that in some other cases and none of them were significant and added up to about \$1.5 million, their expenditure adjustments primarily related to energy and electricity costs, they made some upward adjustments related to consumption figures that they had done a complete reforecast of and done a better analysis of what they expected to spend in the General Fund consumption of electricity, which was a little higher than they previously had estimated, Water and Sewer Revenues also were higher again this month, if they got any extended rain it would change that picture but they had not had that much rain so far so that was why that revenue was up, they had indeed received the obligation of funds of an additional \$40 million from FEMA for the housing program and were working very diligently to try to find a smooth transition from the program they had been on to the other program that FEMA wanted them to move toward between public assistance and individual assistance, and that concluded her report. Council Members Edwards, Garcia, Alvarado and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mayor White stated that they would not want to use the law enforcement funds for amounts, which by agreement in February signed by

the Director of FEMA, FEMA agreed to pay them for housing, which was the big number, it had always been their desire to have the reserve fund agreed to the City returned to the account from which it was taken, that he knew of nothing now that would prevent them from being able to do that, the reason why reserve fund was prudent was that the Federal Government did not always honor it's obligations, which he had learned in this job, but he expected with diligence that they ought be able to honor those obligations, but he would not take any money from law enforcement and use it in housing; that regarding the unfunded liabilities that continued to grow in the pension system he thought having accurate information accurately portrayed was important and maybe he would have a question or two about the sheet presented, which was the first time he had seen the particular sheet to see if it was accurate or not. Council Members Garcia and Lovell absent.

Council Member Holm stated that yesterday she asked some questions and she was going to get with Ms. Johnson but when they talked about the Water and Sewer rate a couple of weeks ago and her concerns and asking for a pro forma of that it appeared now as they were getting the report that income was up and expenses were down so she was till trying to figure out how they go out and convince the community that they automatically needed a maximum increase every year so if she could work with Ms. Johnson and get those details so that they could all be a team with the explanation that was clear, it would be really helpful, that second, they had talked a little bit about the budget for next year and they had submitted budget priorities to the Mayor and she absolutely understood and agreed with the fact that their amendments needed to be less in terms of policy and more specific, however she thought that as a policy body maybe they needed to backup a little bit and needed to be more involved in the policy and the determination and understanding of the budget and priorities, that she thought it was their job to establish the percentages and policies of overall spending what the priorities were for the administration so that they could all be as fiscally responsible as possible. Council Members Garcia, Lovell and Berry absent.

Council Member Edwards stated that last night she was talking with some friends in D. C. who worked with FEMA and they were saying there was money available, not only project specific, but that FEMA had money available that they could just request because of issues but not necessarily tied to a project and asked if Ms. Johnson knew anything about that, and Ms. Johnson stated no but that they would certainly follow up. Council Members Garcia, Lovell and Berry absent.

Council Member Khan asked if the \$20 million that they received from the Department of Justice Grant could only be used for public safety and could not be used for other expenses on the Katrina relief and Mayor White stated that was correct. Council Members Lawrence, Garcia and Berry absent.

Mayor White stated that they talked about making sure that they spoke precisely, on the Houston Municipal Employee Pension System there was a City obligation of approximately \$300 million accruing interest, secured by the interest in the Hotel that was made to the Houston Municipal Employee Pension System, where was that reflected in the sheet, and Ms. Parker stated that was not reflected in the sheet and did not impact the total unfunded liability, if they looked on page 13 in the MOFAR the \$947.6 million from the new actuarial plan included the \$300 million, and Mayor White stated that his question was the actual City contribution, and Ms. Parker stated that it was cash contributions from the General Fund and the major Enterprise Funds, and Mayor White stated that if they were to express the City contribution, which was an obligation of the City, accruing interest, secured by an asset that was owned by a City entity and was Ms. Parker saying that when they said actual contribution it meant actual City cash contribution and did not include the \$300 million in note obligations secured by property and Ms. Parker stated yes and the total under funding was still north of \$2 billion, and Mayor White stated that on each of the columns Annual Pension Costs was there the amounts that were set forth for these years under actual City contribution which did not include the \$300 million contribution, were those the amounts that they were obligated by law to make by agreement

with each of those funds, and Ms. Parker stated that they had a much more complete discussion yesterday at the Fiscal Affairs Committee, it was the normal cost and the UAAL, it was not the agreed cost in the contract and they discussed that at committee, that contractually they agreed to a lesser amount than the required contribution, and Mayor White asked required by whom, and Ms. Parker stated that when they added the UAAL and the normal costs in order to fully fund the pension system there was an amount determined, they contractually agreed with the pension funds to pay a lesser amount than what would be considered the required contributions, that the UAAL determined by the actuaries and the normal cost based on their annual pension costs, and Mayor White stated that the normal cost contribution per year, if it was made in each of the three years, would not fully fund the system and Ms. Parker stated no, the normal cost plus the UAAL would fully fund the system. Council Member Berry absent.

Council Member Green moved to accept the Monthly Financial Report, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-0262 ADOPTED.

Council Member Garcia moved to suspend the rules to consider Item Numbers 1 and 2 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0263 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD AREA) BOARD OF DIRECTORS:**

Position 3 - **MR. CLAUDE ANELLO**, appointment, and as Chair, for a term to expire 12/31/2006

Position 4 - **MR. STEVEN KIRKLAND**, reappointment, for a term to expire 12/31/2006

Position 5 - **MS. CYNTHIA CARD**, appointment, for a term to expire 12/31/2006

Position 6 - **MS. ANN GUERCIO**, appointment, for a term to expire 12/31/2007

Position 7 - **MR. ROLAND TAMEZ**, reappointment, for a term to expire 12/31/2007

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0264 ADOPTED.

Mayor White asked the members of the Old Sixth Ward area to please stand so that they could recognize them and applaud their service.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF THE OLD SIXTH WARD REDEVELOPMENT AUTHORITY:**

Position 2 - **MS. LARISSA LINDSAY** (State Representative Appointee), reappointment, for a term to expire 12/31/2006

Position 3 - **MR. CLAUDE ANELLO**, appointment, and as Chair, for a term to expire 12/31/2006

Position 8 - **MS. PAULETTE SIMMONS** (HISD Appointee), for a term to expire 12/31/2007

Position 9 - **MS. ALICE VALDEZ** (Harris County Appointee), for a term to expire 12/31/2007

- was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2006-0265 ADOPTED.

Council Member Garcia stated that he wanted to thank the incoming board members for their willingness to serve, that Ms. Jane Cahill was in the audience and he thanked her for her great service to the Old Sixth Ward and a lot of different things.

Mayor White reviewed the program titled Houston Consumer Choice, a copy of which is on file in the City Secretary's Office for review. Members of Council congratulated Mayor White on the new program. Council Members Edwards, Holm and Sekula-Gibbs absent.

CONSENT AGENDA NUMBERS 1 through 38

ACCEPT WORK - NUMBERS 4 and 7

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,996,768.83 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Neighborhood Street Reconstruction Project No. 441A (NSR 441A), and authorize final payment to the Surety, **AMERICAN MOTORISTS INSURANCE COMPANY (AMIC)**, GFS N-0374-02-3 (SB9054) - 02.77% under the original contract amount - **DISTRICTS D - EDWARDS and I – ALVARADO** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0266 ADOPTED.

7. RECOMMENDATION from the Director Department of Public Works & Engineering for approval of final contract amount of \$3,664,732.19 and acceptance of work on contract with **RELIANCE CONSTRUCTION SERVICES, L.P.**, for Scott No. 3 Lift Station Pump Improvements and Leirim Sanitary Sewer Relief; GFS R-2011-34-3 (4853-1) - 03.42% over the original contract amount **DISTRICT D - EDWARDS** – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0267 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 and 13

12. **RUSH TRUCK CENTERS OF TEXAS, L.P.** - \$47,608.00 and **TEXAS WASTE EQUIPMENT, INC d.b.a. HEIL OF TEXAS** - \$45,589.90 for Cab & Chassis and Grapple Truck Body through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Police Department - General Fund – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0268 ADOPTED.

13. **CSB MATERIALS PARTNERSHIP, LTD/ D.B.A. CSB MATERIALS, INC** - \$534,595.25 and **NATURE'S WAY RESOURCES** - \$106,325.00 for Topsoil, Bank Sand, Clay-Filled Dirt and Compost for Various Departments - General, Enterprise and Storm Water Utility Funds – was presented, moved by Council Member Garcia, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0269 ADOPTED.

ORDINANCES - NUMBERS 36 and 37

36. ORDINANCE appropriating \$2,645,686.61 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **J. O. A. CONSTRUCTION CO., INC** for Teague Fleet Maintenance Facility, GFS R-0268-51-3; 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; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing services, construction administration and management services, project management and air monitoring services, Civic Art Program, and contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Holm absent. ORDINANCE 2006-0299 ADOPTED.

37. ORDINANCE awarding construction contract to **AAR INCORPORATED** for Soil Remediation at Former Canal Street Health Center; 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 contingencies, project management and construction oversight financed by Community Development Block Grant Funds \$94,414.25 - CDBG Funds - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Holm absent. ORDINANCE 2006-0300 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. RECOMMENDATION from Director Department of Health & Human Services to renew the appointment of **DAVID E. PERSSE, M.D.** as Health Authority for the City of Houston – was presented, moved by Council Member Garcia, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0270 ADOPTED.

Council Member Sekula-Gibbs stated that she wanted to compliment Dr. Persee on all of his excellent work on increasing response times that the EMS provided to the residents when they were sick and need fast and very effective ways to get them to the hospital. Council Member Holm absent.

ACCEPT WORK

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,366,401.91 and acceptance of work on contract with **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-0266-12-3 (4258-7) - 01.15% under the original contract amount - **DISTRICTS B - JOHNSON; C - CLUTTERBUCK; D - EDWARDS; E - WISEMAN and H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0271 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,621,833.65 and acceptance of work on contract with **SER CONSTRUCTION PARTNERS, LTD.**, for Braeburn Gardens Sanitary Sewer System; GFS R-0801-06-3 (4815-1R) - 05.58% under the original contract amount - **DISTRICT C - CLUTTERBUCK** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0272 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,446,954.36 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Water Distribution System Rehabilitation and Renewal Contract, (WA10633-03) - 01.07% under the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0273 ADOPTED.

PROPERTY - NUMBERS 9 through 11

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kim Icenhower, Brown & Gay Engineers, Inc., on behalf of Primeway Federal Credit Union (Mary Kay Brammer,

Vice President), for abandonment and sale of a 10-foot-wide sanitary sewer easement in exchange for the conveyance to the city of a 20-foot-wide sanitary sewer easement, both out of Restricted Reserve A, Primeway Federal Credit Union, Parcels SY6-075 and DY6-029 - **STAFF APPRAISERS - DISTRICT H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0274 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcels AY5-190 and AY5-193, located east of Landmark, north of W. Orem and south of Knotty Oaks, owned by Brentwood Baptist Church, Paul E. Jefferson, Church Business Administrator, for the **BUFFALO SPEEDWAY PAVING EXTENSION PROJECT from W. Orem Dr. to W. Airport Blvd.**, CIP N-0619-01-2 - \$79,798.00 - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2006-0275 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel LY6-005, located north of Memorial and east of Levin Lane, owned by CenterPoint Energy Houston Electric, LLC Glenda Briggs-Senior Right of Way Agent, for the **WILCHESTER MEMORIAL WAY AND MEMORIAL TRAILS SUBDIVISION STORM SEWER IMPROVEMENT PROJECT**, CIP M-0248-01-2 - **DISTRICT G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Holm and Sekula-Gibbs absent. MOTION 2006-0276 ADOPTED.

ORDINANCES

14. ORDINANCE appropriating \$7,049,625.00 out of Series E Commercial Paper Fund; approving and authorizing contract between the City and **ACS STATE AND LOCAL SOLUTIONS, INC** for Parking Meter Purchase, Implementation and Management and for Wireless Network for the Downtown Area; providing a maximum contract amount - Not to exceed \$14,788,897.00 – was presented. Council Member Holm absent.

Council Member Garcia stated that he had been asking whether they could create connectivity to their public safety resource specifically police because they could potentially capture delinquent parking citations, stolen vehicles, suspicious vehicles and wanted vehicles, but he was told that their OLO System on the police side was so antiquated that it may not be the appropriate time but in talking to some other folks that may or may not be the case and would like some clarity as to whether or not it was something that they could spec out at this time and move it forward as a complete project, that he wanted to get some clarity as to whether they do or did not have the ability to create that connectivity between their public safety data bases and the respective meters.

Council Member Garcia moved to suspend the rules to hear from Mr. Richard Lewis at this time, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0277 ADOPTED.

Upon questions by Council Members, Mr. Lewis stated that he and Ms. Rambo met with the Council Member last week and he assured him the fact that the Houston Police Department's technology was the subject of strategic plan implementation that had fundamental investments that needed to be made, the largest one was to replace the on line offense reporting system which was basically like their Enterprise Resource Planning System, it basically controlled most of everything the Police Department did and until that project got moving it would be difficult to provide an interface between the parking meters and the Police Department, that there was an operational procedure today that the parking officers used when they were using their hand held devices, he understood that the stolen vehicles were

downloaded and when they got a vehicle like that they call their dispatcher and the dispatcher calls the Police Department and the Police Department responds, it was not the best system but was effective and as soon as they saw the light at the end of the tunnel in terms of getting HPD where they needed to go those types of interfaces would be very easy, that on this side of it the technology was right there and ready to go, they just had to build that bridge.

After further discussion a vote was called on Item No. 14. All voting aye. Nays none. ORDINANCE 2006-0301 ADOPTED.

15. ORDINANCE **AMENDING SECTION 45-175 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Revenues generated from the uses of Parking Meters – was presented. All voting aye. Nays none. ORDINANCE 2006-0302 ADOPTED.
16. ORDINANCE authorizing the creation of the Series E Commercial Paper West 11th Street Park Fund (the “Fund”); appropriating \$4,100,000.00 out of the Fund; and approving and authorizing Interlocal Option Agreement for purchase of real property between the **HOUSTON INDEPENDENT SCHOOL DISTRICT** and the City of Houston granting the City an option to purchase approximately 20 acres of land located in the 2600 block of West 11th Street to be used as a public City park; approving necessary documents related thereto - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2006-0303 ADOPTED.
17. ORDINANCE approving and authorizing sixth amendment to the contract between the City of Houston, the **ALIEF INDEPENDENT SCHOOL DISTRICT** and SPARK, to provide \$60,000.00 and continue the program for the development of neighborhood parks on public school grounds under the SPARK Program - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. ORDINANCE 2006-0304 ADOPTED.
18. ORDINANCE consenting to the addition of 492.67 acres of land to **CINCO SOUTHWEST MUNICIPAL UTILITY DISTRICT NO. 2**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0305 ADOPTED.
19. ORDINANCE consenting to the addition of 118.513 acres of land to **GREENWOOD UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0306 ADOPTED.
20. ORDINANCE consenting to the addition of 31.5329 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 364**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0307 ADOPTED.
21. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 424** – was presented, and tagged by Council Member Johnson.

After discussion by Council Members, Mayor White stated that Item No. 21 had been tagged by Council Member Johnson.

22. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 425** – was presented, and tagged by Council Member Johnson.
23. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 426** – was presented, and tagged by Council Member Johnson.
24. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 427** – was presented, and tagged by Council Member Johnson.
25. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY**

- DISTRICT NO. 428** – was presented, and tagged by Council Member Johnson.
26. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 429** – was presented, and tagged by Council Member Johnson.
 27. ORDINANCE consenting to the addition of 0.671 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 84**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0308 ADOPTED.
 28. ORDINANCE consenting to the addition of 11.790 acres of land to **HARRIS COUNTY WATER CONTROL & IMPROVEMENT DISTRICT NO. 119**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0309 ADOPTED.
 29. ORDINANCE consenting to the addition of 1.756 acres of land to **HARRIS COUNTY UTILITY DISTRICT NO. 6**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0310 ADOPTED.
 30. ORDINANCE consenting to the addition of 205.9333 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district – was presented. Council Member Brown voting no, balance voting aye. ORDINANCE 2006-0311 ADOPTED.
 31. ORDINANCE consenting to the addition of 0.6771 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 10**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2006-0312 ADOPTED.
 32. ORDINANCE approving and authorizing engagement letter between the City of Houston and **RICHARD K. SIMON, ESQ.** for Legal Services regarding Aircraft Noise Impacts at the City's Airports; providing a maximum contract amount - \$600,000.00 - Enterprise Fund - **DISTRICTS B - JOHNSON; E - WISEMAN and I - ALVARADO** – was presented, and tagged by Council Members Khan and Wiseman.
 33. ORDINANCE approving and authorizing Groundwater Reduction Plan Agreement between the City of Houston and **MITCHELL MARTIN AND MICHAEL MARTIN, dba CONSUMERS WATER COMPANY** - Revenue – was presented. All voting aye. Nays none. ORDINANCE 2006-0313 ADOPTED.
 34. ORDINANCE appropriating \$513,870.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **COBB, FENDLEY & ASSOCIATES, INC** for Design of the Waterline Replacement in First Ward I, First Ward II, Willow Run North, Northwood Manor, Parker Road and Hillwood (approved by Ordinance No. 05-0266), GFS S-0035-F1-2 (WA10858) - **DISTRICTS B - JOHNSON; D - EDWARDS and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2006-0314 ADOPTED.
 35. ORDINANCE appropriating \$5,583,714.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-0266-F5-3 (WW4258-24); 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. ORDINANCE 2006-0315 ADOPTED.
 38. ORDINANCE appropriating \$900,000.00 out of Tax Increment Reinvestment Zone (TIRZ)

Affordable Housing Uptown Fund (Fund 162) to Complete Repairs Mandated by the United States Department of Housing and Urban Development (HUD) under the Single Family Home Repair Program Guidelines, formerly known as the Emergency Home Repair Program Guidelines – was presented, and tagged by Council Member Sekula-Gibbs. (Note: Council Member Sekula-Gibbs released her tag later in the meeting.)

MATTERS HELD - NUMBERS 39 through 46

39. ORDINANCE appropriating \$700,000.00 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Fund (Fund 872) to complete repairs mandated by the United States Department of Housing and Urban Development (HUD) under the Single Family Home Repair Program Guidelines, formerly known as the Emergency Home Repair Program Guidelines - **(This was Item 27 on Agenda of March 29, 2006 ,TAGGED BY COUNCIL MEMBERS WISEMAN, GARCIA and SEKULA-GIBBS)** – was presented.

After discussion by Council Members, Mayor White stated that he was satisfied that the Housing Department, Mr. Wilson, were trying in good faith to satisfy legitimate concerns of HUD, that he was satisfied that they were spending and probably wasting some considerable money trying to comply with the HUD requirements, that he was not satisfied that some rules of the game would not be changed on them by HUD, that he was satisfied that the right thing to do was to do home repairs and they could wait forever before there was no risk that HUD would not do something different or change it's mind, that he did acknowledge that there were problems in the administration of the program that remedies were suggested by HUD, which they were fully trying to implement, that they were trying to comply in good faith. Council Member Alvarado absent.

After further discussion a vote was called on Item No. 39. Council Member Wiseman voting no, balance voting aye. Council Member Alvarado absent. ORDINANCE 2006-0316 ADOPTED.

Council Members Wiseman and Sekula-Gibbs stated that they would release their tags on Item No. 38. Council Member Alvarado absent.

Council Member Alvarado moved to suspend the rules to consider Item No. 38 at this time, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. MOTION 2006-0278 ADOPTED.

38. ORDINANCE appropriating \$900,000.00 out of Tax Increment Reinvestment Zone (TIRZ) Affordable Housing Uptown Fund (Fund 162) to Complete Repairs Mandated by the United States Department of Housing and Urban Development (HUD) under the Single Family Home Repair Program Guidelines, formerly known as the Emergency Home Repair Program Guidelines – was again before Council. All voting aye. Nays none. ORDINANCE 2006-0317 ADOPTED.

40. RECOMMENDATION from Director Housing & Community Development Department to allow for the advance of up to \$4 million from the General Fund to appropriate housing grant funds for Emergency and Single Family Home Repair Program – **(This was Item 5 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS LAWRENCE, GARCIA, WISEMAN, SEKULA-GIBBS, KHAN and CLUTTERBUCK)** – was presented, moved by Council Member Alvarado, seconded by Council Member Garcia.

After discussion by Council Members a vote was called on Item No. 40. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. MOTION 2006-0279 ADOPTED.

41. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt

recommendation from Director Houston Airport System for approval of membership fees in Industry Organizations (Airport Council International & American Association of Airport Executives) for the period January 1, 2006 through December 31, 2006 - \$173,596.00 Enterprise Fund – **(This was Item 2 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBER JOHNSON)** – was presented. Council Member Holm voting no, balance voting aye. MOTION 2006-0280 ADOPTED.

42. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Houston Airport System to allow two-year participation by the Houston Airport System in quarterly Customer Satisfaction surveys at Bush Intercontinental and William P. Hobby Airports - \$161,750.00 - Enterprise Fund – **(This was Item 3 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBER EDWARDS)** – was presented. Council Member Holm voting no, balance voting aye. MOTION 2006-0281 ADOPTED.
43. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Mayor's Office Director of Health Policy to approve a contribution of \$50,000.00 by the City of Houston as a founding member of the **HARRIS COUNTY HEALTH CARE ALLIANCE** - General Fund – **(This was Item 4 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS EDWARDS and GARCIA)** – was presented.

Council Member Garcia moved to postpone Item No. 43 to the end of the agenda, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2006-0282 ADOPTED.

44. ORDINANCE appropriating \$518,130.00 out of Street & Bridge Consolidated Construction Fund for Construction and Installation of Speed Humps for the Public Works & Engineering Department, CIP N-0660-08-3; providing funding for project management relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – **(This was Item 17 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS LAWRENCE and WISEMAN)** – was presented. All voting aye. Nays none. ORDINANCE 2006-0318 ADOPTED.
- 44a. RECOMMENDATION from Finance & Administration Department to award to **ISI CONTRACTING, INC** for Construction and Installation of Speed Humps for Department of Public Works & Engineering - \$454,500.00 – **(This was Item 17A on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS LAWRENCE and WISEMAN)** - was presented.

Council Member Lawrence moved to table Item No. 44a, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2006-0283 ADOPTED.

- 44b. **NOTE: This Item is to replace Item 44A above and is not a Matter Held**
ORDINANCE awarding contract to **ISI CONTRACTING, INC** for Construction and Installation of Speed Humps for Public Works & Engineering Department; providing a maximum contract amount – was presented. All voting aye. Nays none. ORDINANCE 2006-0319 ADOPTED.
45. ORDINANCE approving and authorizing contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, P.C.**, for representation of the City in legislative, regulatory, right-of-way, franchise, contract and litigation-related matters including administrative proceedings before the Public Utility Commission of Texas and appeals therefrom, and other related dockets and proceedings addressing retail rates and customer service; providing a maximum contract amount - \$1,400,000.00 - General Fund – **(This was Item 28 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN, EDWARDS, KHAN and CLUTTERBUCK)** - was presented.

Council Member Wiseman stated that she had circulated a written motion to amend Item No. 45 as follows:

“By copy of this memorandum, I move to amend Item #45 on the City Council Agenda of April 5, 2006 relating to the Epstein Becker Agreement, Article III. A. Scope of Services on page 5 of the Agreement, by adding the following sentence:

The firm represents that funds allocated for this Agreement will not be used for activities that would require a member or agent of the Firm to register as a Lobbyist pursuant to Chapter 305 of the Texas Government Code, as amended or recodified nor shall the funds be used for marketing activities.” Council Member Garcia absent.

A vote was called on Council Member Wiseman written motion to amend Item No. 45. All voting aye. Nays none. Council Member Garcia absent. MOTION 2006-0284 ADOPTED.

A vote was called on Item No. 45 as amended. Council Member Sekula-Gibbs voting no, balance voting aye. Council Member Garcia absent. ORDINANCE 2006-0320 ADOPTED.

46. ORDINANCE appropriating \$1,372,460.00 out of Parks Consolidated Construction Fund, awarding construction contract to **RESICOM, INC** for Construction of MacGregor Park Road Improvements, GFS F-504A-21-3; 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; providing funding for engineering and testing services, construction management and contingencies relating to the construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICT D – EDWARDS – (This was Item 30 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS LAWRENCE, EDWARDS and SEKULA-GIBBS)** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2006-0321 ADOPTED.

Item postponed to the end of the agenda.

43. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Mayor's Office Director of Health Policy to approve a contribution of \$50,000.00 by the City of Houston as a founding member of the **HARRIS COUNTY HEALTH CARE ALLIANCE** - General Fund – **(This was Item 4 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS EDWARDS and GARCIA)** – was again before Council. Council Member Garcia absent.

Council Member Khan moved to postpone Item No. 43 for 15 minutes, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Garcia absent. MOTION 2006-0285 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Lawrence stated that they always heard bad things about towers and phone towers and they had a situation with a Buddhist Monastery that she went to visit on Friday and was met by some people who were very concerned that there was going to be a tower by one of the providers put right behind their property and they called that provider and asked them to put it someplace else and they did, that she thought it was really nice when businesses and neighborhoods worked together. Council Members Johnson, Khan and Garcia absent.

Council Member Holm stated that she and Council Members Edwards and Clutterbuck were addressing the University Corridor of Metro, that the three of them met with the Metro Chairman and officers in a continuing effort to make sure they were promoting transit options and really looking for some development and beginning plans that enhanced the quality of life,

safety and mobility, that one of their discussions continued to be the Afton Oaks neighborhood, that there would be a lot of community meetings and held in each district as they build community consensus towards the best options for everyone. Council Members Johnson, Wiseman, Khan and Garcia absent.

Council Member Alvarado stated that tonight their district office was hosting a second series of how to protest a liquor license of an establishment, that it was in conjunction with the County Judge's Office and the Mayor's Assistance Office and TABC, that it was at 6:00 p.m. at the Magnolia Multi Service Center; that on Sunday, she and Senator Rodney Ellis were hosting their second bike ride with TSU, that it was "Tour Da Hood", that it was a 25 mile bike ride through the neighborhood, that it was at the TSU campus at 9:00 a.m. on Sunday. Council Members Johnson, Wiseman and Garcia absent.

Council Member Sekula-Gibbs stated that Colorado Governor Bill Owens just signed a smoking ban on the workplace this week, that it was happening all over the Nation. Council Members Johnson, Wiseman, Holm and Garcia absent.

Council Member Sekula-Gibbs stated that she wanted to call attention to a group called "The Living Bank" that has worked very hard to pass some legislation which allowed for a State registry for organ donation, that they had a new bill that was passed thanks to the efforts of Living Bank, Life Gift and other organ donation centers, that if they chose in advance to be an organ donor they could fill it out when they went for their drivers license and become registered with the State. Council Members Johnson, Wiseman, Holm and Garcia absent.

Council Member Khan stated that he wanted to congratulate the students at Sharpstown High School who went to their principal and asked for permission to organize a peace rally on the school premises after school hours, so last Friday at 3:00 p.m. they all got together and expressed their opinion about the issue of immigration, that the students did not take any time off from school or their education, that he wanted to congratulate the students for exercising their right of free expression and organizing and doing it in a way that did not take any time from their education and doing it in a very peaceful manner. Council Members Johnson, Wiseman and Garcia absent.

Council Member Khan stated that they had some discussion at Tuesday's public session about crime being a major issue and he would request the Mayor's consideration that they request the Police Chief to come and give them an update to answer some of the questions that they get all of the time. Council Members Johnson, Wiseman and Garcia absent.

Council Member Green stated that he wanted to talk about the ICMS System and Municipal Courts, they discussed the issues yesterday at the Fiscal Affairs meeting and he had an opportunity to go there and look at the progress, that he would tell Council Members that they would probably get complaints, as with any new system, but through repetition once the user level goes up obviously the efficiency level would go up as well, so bear with Judge Mejia and Mr. Richard Lewis and all of the staff at the Municipal Courts, who were really working over time and knew they were bearing the brunt of many complaints but were certainly doing all that they could to make sure that the stress level was alleviated and the level of efficiency increased, that once the bugs were all worked out it would be a system they could all be proud of. Council Members Lawrence, Wiseman and Garcia absent.

Council Member Green stated that they had their Fiscal Affairs meeting and had 100% attendance from members of the committee, that they did the pre budget workshop and if there were any questions or if they needed some follow up information provided to them please let them know, they wanted to make sure that each Council Member felt comfortable enough with the process that they did not need to spend a lot of time with the minutia and the mechanical part of it and spend a lot more time in the policy and analysis of the budget, that his office was available for their help. Council Members Lawrence, Wiseman and Garcia absent.

Council Member Brown stated that on May 6, 2006 they were having the Blue Print Houston Citizens Congress from 8:00 a.m. to 12:00 p.m. at the George R. Brown Convention Center, that he hoped all Council Members would at least stop by, that it was an electronic town hall meeting and purpose was to let the citizens speak and let their voices be heard about what kind of City they wanted Houston to be in the year 2025 or the year 2035 and electronically vote on public policies to get to the kind of City they all envisioned. Council Members Lawrence, Wiseman, Holm and Garcia absent.

Council Member Brown stated that the announcement about the robust economy they had in the Houston region and 75,000 jobs created was an occasion for standing up and shouting but would like to see if statistically Mayor White could provide the information on how many of those jobs were actually in the City of Houston because he was concerned about the fact that they had two economies in the region, the City of Houston economy and the rest of the region, Pearland, Sugarland, Conroe and so forth where there was a lot of economic activity and job creation, that he worried about the relative marginal decline of the Houston tax base compared to that of the region. Council Members Lawrence, Wiseman and Berry absent.

43. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Mayor's Office Director of Health Policy to approve a contribution of \$50,000.00 by the City of Houston as a founding member of the **HARRIS COUNTY HEALTH CARE ALLIANCE** - General Fund – **(This was Item 4 on Agenda of March 29, 2006, TAGGED BY COUNCIL MEMBERS EDWARDS and GARCIA)** – was again before Council.

After a lengthy discussion by Council Members, a vote was called on Item No. 43. All voting aye. Nays none. Council Members Wiseman, Green and Berry absent. MOTION 2006-0286 ADOPTED.

Council Member Clutterbuck stated that she wanted to invite people to the first of their series of Metro community input meetings that she and Council Members Holm and Edwards were hosting along with Metro, that the first meeting was tonight at Poe Elementary, 5100 Hazard Street, that all of the meetings would begin at 6:30 p.m., that the meeting dates and locations were posted on her website as well as Metro's website, that the second meeting was on Thursday, April 6, 2006 at the West University Church of Christ, 3407 Bissonnet at 6:30 p.m., that the third meeting was on Monday, April 10, 2006, at the San Jacinto Girl Scout Headquarters at 3110 Southwest Freeway, the fourth meeting is Wednesday April 12, 2006 at Pilgrim Elementary at the corner of Chimney Rock and Richmond, 3315 Bearington, and the fifth meeting for District C input is Tuesday, April 18, 2006 at the Central Presbyterian Church at 3788 Richmond Ave., that they were encouraging everybody to come and express their opinion about Metro's proposed rail locations on either Richmond or Westpark. Council Members Wiseman, Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Clutterbuck stated that she and her family attended the first opening game of the Houston Dynamo Sunday and it was such a blast and she highly recommended it to all of the citizens of Houston. Council Members Wiseman, Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Johnson stated that he wanted to thank Mayor White and Mr. Joe Turner for doing the grand opening of Melrose Park, they had over 400 children representing baseball and soccer teams and was a fantastic turnout, that he wanted to congratulate Richard the park director. Council Members Wiseman, Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Johnson stated that he wanted to recognize the townhall meeting being hosted by the Mayor and Representative Sylvester Turner on Saturday at Wheeler Avenue Baptist Church to discuss high electric cost, if any senior citizen needed a ride to the meeting

they could call his office at 713-247-2009. Council Members Wiseman, Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Johnson stated that his first annual Spring Fling would be done at Hobart Taylor Park on April 14, 2006, the event was being sponsored by him, Parks and Recreation, the Fire Department, HPD, the Black United Fund of Texas, the Dare Dancers, Duncan Funeral Home, Jackie Mayhorn, Grace Cathedral and a number of great sponsors who were coming together, there would be lots of food, fun and entertainment, that it would be from 9:00 a.m. to 1:00 p.m. Council Members Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Alvarado stated that regarding the action that the Legislature had taken in regard to the Systems Benefit Fund, that she had gotten some information that the PUC was estimating that it was \$304 million, which was still being collected, and that was what was being estimated for 2006 and 2007, that it was the 65 cents that was collected off of each customer electricity account automatically, that it was always used for public outreach and low income assistance, but now it went to the State's General Fund. Council Members Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Lovell stated that she and her family also attended the Dynamo's game and it was a great experience, that they were a good team and it was great fun. Council Members Clutterbuck, Wiseman, Holm, Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Lovell stated that she wanted to commend Mr. Wilson on the senior repair program, that being part of the MWBE Committee she noticed that they had an increase in woman contractor's that had signed up to do work with the City, that she would encourage in the senior program that they use women contractors who has signed up to do business with the City. Council Members Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Lovell stated that she visited the El Corazon Health Clinics to see what an incredible job they did, that she was at the Magnolia Multi Service Center where they had a partnership with El Corazon and the City of Houston Health Department, they had a woman who came in who was in a domestic abuse situation, she had come to them and they had ascertained that she had been sexually, physically and verbally abused and convinced her to go to one of the women's shelters and they then called the Houston Police Department to report it, she would not leave to go to the shelter until she had talked to a police officer, they put in the initial call and it took four and a half hours for the police to respond, in which case they had been assigned a Code Four, they were very upset, as the clinic was, as to what happened, that she wanted to commend Lieutenant Monzo at HPD, they called him immediately and he investigated what had happened and was going to figure out why it had been given a Code Four, it should not have been, a domestic abuse case should be much higher and there had to be an understanding that there was a certain window of opportunity when a woman steps forward to be protected that if they did not get immediate response they would back out and become afraid of acting, that she wanted to commend Lieutenant Monzo who then referred it to Sergeant Dyson with the Domestic Violence Unit and they went out and investigated and found out that the abuser, the husband, had traffic warrants and were able to arrest him and remove him from the home so that the woman and her child were safe and they could then continue to encourage her to go to the shelter, that also Officer Rodriguez, who took the initial call, that when he finally got the call he responded within six minutes and was engaged enough and courteous enough that he knew the woman had left, that the clinic had been threatened by the husband and stayed after hours to make sure that the people at the clinic were able to leave and that the husband did not come back to take out his frustration on them, that she wanted to make sure that their officers and dispatchers understood that a domestic violence abuse situation really should be higher than a Code Four. Council Members Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM

PRESENT)

Mayor White asked Council Member Lovell if she could make some inquiries on the classification protocols that caller intake used at 9-1-1, that she had a lot of practical and useful suggestions, that she should help them think if there was something in particular that they ought to be doing that reaches a reasonable balance. Council Members Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Council Member Alvarado who was convening a Public Health Committee meeting tomorrow that was going to be addressing the Southern Crushed Concrete issue, in general how communities could protect themselves from environmentally polluting companies concentrating in certain areas, that the community was looking for the City to either address the appropriateness of an ordinance that dealt with how many of those types of businesses could be within a certain geographical area, that she wanted to thank Council Member Alvarado for putting it on the agenda, that the meeting was Thursday, April 6, 2006 at 10:30 a.m. in the Council Chamber. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Mr. Turner and Parks and Recreation, that she had several calls regarding a park that was not directly in District D but she called Mr. Turner and talked to him and they were out there and took care of it, that she wanted to thank Mr. Turner and his staff for taking care of it. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Mr. Larry Blackman at Willowridge High School on the Teenage Curfew Ordinance, that he was the first to let her come in and talk with his class regarding their ideas, concerns and issues regarding teenage curfew and she would give that to Council Member Garcia, that she wanted to thank the schools for allowing her to come in and chat with their classes and listen to them. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that her concern about energy also went to the housing efforts in Houston, especially with multi family houses that were being put forth, that one of the questions that they had been asking about tax credits was who was responsible for utilities, because if they were having a hard time paying \$400 rent and they had outrageous utility bills they were still in a fix, so one of the things that Mr. Wilson and his staff were looking at was for those projects that were being underwritten or partnered with the City that they look at how do they address the issue of utilities, if they could include the Mayor's program as how to how people make choices, being required on their properties, that people could look and see and make better choices, that she would get with Mr. Michel to see if there was anything legally that stopped them from doing that, that she thought it was prudent that they at least talk about it with the developers. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that of late she had heard a lot of people identifying themselves as City employees calling in to talk shows about people who worked 20 years for the City and retired making \$9.00 per hour and had been with the City 20 plus years, or that they had to be bilingual in order to be hired by the City, that she called Human Resources and it was not a requirement for any employee to be bilingual, except in certain areas, but not across the board to work for the City of Houston, that it was not a requirement, so if anybody had been told that they were not hired because they were not bilingual, she would like for them to either call the Mayor's office or her office because according to HR that was not a requirement; that for those people who were making \$9.00 per hour and had been working for the City a long time,

she found out that they were in basically in labor positions, that they did awesome work coming by and doing ditch work or picking up the trash, that she would like an analysis of the City's pay schedule, especially the lower grades, and Mayor White stated that he would ask Mr. Hall to have HR provide that to her. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:12 p.m. Council Members Lawrence, Clutterbuck, Wiseman, Holm, Garcia, Alvarado, Brown, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)
DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

Anna Russell, City Secretary