

City Council Chamber, City Hall, Tuesday, September 26, 2006

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 26, 2006, Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, Addie Wiseman, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D.; Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Debra Dillard, Citizens Assistance Office; and Ms. Marty Stein, Agenda Director, present.

At 2:08 p.m. Mayor White called the meeting to order and stated that this time of year Hispanic heritage was recognized and today they would be recognizing Ms. Jeannette Garzon, invited her to the podium and called on Council Member Garcia who stated that they crossed paths when he did work with the Houston Outreach Center and her goal was to see the day when all people would have access to health care and be able to live a quality life; that she still worked for those less fortunate and she was presented a Proclamation recognizing all her work and proclaimed Tuesday, September 26, 2006, as "Jeannette Garzon Day" in Houston, Texas. Council Members Johnson, Holm and Alvarado absent.

Council Member Brown stated that he wanted to pay tribute and honor two officers today and invited Officer Sam Baker and Officer Michael Duncan to the podium; Council Member Brown further stated that all were thankful for what officers did to make Houston safe and stated these two were being honored for 29 years of service, they had made a big difference in the Fifth Ward and they were appreciated; and presented them with Certificates of Recognition for all they had done. Council Members Johnson, Holm and Alvarado absent.

Council Member Wiseman and Council Member Sekula-Gibbs had a presentation together and Council Member Wiseman stated it was their honor to present a Proclamation to an outstanding organization which did a tremendous job in honoring and assisting veterans, military men and women who had been severely injured or disabled in the line of duty; and invited Mr. Jim Stoah, president of HelpingaHero.org and Mr. Bob Reeveman, a volunteer with the organization to the podium and she and Council Member Sekula-Gibbs presented Mr. Stoah a Proclamation as every hero needed to know they were appreciated for the sacrifices they made; that they deserved much and proclaimed September 29 through September 30, 2006 as "Impact a Hero Weekend"; and Council Member Sekula-Gibbs stated that the City of Houston saluted and commended all participants of such a worthwhile endeavor and wished them a successful and rewarding event. Council Members Lawrence, Alvarado and Lovell absent.

Council Member Clutterbuck stated that all were in for a tremendous treat; that the St. Thomas' Episcopal School Pipe Band and dance team were present and the band had won on August 12, 2006, the 2006 World Juvenile Pipe Band Competition in Scotland, they were the best in the world; that this was the fifth time they brought home the World Championship and the dance team had won over 100 medals. After they were introduced they played two songs for all to enjoy. Council Member Alvarado absent.

Mayor White thanked them all and stated that they were fantastic.

At 2:36 p.m. Mayor White called the meeting to order and called on Council Member Sekula-Gibbs who invited a minister in her office Rev. Karen Gill to lead all in the prayer and Council Member Sekula-Gibbs led in the pledge. Council Members Johnson and Berry absent.

At 2:32 p.m. the City Secretary called the roll. Council Member Berry absent.

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

Council Member Khan moved that the rules be suspended for the purpose of hearing from Ms. Gabrella Mackin at the top of the Non-Agenda speakers list, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman and Berry absent. MOTION 2006-0843 ADOPTED

Council Member Garcia moved that the rules be suspended for the purpose of recessing the meeting after the public speakers to 1:30 p.m. Wednesday, September 27, 2006, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2006-0844 ADOPTED

At 2:37 p.m. the City Secretary began calling the public speakers. Council Member Berry absent.

Mr. Tony Jones, 1950 Spenwick, Houston, Texas 77055 (832-889-9499) had reserved time to speak but was not present when his name was called. Council Member Berry absent.

Ms. Prissy Grace, 2414 Broadway, Houston, Texas 77012 (713-641-2366) appeared and stated that she was president of the National Association of Letter Carriers Branch 283 and was representing about 4,500 working letter carriers in the Houston district and present today regarding proposed changes to the dog ordinance; that Houston was number one in many things but one was in dog bites for letter carriers, she was bitten the second day she carried mail and in April a letter carrier was attacked by three Pit Bulls and had surgery and was still off work and it happened more frequently than known; that in Houston last year there were 108 bites to letter carriers needing medical attention and unfortunately this year there were already 151 bites. Council Members Wiseman and Berry absent.

Mayor White stated that all of Council was apprised of the issue and her testimony meant a lot. Council Members Wiseman and Berry absent.

Mr. Dean Johnson, 5022 Alum Road, Houston, Texas 77045 (713-283-1111) appeared and stated that he was a retired police legal advisor and a member of the national and local Doberman group and he had reviewed the proposed ordinance and State Health and Safety Code and he would like Council to address certain sections such as Section 6.151 defined unprovoked in §3 and said in protection of itself or food, kennel or nursing offspring and he would suggest adding a person because a dog may act in defense of a person; Section 6.153 determination hearing §b used the standard of credible evidence and that was not really a legal standard and suggested changing it to preponderance of evidence as that was a recognized legal standard; and regarding labels instead of using humanely destroyed he would ask them to consider using humanely euthanized; regarding the hearing Section 6.153 he would request they include provisions of the Texas Health and Safety Code Section 822.003§f regarding the issue of an individual who goes into an enclosure where there was a dog and got bit. Council Members Wiseman and Garcia absent.

Upon questions by Council Member Lawrence, Mr. Johnson stated that those were his basic items and he would like to say the problem seemed to be more with loose dogs and if that could be controlled there would probably be no problem with dog bites; and Council Member Lawrence stated that there were not bad dogs, but bad owners, so it was not breed, her Doberman was a lap dog; and Legal would look at each of his items. Council Members Wiseman and Garcia absent.

Council Member Sekula-Gibbs stated that all he said sounded reasonable and she hoped they would have a chance to discuss with Legal the suggestions; and upon questions, Mr. Johnson stated that in Section 6.153 of the proposed ordinance on a determination hearing, in the Texas Statutes 822.053 where the state legislature addresses the issue of hearings they address several issues regarding procedural matters and in section f they included such things as the court may not order the dog destroyed if found he attacked because of being used as protection of a person or person's property or because he was in an enclosure which was reasonable certain it would prevent him from leaving it, etc., it basically set fourth conditions where if someone went into an enclosed area and got bit the individual was able to use in the hearing the individual should not have been in there and he would like the provisions in §f be incorporated in the determination for the city's hearing. Council Members Wiseman and Green absent.

Ms. Gabrella Mackin, 7219 Osage, Houston, Texas 77036 (713-397-3036) appeared and stated that she was mother to quadruplet eight year old girls and a six year old son and was present to address the fact that Lansdale Park in Sharpstown had two fulltime adults and one adult part-time supervising 80 plus children between the ages of six and eight; that it was a wonderful after school program through the Parks and Recreation Department and the director at the park Ms. Joann Johnson was the nicest and most competent she had met in a longtime in the Parks Department, but no human being could handle that many children; that Parks told her Council approved a ratio of 35 to one and she would challenge any of them to go to her home with her five children on an afternoon and try multiplying that by seven; and she was present asking that Council supplement an already wonderful and competent and great staff with more staff members, it was that program which allowed her and her husband to work; and urged Council act quickly. Council Members Wiseman and Green absent.

Council Member Khan stated that she and her husband were very outstanding citizens and that parks program was one of the best programs in the City of Houston and was very popular and Ms. Johnson did a wonderful job; that sometimes the ratio of 35 to one was exceeded; and upon questions, Ms. Mackin stated that this was the second year they used the program, in the beginning there were 15 to 20 children, last year about 50 and this year there were at least 80 and it was growing; and Council Member Khan stated that all were happy with the program, but there were too many; and thanked Ms. Mackin for coming. Mayor White, Council Members Wiseman, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown stated that more such programs were needed in Parks and he hoped Council could move on this funding soon. Mayor White, Council Members Wiseman, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding.

Acting Mayor Pro Tem Berry stated that Mr. Dan Pederson with Parks was in the back of the Chamber and could meet with her at this time. Mayor White, Council Members Wiseman, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. W. R. Morris, 11147 Ferndale Place, Houston, Texas 77064 (713-854-4094) appeared, presented information to Council Members and stated that it seemed someone was running a scam at the Ace Parking Lot near the Municipal Courts; that his daughter went there yesterday for two to three hours and after putting her money in the slot her car was towed and there were several others who had been towed; that the wrecker driver said they did not pay and that was all he would tell them, but how did he know they had not paid. Mayor White, Council Members Wiseman, Khan, Garcia and Green absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Lawrence, Mr. Morris stated that all information was in the packet he presented, but the lot was on Lubbock across from Houston Avenue; and hopefully Council would investigate it; and Council Member Lawrence suggested they all go to the Municipal Courts as a group, bring the wrecker driver forward under oath and see what happened. Mayor White, Council Members Wiseman, Khan, Garcia and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Council Member Green stated based on what he heard and what was provided he would assume it was a private company, but he would get in touch with the head of the Wrecker Association, Ms. Rash may be able to help and investigate. Mayor White, Council Members Wiseman, Khan, Garcia and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Acting Mayor Pro Tem Berry stated that he may also want to talk with Captain Bender at HPD who had a lot to do with tow companies. Mayor White, Council Members Wiseman, Khan, Garcia and Lovell absent. Acting Mayor Pro Tem Berry presiding.

Mr. Dennis Keim, 5651 Laurel Creek, Houston, Texas 77017 (713-428-0147) appeared and stated that he would offer his prayers for the safe journey and delivery of the soul of Officer Rodney Johnson and ask for protection for his family, unfortunately Mayor White chose to walk away but citizens of Houston had begged him to rescind the sanctuary city policies which made this a dangerous city and he refused and was just as guilty of the death of the officer. Mayor White, Council Members Wiseman, Khan and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Mr/Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Khan and Garcia absent. Acting Mayor Pro Tem Berry presiding.

Ms. Fran Gentry, 7714 Tully, Houston, Texas 77016 (713-417-2704) appeared and stated that she was president of the Houston NAACP and was present because a group of citizens came to her concerned about all of Houston's history not being respected, historically the Fourth Ward area, Freedmen's Town and Midtown, bricks were laid many years ago by people who were decedents of slaves and the citizens she referenced were not in history books, but the bricks on Andrews and Wilson Streets represented their mark and her point was if the history of one could be preserved why not all and she was asking Council to consider the travesty that would be done if those bricks were unearthed under the disguise of better infrastructure; and asked for their intent in writing. Mayor White, Council Members Wiseman, Khan, Garcia and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Council Member Edwards stated that she was confused as the bricks were not being destroyed; that Public Works indicated the bricks needed to be moved for infrastructure work but they would be numbered, stored and placed back; and Ms. Gentry stated that information was shared with her, but there was another way to do the infrastructure; and Council Member Edwards stated tunneling could not be done there and it would have been very expensive and if there was another expert engineering analysis she would like to see it; and Ms. Gentry stated that she would get data she was told of and share it with her. Mayor White, Council Members Wiseman, Khan, Garcia and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Council Member Alvarado stated that she and Council Member Edwards had been working on this and the bricks would be restored as quickly as possible and there was work on many other things in Freedmen's town and she would like to visit with whomever the engineer was also as what they were told they could and could not do was consistent. Mayor White,

Council Members Wiseman, Garcia and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Council Member Johnson thanked Ms. Gentry for all her services and stated that it sounded as if they had a handle on this, but would yield to Council Members who had an eye on it; and in addition to what she was speaking of on preserving the history was their a lead the NAACP could take in making sure they were numbered correctly or did not fall by the wayside; and Ms. Gentry stated that she could not say the NAACP would have a lead person to orchestrate it, however, she would revisit with the group from the area and get data. Mayor White, Council Members Wiseman, Garcia and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Council Member Brown stated that she had his support and they had talked with Council committee about making inventory of historic properties; and upon questions, Ms. Gentry stated that to some extent there was an inventory of historic African American properties, but she could research and share the data with him. Mayor White, Council Members Wiseman, Garcia and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Acting Mayor Pro Tem Berry stated that Mr. Roberto Medina with Public Works was in the Chamber and could speak with her. Mayor White, Council Members Wiseman, Garcia and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Edwards, Ms. Gentry stated that she had not personally spoken with Ms. Jill Jewett; and Council Member Edwards stated that she was the Mayor's Director of Cultural Affairs and present and could speak with her, but she (Council Member Edwards) rejected the argument they were neglecting Black history as she had been to at least 100 meetings where they were trying to save the history of the Fourth Ward and some had made promises to raise money to help as some of it was private property and if she would like to help keep it going she would be most appreciative. Mayor White, Council Members Lawrence, Wiseman, Garcia and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding.

Ms. Catherine Roberts, P. O. Box 130726, Houston, Texas 77219-0726 (713-294-3338) appeared and stated that on behalf of the Rutherford Yates Museum and many others she was present asking Council to preserve what remained of the Freedmen's Town National Historic District; that they did not approve of the current plan being proposed by EDI and Carter and Burgess for many reasons, it did compromise historic and archeological resources of a mile of the brick streets compared to 35 miles of protected streets in Philadelphia and hundreds of miles in other cities; that this was a very small amount and yet represented a significant part of a community who helped to build Houston; that she thanked Council Members for stopping the pouring of concrete over brick streets and thanked them for saving bricks, but she did meet with Ms. Jewitt to make recommendations and again costs kept coming up and with this resource the cost should not be an issue; and they would ask Council to designate the portions of Andrews and Wilson streets as a protected cultural resource and to not remove bricks which had not been previously disturbed and not mix new and old bricks not even with inscriptions. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Lovell and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Ray Hill, P. O. Box 3624, Houston, Texas 77253 (713-523-6969) appeared and stated that he was present to speak on the violence of the force of law, enforced conformity specifically as might be applied to the no smoking ordinance; that there were many ways to approach the subject but making criminal laws was not the way to do it; that it would probably be less expensive to offer tax breaks and other bureaucratic incentives for people to operate voluntarily as non smoking establishments; that he grew up in a segregated Houston and it was enforced

by city criminal law, one case he removed from the books in his federal suits was Section 34-11 of the City Code; that he grew up in a heterosexual society and the law was enforced on the city and state books until June 2003; and once he can get arrested the civility ordinance would no longer apply to anyone. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Trent Winters, 7960 W. Bellfort, Houston, Texas 77071 (832-882-7761) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

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 Lawrence, Johnson, Wiseman, Holm, Garcia, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Pat German, 4211 Walker, Houston, Texas 77023 (713-899-6490) appeared, presented information and stated that she was president of the Friends of Eastwood Park and came to give kudos; that Eastwood Park was about two and a half blocks long and two miles wide across from Harrisburg, but it was an oasis and served a big purpose; that it seemed Eastwood had a lot of young people and a lot of crime and the park helped; that she understood it was short of money and they found ways to help; that over 100 children used the skate park daily and it was there because of two Council Members and citizens who worked hard and last night there were over 300 children signing up to play soccer; that the Friends of Eastwood Park had collected money and were giving \$2,500.00 to the city to help make soccer a possibility and they desperately needed a water system. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Council Member Garcia stated that when Ms. Jessica Holtze came across young men out there making due with what was there Council Member Alvarado and he talked about it as both their districts shared the park and she worked very closely to make things happen there and he appreciated her recognizing it; and what she was providing was not insignificant as the parks desperately needing funding and this would go a long way in making sure Eastwood Park was well provided for. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Alvarado thanked Ms. German for coming and sharing her gratitude; that they also appreciated the work she did and Ms. Holtze had brought the issue to their attention and she was proud to work with Council Member Garcia on it; that children came from all over the city to use the skate park; and Ms. German stated that parks may not seem that important but it was the savior to the children on the streets. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Brown stated that he agreed and if all wanted something done about parks the bond issue needed to be voted for in November and without the bonds they would not be getting more parks or safety, passing the bonds would bring a better quality of life to the city; and urged that she spread the word. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Junior Carroll, 6714 Malibu, Houston, Texas 77092 (713-201-9999) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. David Johnson, 101 Knollwood Court, Houston, Texas 77076 (832-889-5618) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. David Waters, 7500 Bellerive, Houston, Texas 77036 (832-496-3855) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Ms. Crystal Bridges, 9073 Knight Road, Houston, Texas 77054 (713-383-8144) appeared and stated that it came to her attention a Proclamation was issued marking October 1, 2006, as National China Day and it seemed for those in America who cherished freedom and democracy and who placed a high value on human life this day was nothing to be celebrated; that October 1, 1949, marked the establishment of the Peoples Republic of China and the beginning of an oppressive totalitarian regime; that they brought in tanks and machine guns to massacre people and brutally prosecuted Falon Gong practitioners; and continued expressing her personal opinions until her time expired. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Mr. Marion Johnson, 24 Greenway Plaza #603, Houston, Texas 77046 (713-961-1077) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Ms. Elena Breed, 14138 Chartley Falls Drive, Houston, Texas 77044 (281-454-4113) appeared and stated that she was present to get answers on a nepotism policy; that she tried to apply for a special services representative in the Aviation Department and passed the interview and language test and received the job offer, but then someone in Human Resources noticed her husband's uncle worked for the City of Houston and they refused her, she did not get the job; that they based their refusal on the policy of 1974 and she wondered if there was an updated policy and according to the government code she could be hired so she was confused. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding.

Upon questions by Council Member Edwards, Ms. Breed stated that a lady in Human Resources said she could not be hired because her husband's uncle worked there and they showed her a 1974 policy; that she would not be working for his uncle; that she had interviewed with Aviation and offered the job, but the Human Resources said she could not be hired there; and Council Member Edwards stated that she would like Legal to address that ; and Acting Mayor Pro Tem Berry stated that they were trying to get information. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Ms. Breed stated that this happened about two months ago because she had testing and waited about a month for results and then they called and offered her the job; that this was the first time she applied with the City of Houston and she was not sure how long his uncle worked here; and Council Member Khan stated that this

needed to be looked into because on the surface such a policy made no sense, why should someone be barred from working if their relative did not work in a supervisory position; and Council Member Khan stated that he was sure someone would help her and the city would find a way. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Lovell and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that this city had sons, daughters, cousins, etc., working throughout the city and he found it curious; that even police chiefs and captains had children in the department; that he thanked her for coming and felt she had the attention of some who would be trying to change things. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Lovell and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Acting Mayor Pro Tem Berry stated she should verify her personal information on the speakers list with Ms. Dillard and Legal would get with her; that the policy did clearly say spouse of a niece or nephew but he did not think anyone on Council thought it to be reasonable; and they would make sure she was treated fairly. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Phillip Richardson, 5514 Griggs Road #2421, Houston, Texas 77021 (817-825-8595) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Joe Colangelo, 8311 Cheshair Bale, Houston, Texas 77024 (713-412-1875) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Clutterbuck, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Ms. Emily Nghiem, 1620 Robins, Houston, Texas 77019 (713-867-5998) appeared and stated that she was a volunteer with a number of neighborhood groups they heard from today regarding Freedmen's Town and historic preservation in the City of Houston and today was thanking Mayor White for creating a new position of Neighborhood Liaison through the City Planning Department and commended Council Members Garcia, Brown and Lovell for promoting neighborhood conservation at a forum Sunday regarding saving historic bungalows in the historic Heights, but since the new job description was not final she would strongly recommend using the rule of neighborhood liaison to create solutions solving both problems of physical property issues as well as social issues regarding neighborhood crime as she felt both problems could be solved with the right kind of city planning and she would like to see objectives achieved through the neighborhood liaison which was Council Member Garcia's proposal for a design plan for each neighborhood that developers and residents could agree to follow and have it followed with tax incentives to encourage the right type of development and legal support to amend plans in conflict; and in keeping with Council Member Brown's suggestion of a neighborhood court she supported a grievance process which would employ mediation based on a standard of principles she had attached to their copy of her letter based on the Houston Police mission statement and code of ethics for government service which would involve citizens enforcing laws and creating safe environments; and third, after speaking with Council Member Lovell on the need for education on real estate and finances she would support a business plan for neighborhoods to develop their own property and fund historic preservation and would tie in local universities to create internships in law, urban planning, grant writing and business development to achieve such goals. Mayor White, Council Members

Lawrence, Johnson, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Garcia thanked Ms. Nghiem and her neighbors for coming out; that the issue of how to preserve neighborhoods as they now knew them and how to achieve historic preservation was challenging and hopefully with his colleagues urban planning background and expertise they could try and get there; that things were underfoot and he and Council Member Brown were talking about what was referred to as new urbanism and it was a bit of what was occurring and they needed people such as her and her neighbors to stay engaged and help with creative ideas and suggestions and this was very special to him. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Brown stated that new urbanism was a movement in American planning and urbanism which caught the nation and it was in many cities, Austin was a new urbanism city and she could go to www.cnu.org and get a lot of information; that in the charter it said, "We dedicate ourselves to reclaiming our homes, blocks, streets, parks, neighborhood districts, towns, cities, regions, and environment." and it really needed to be discussed more in Houston and he thought the scales could be tipped in conserving the neighborhoods; and he did not think they needed to worry about restricting development in neighborhoods because when you had a restriction the same investment dollars went somewhere else and in Council Member Garcia's district instead of tearing down a historic house he would rather see the same investment dollars going across Washington Avenue and developing the brown fields. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Johnson, Wiseman, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Joseph Ballard, 1203 Gregg, Houston, Texas 77020 (281-850-0388) appeared, presented pictures to view and stated that he was present regarding the Fifth Ward weeds as tall as telephone poles, trash, etc., and his friend present with him wanted to also speak on the same subject; that some would clean up at one house and dump at another; one house abandoned beside his mother's had people in it and when the police came out they left and later the guys came out with boxes of stuff and there was a place on Sumpter and 59, an old gas station next to a park and apartment complex and someone could take a kid and do something to them; and they were inviting the Mayor and Council out to view the areas as they wanted a neighborhood cleanup. Mr. Jerome Walton appeared and stated that he was a resident of the Fifth Ward and they were present trying to get the city involved in cleaning up the area as it had been neglected too long and they would like to work with Council Member Johnson to get things taken care of. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that there were several neighborhood cleanup programs and just getting with his Council Member or Keep Houston Beautiful would get them to come out and clean all day long along with neighborhood volunteers; and Mr. Ballard stated that he had called on the areas since 1999; and Council Member Edwards encouraged him to get with Council Member Johnson; and Mr. Ballard stated that when Solid Waste came out to collect they did not do a good job; that they left trash and garbage where there was no residence; and Council Member Edwards stated that if she understood correctly they were not to pick up if

there was no residence; and Mr. Ballard stated that created problems in the community; and Council Member Edwards stated that it was solvable and maybe Mr. Fontaine in the Mayor's Office could get with him that what he did was trouble shoot and he could speak with him at this time and they could decide when to start this. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell and Sekula-Gibbs absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that it was good to see each of them and he shared some of Fifth Ward with his colleague and they could feel free to call on him to do what he could to help in the issue; that in Independence Heights they had the same concern on how trash was collected and how it affected the drainage, etc., and he would ask the Solid Waste directors get with him (Mr. Ballard) because he described almost precisely the problem of others; that he also wanted to thank them for offering to be a part of the solution. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Clutterbuck stated that this was an important issue and she understood Neighborhood Protection was looking for board members from the community to have input and urged he contact his District Council Member and offer those services. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Acting Mayor Pro Tem Berry stated that Mr. Fontaine would be meeting with him and Council Member Johnson was regretful he could not be present but he knew they were doing sweat equity program cleanups in the fifth Ward and he would continue to work with him. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was back as Council refused to address office polices they were required to fulfill; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Mr. Pete Vella, 6625 Lyons, Houston, Texas 77020 (713-231-3999) appeared and stated that he was present to ask about the grant; that they had filed Chapter 13 and his car was repossessed and he wanted to know how fast was the grant and what did they need to do. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that he thanked him for coming today and for attending the meetings they had been having in Denver Harbor regarding all the issues; that as he heard from the Small Business Development folks they would be gearing up to start individual interviewing not this Friday but next Friday and see how they would qualify and for how much to get them operating and job retention money; that he knew he was going through tough economic times because of the construction but they were making progress in that regard; and Mr. Vella stated that even though they were put in this position after their buildings were saved he wanted to close his business and make it a youth center; and Council Member Garcia stated that he was the example of what businesses in Denver harbor were all about, they were the neighborhood and another piece of this they were working on was to work with the Society of Corporate Retired Executives (SCORE) to help in pursuing grant funding, etc., and that would be a good

thing to attend. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

At 4:30 p.m. City Council recessed until 1:30 p.m., Wednesday, September 27, 2006. Mayor White, Council Members Lawrence, Johnson, Wiseman, Khan, Holm, Alvarado, Lovell, Sekula-Gibbs and Green absent. Acting Mayor Pro Tem Berry presiding. (NO QUORUM PRESENT)

Note: The City Council recessed until 1:30 p.m. so that Members could attend the funeral of Police Officer Rodney Johnson who was killed in the line of duty. The meeting was posted to begin at 9:00 a.m., however, the funeral was scheduled for 10:00 a.m.

City Council Chamber, City Hall, Wednesday, September 27, 2006

The Houston City Council reconvened at 2:15 p.m. Wednesday, September 27, 2006, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Ada Edwards, M. J. Khan, P. E., Pam Holm, Adrian Garcia, Carol Alvarado, Peter Brown, Sue Lovell, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Ms. Stella Ortega, Agenda Office, present. Council Member Addie Wiseman absent on city business.

At 1:00 p.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 2:16 p.m. Mayor White called the meeting to order and stated that the first item on the agenda, the Mayor's Report, because of the schedule they had with the funeral service, they had postponed until next week and in addition he was going to be asking members of his staff to see if there was a time when some of them could get on a van and visit a couple of the neighborhoods where they were making a lot of progress, they would not be able to do all six Project Houston Hope neighborhoods but people would be able to see in the concrete what they were talking about, it was one of the most exciting things they were working on in the City of Houston that improved the quality of life, decreases crime significantly and lessens the tax burden on all Houstonians as people were encouraged to move in the City as opposed to building outside.

MAYOR'S REPORT - "Project Houston Hope" Update - was postponed by Mayor White until October 3, 2006.

CONSENT AGENDA NUMBERS 1 through 29

MISCELLANEOUS - NUMBER 2

2. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **WALNUT BEND HOME ASSOCIATION** for law enforcement services of two (2) deputies from Harris County Constable Precinct 5 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0845 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 8 through 29

24. ORDINANCE awarding contract to **CENTRAL LANDSCAPE & MAINTENANCE** for Landscaping Services for the Convention & Entertainment Facilities Department; providing

a maximum contract amount - 3 Years with two one-year options - \$1,158,431.25 - Enterprise Fund - **DISTRICT I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0976 ADOPTED.

28. ORDINANCE appropriating \$119,200.00 out of Police Consolidated Fund, approving and authorizing first amendment to construction contract between the City of Houston and **MERIDIAN COMMERCIAL, L.P.**, for Renovation of Northwest, Southwest, Central and Magnolia Police Stations - (passed by Ordinance No. 2005-601) (WBS G-000064-0001-4) - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0977 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS - NUMBERS 1 and 2

1. RECOMMENDATION from Director Finance & Administration Department that the City Council receive the 2006 Appraisal Roll Information, Certified Anticipated Collection Rate and appoint Richard Somerville, James Bell and Keith R. Phillips, to calculate and publish the City's Effective and Rollback Tax Rates in accordance with the "Truth-In-Taxation" provisions of the State Tax Code – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0846 ADOPTED.

PURCHASING AND TABULATION OF BIDS

3. **STEWART AND STEVENSON** for Emergency Repair of Houston Fire Department's Emergency Response Vehicle, Engine 75 and approve payment and allocation of funds in the amount of \$29,365.12 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0847 ADOPTED.
4. **BABY JACK II AUTOMOTIVE LTD., D/B/A CALDWELL COUNTRY** for Pickup Trucks and Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Fire Department - \$225,256.00 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0848 ADOPTED.
5. **RUSH TRUCK CENTERS OF TEXAS, L.P.** for Heavy-Duty Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Parks & Recreation Department - \$301,877.00 - Grant and Equipment Acquisition Consolidated Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Alvarado stated that she wanted to acknowledge the work of the Parks Department, it was just another initiative in what they were doing to promote vehicles that were environmentally friendly, they were replacing heavy duty vehicles with new lower emission vehicles, of course that was a reduction for NOX and she wanted to compliment them on that and she hoped that they would keep moving forward in that direction with other departments doing the same.

Council Member Brown stated that he wanted to second what Council Member Alvarado stated that to specifically compliment Mr. Joe Turner the Parks Director and the Parks Department, that it was a really good deal for the City and thought they were getting the equivalent of two vehicles for the price of one and were reducing emissions and sending a strong message on energy conservation, that Mayor White was to be thanked for the item also.

A vote was called on Item No. 5. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0849 ADOPTED.

6. **PRECISION DYNAMICS CORPORATION (Bid No. 2)** for Prisoner I.D. Wristbands Contract for Houston Police Department - \$156,975.00, minus a commission fee for Internet-based reverse auction services under contract with the Texas Procurement Center, LLC. for a net award not to exceed \$153,835.50 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0850 ADOPTED.
7. **PHILPOTT MOTORS, LTD.** for Hybrid-Electric Utility Vehicles through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Department of Public Works & Engineering - \$777,344.21 - Building Inspection and Sign Administration Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0851 ADOPTED.

RESOLUTIONS AND ORDINANCES

8. RESOLUTION approving an application requesting financial assistance from the Texas Water Development Board – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. RESOLUTION 2006-0015 ADOPTED.
9. RESOLUTION supporting the placement of the Boone Road right-of-way from Westpark Drive to the Westpark Toll Road on the Harris County Road Log - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. RESOLUTION 2006-0016 ADOPTED.
10. ORDINANCE **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Purchasing Functions – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0978 ADOPTED.
11. ORDINANCE **AMENDING CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Junked Vehicles - was presented, and tagged by Council Member Sekula-Gibbs.
12. ORDINANCE **AMENDING CHAPTER 46 OF THE BUILDING CODE, HOUSTON, TEXAS**, relating to the regulation of Signs; containing other provisions relating to the foregoing subject; providing for severability; providing an effective date – was presented, and tagged by Council Member Sekula-Gibbs.
13. ORDINANCE appropriating \$60,000.00 out of TIRZ Affordable Housing Fund and approving and authorizing an agreement between the City of Houston and **THE ENCLAVE, LTD.**, to assist in the development of affordable single family housing - **DISTRICT B – JOHNSON** – was presented.

Council Member Brown stated that this was a great project and had a great site plan and was one of the few examples of new urbanism in the City of Houston, that his hat went off to Council Member Johnson and the group that was developing it, it was a great design and a great project and they had his support.

Council Member Johnson stated that he wanted to echo what Council Member Brown just pointed out, the fact that he was very fortunate to have it in his district and the job that Pastor Mathews was doing with creating sustainable living and sustainable housing in their district was certainly something to be recognized, they were doing a great job of bringing in great greenspace and great parks and certainly a way of life that he thought the citizens of the City of Houston, not only District B, would be proud of, that he wanted to say thank you to the Housing Department for understanding the necessity for it and then being able to put some money behind the project and congratulations so Pastor Mathews on a job well done.

A vote was called on Item No. 13. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0979 ADOPTED.

14. ORDINANCE approving and authorizing contract between the City and **LEGACY COMMUNITY HEALTH SERVICES, INC** for Primary Care Services to uninsured and underinsured residents of Houston at the Lyons Health Center - 3 Years - **DISTRICT H – GARCIA** - was presented.

Council Member Garcia stated that he wanted to thank the administration for putting the item on the agenda, that everyday they were looking for new partners and folks to help them move forward and believed that Legacy Community Health Services was one of those partners, that they would be working a very important part of his district, the Denver Harbor and Fifth Ward area so he would be working with his colleague, Council Member Johnson, to make sure that all the areas were served with dignity and respect, that he wanted to thank Legacy for stepping up to the plate on it and accepting the challenge of helping all of their citizens out there.

Council Member Lovell stated that she wanted to congratulate Legacy, they were a very fine non profit, she remembered when they started out 25 to 30 years ago as a very small clinic in Montrose and it was a great partnership.

Council Member Edwards stated that she also wanted to congratulate Legacy and would also challenge them to develop a very active community advisory board that could help them as they moved into new communities so that they could have a real depth and breath of what the community was in need of and how they could provide those services, so congratulations to the community and Legacy.

Council Member Johnson stated that as Council Member Garcia pointed out although it was not in his district it would impact a large part of his district, that each time he had called on Legacy to meet with them or talk with them they had been very responsive and he really appreciated that, but he also wanted to add on to that challenge that they must continue to work diligently to embrace the people who were in that community and lived in that community who were going to be impacted by the services that they certainly would bring, that he knew they were going to do great job, the work they had already done in the Montrose area certainly would trickle over into the work they were going to do in the Fifth Ward area so he congratulated them on a job well done and for future success coming into the Fifth Ward area.

A vote was called on item No. 14. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0980 ADOPTED.

Council Member Sekula-Gibbs stated that she wanted to thank her colleagues for passing Item No. 14.

15. ORDINANCE approving and authorizing the City of Houston to enter into contracts with each of two (2) Independent School Districts [**ALIEF ISD** and **SPRING BRANCH ISD**] and with each of three (3) Non-profit organizations [**CHINESE COMMUNITY CENTER, JULIA C. HESTER HOUSE, INC.**, and **YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA**] to administer an After School Achievement Program ("ASAP") - \$330,000.00 - General Fund - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - EDWARDS; F - KHAN; G - HOLM and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Member Edwards absent. ORDINANCE 2006-0981 ADOPTED.
16. ORDINANCE appropriating \$15,000.00 out of Homeless and Housing Consolidated Fund and approving and authorizing contract between the City of Houston and **HARRY AFADAPA & ASSOCIATES, P.C.** for Accounting Services in connection with HUD Audit Findings – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0982 ADOPTED.

Council Member Sekula-Gibbs moved to suspend the rules to consider Item No. 32 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0852 ADOPTED.

32. ORDINANCE **AMENDING CHAPTER 6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Dangerous Dogs – (**This was Item 17 on Agenda of September 20, 2006, TAGGED BY COUNCIL MEMBERS WISEMAN and LOVELL**) – was presented.

Council Member Lawrence stated that it was wonderful when they had public speakers that brought in information and looked at things in a little bit of a different way and there was a question presented about using the word destroyed instead of euthanized, that a number of verbal changes were made and thought the Council Members had a copy of them and also what they were passing out and she apologized, number 6 was information to add to the code as far as the hearing, but as they would see in the amendment it mainly took in some verbiage change, and offered the following written motion to amend Item No. 32:

RE: Agenda Item No. 32 (09/27/2006)

"I move to amend Item 32 by amending provisions in Section 3 of the proposed Ordinance, which amends Article VI of Chapter 6 of the Code of Ordinances, Houston, Texas, as follows:

1. By replacing throughout the ordinance the word "destroyed" with the word "euthanized."
2. By amending the introductory paragraph of Subsection (b) of Section 6-153 of the City Code to read as follows:

"The hearing shall be conducted by the hearing officer under rules consistent with the nature of the proceeding. The burden of proof shall be upon the city to establish, by a preponderance of evidence presented at the hearing, that the dog is a dangerous dog. At the conclusion of the hearing, the hearing officer shall enter a written order with factual findings

as to whether the dog is a dangerous dog. At the conclusion of the hearing, the hearing officer may:"

3. By amending Item (4) of Subsection (c) of Section 6-153 of the City Code to read as follows:

“(4) That the licensee or owner has a right to appeal a determination of dangerousness or an order to euthanize.”

4. By amending Subsection (a) of Section 6-157 of the City Code to read as follows:

“(a) The provisions of this article shall not be construed to require the issuance of an impoundment order or the conduct of a hearing for the impoundment or euthanasia of any dog that is found to be running at large in violation of city ordinances. In the event that any dog impounded for such cause is claimed for redemption, the director may, if he has grounds to believe that it is a dangerous dog, issue notice of a hearing pursuant to section 6-153 of this Code to the person claiming the dog and continue to hold the dog unless and until it is authorized to be released pursuant to section 6-153 or 6-155 of this Code.”

5. By amending Section 6-159 of the City Code to read as follows:

“Sec. 6-159. Appeal from an order to euthanize.

If the hearing officer orders a dangerous dog to be humanely euthanized under section 6-153 or section 6-155 of this Code, that decision is final unless the licensee or owner files a written appeal with the municipal court within five business days after receiving notice of the order to euthanize. If an appeal is timely filed, the director shall suspend the order to euthanize pending final determination of the court. The appeal hearing must be a trial de novo and is a civil proceeding for the purpose of affirming or reversing the director's order to euthanize.”

6. By adding Subsection (d) to Section 6-161 of the City Code to read as follows:

“(d) Any defense to an order to euthanize under Section 822.003 (f) of the Texas Health and Safety Code, as amended, is a defense under this article.”

Council Member Sekula-Gibbs stated that she would tag the amendments and also the main item, that she would also like to thank Council Member Lawrence because the gentleman who did speak yesterday was very eloquent in his suggestions and they appreciated his efforts and she appreciated the administration reacting in a favorable way in responding to the citizens who had a vested interest in it, that she was going to support the item but needed a little time to digest it.

Council Member Green stated that he wanted to applaud the work that Council Member Lawrence had done on the item, that like Council Member Sekula-Gibbs he just wanted to

digest the amendments and was fully supported of the item, and tagged the amendments and the main item.

Council Member Garcia stated that there had been a great deal amount of work done on the ordinance and wanted to commend his colleague, Council Member Lawrence, for plowing through on the issue, that it took a great deal of input and great deal of advice and thought it was one of the most sound ordinances that they had seen thus far at the Council table, that the postal workers needed the ordinance so he was hopeful they could get the questions resolved so they could move forward.

Council Member Lawrence stated that the calls that came in after they had a hearing and emails from Council Member Alvarado's district and a number of other districts and various communities that said they needed to be able to walk at night and needed to let their children play outside and thought that was when they discovered they did have a problem and it was an amendment that may look to some as very frivolous but it was about people taking back their neighborhoods and being able to enjoy life back in their neighborhoods so she appreciated it being brought forward.

Mayor White stated that Item No. 32 and the amendments were tagged.

17. ORDINANCE approving and authorizing Lease Agreement DTFASW-07-L-00066 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, for the Automated Surface Observing System at William P. Hobby Airport - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0983 ADOPTED.
18. ORDINANCE relating to the Emergency application to change retail water rates by **TEXAS AMERICAN WATER COMPANY AS TEMPORARY MANAGER OF VERGIL D. MARTIN DBA H&J UTILITY AKA MATCO** within the City of Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for severability; containing a repealer **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0984 ADOPTED.
19. ORDINANCE amending Ordinance No. 2006-672, relating to the first amendment to Strategic Partnership Agreement between the City of Houston and Cy-Champ Public Utility District, in Harris County, Texas - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0985 ADOPTED.
20. ORDINANCE approving and authorizing second contract between the City of Houston and **FRIED, FRANK, HARRIS and SHRIVER & JACOBSON, LLP**, for Crime Laboratory Investigation \$2,246,389.41 - General Fund – was presented. Council Member Lawrence voting no, balance voting aye. Council Member Wiseman absent on city business. ORDINANCE 2006-0986 ADOPTED.
21. ORDINANCE approving and authorizing contract between the City of Houston and **CONNELLY BAKER MASTON WOTRING JACKSON, LLP**, for Professional Legal Services; providing a maximum contract amount - \$225,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0987 ADOPTED.

22. ORDINANCE setting the dates and times of three public hearings on Propositions "A" through "F" and Proposition "H" to be submitted to the voters at a Regular Election on November 7, 2006, for Tuesday, October 3, 2006, at 6:00 p.m., Tuesday, October 10, 2006, at 6:00 p.m., and Wednesday, October 18, 2006, at 9:00 a.m. – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0988 ADOPTED.
23. ORDINANCE approving and authorizing contract between the City of Houston and **IPC COMMAND SYSTEMS, INC** for Service and Maintenance of the Houston Emergency Center's Digital Radio Network; providing a maximum contract amount - \$491,790.00 - Houston Emergency Center Fund - 3 Years with two one-year options – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0989 ADOPTED.
25. ORDINANCE appropriating \$3,068,840.26 out of Water & Sewer Consolidated Construction Fund and approving and authorizing an Advance Funding Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Utility Adjustments along Little York Road from Hardy Toll Road to US 59 (WBS Nos. S-000521-0026-4 & R-000521-0026-4) (SB9280) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0990 ADOPTED.
26. ORDINANCE finding and declaring public convenience and necessity for the acquisition of fee simple title to real property for a Sanitary Control Buffer Zone in connection with the Public Improvement Project known as the Fresh Water Supply District #23 Buffer Zone Project; authorizing the acquisition of certain real property interests within the Buffer Zone and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the acquisition of fee simple title to 8 parcels of land situated in the Eli Nolan Survey, Abstract No. 600, Harris County, Texas, and being more specifically situated within Lots 92 and 93 of Block 5 of Commercial Reserve of Roane Oaks Section 2, Commercial Reserve, Block 3, of Roane Oaks, Section 2, and Lots 184, 185, 186 and 187, Block 8 Dorchester Place a subdivision in Houston, Harris County Texas, CIP R-0265-27-3 (R-000265-0027-3) - **DISTRICT B - JOHNSON** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0991 ADOPTED.
27. ORDINANCE approving and authorizing second amendment to Professional Architectural Services Contract between the City of Houston and **STOA INTERNATIONAL ARCHITECTS, INC** for Renovation of Police Stations: NW, SW, Central & Magnolia Airport Pistol Range Relocation (WBS G-000064-0001-3) - **DISTRICTS A - LAWRENCE; C - CLUTTERBUCK; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0992 ADOPTED.
29. ORDINANCE appropriating \$130,000.00 out of Fire Consolidated Construction Fund (WBS C-000018-0002-3); \$125,000.00 out of General Improvements Consolidated Construction Fund (WBS C-000107-0002-3); \$250,000.00 out of Public Library Consolidated Fund (WBS E-000143-00001-3); \$31,000.00 out of Parks Consolidated Fund (WBS F-00504D-0001-3); and \$50,000.00 out of Public Health Consolidated Construction Fund (WBS H-000066-0001-3) as an additional appropriation for Project Management Services Contract (approved by Ordinance No. 05-0390) between the City of Houston and **JACOBS FACILITIES, INC** for Project Management Services; providing funding for

contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund, the General Improvements Consolidated Construction Fund; the Public Library Consolidated Fund; the Parks Consolidated Fund and the Public Health Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0993 ADOPTED.

MATTERS HELD - NUMBERS 30 through 34

30. RECOMMENDATION from City Attorney to deposit the Award of Special Commissioners, into the Registry of the Court, pay all cost of Court and not file any objections to the award in connection with eminent domain proceeding styled City v. Rafael & Maria A. Suarez, et al., Cause No. 862,834; for acquisition of Parcel AY2-049; for the **CENTRAL STREET GRADE SEPARATION PROJECT (Central St. Extension over Manchester Avenue to Train Yard)**; CIP N-000676-0001-2 (N-0676-01-1) - \$115,630.00 - Street & Bridge Consolidated Fund - **DISTRICT I - ALVARADO – (This was Item 6 on Agenda of September 20, 2006, TAGGED BY COUNCIL MEMBER ALVARADO)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0853 ADOPTED.
31. RECOMMENDATION from Director Department of Public Works & Engineering, to purchase Parcel CY4-006, located at 8905 Seeker Street, owned by Tony Aundrey Alexander, for **FRESH WATER SUPPLY DISTRICT #23 BUFFER ZONE PROJECT**, CIP R-0265-27-2 (R-0000265-0027-2) - **DISTRICT B - JOHNSON – (This was Item 7 on Agenda of September 20, 2006, TAGGED BY COUNCIL MEMBER JOHNSON)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent on city business. MOTION 2006-0854 ADOPTED.
33. ORDINANCE appointing presiding and alternate judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston Regular Election to be held on November 7, 2006; prescribing the maximum number of election clerks for each voting precinct – **(This was Item 21 on Agenda of September 20, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0994 ADOPTED.
34. ORDINANCE authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under Election Services and Translation Agreements in connection with the City of Houston Elections to be held in 2006; authorizing the payment of certain costs of such elections - \$100,000.00 - General Fund – **(This was Item 22 on Agenda of September 20, 2006, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Wiseman absent on city business. ORDINANCE 2006-0995 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Johnson stated that he wanted to recognize some interns from his office who were present in the audience to learn about the process, Ms. Jer'lisa Miles, Ms. Ashley Taylor and Ms. Keyashia Robbins, that he wanted to congratulate them for being interested in the Council process. Council Member Green absent.

Council Member Johnson stated that he was out at one of the civic clubs, Calgary Woods Community, over the weekend and something was brought to his attention some time ago, a

hike and bike trail moving into their neighborhoods, that it was something that he had tried to work on for a little while and was requesting that they meet with the officials of Public Works and come to some kind of conclusion, that what he saw was certainly an easy access into an otherwise very quiet neighborhood, and one of the things they were trying to do was to keep neighborhoods safe and walk able for the residents and when he walked out there every resident who lived in that community was out in opposition of the particular hike and bike trail, they said they walked in their neighborhoods and therefore did not need the hike and bike trail and certainly because they bought a couple of parcels of land and those parcels would certainly give direct access into the neighborhood, that they needed to look at how they would protect the neighborhood with some kind of barrier or wall, that he did not want to hold up progress it was a project that was on before he got on Council so once again he was walking into something that he did not know if the community was brought up to speed on but unfortunately they had to go back in and revisit it so he was requesting if Mayor White could help facilitate the meeting so they could find some kind of barrier or certainly a prevention of crime that in the opinion of the community would take place because of the direct access to that particular community. Council Member Green absent.

Mayor White stated that these were issues where it took some leadership and judgment and they would rely heavily on Council Member Johnson in pulling together a group, on one hand they had many people who had a vision that many areas of their community would be better if there was a way to get from neighborhood to neighborhood by bicycle without being on the street and on the other hand he thought people had concerns especially about security, that some neighborhoods had increased in value significantly because of the amenities such as the miles and miles they had through the Kingwood area and others, there was a fear that was associated with it and they needed Council Member Johnson's judgment so that they could have these trails that would be useful for years and years, that they would work with him on that. Council Members Lawrence and Green absent.

Council Member Lovell stated that she wanted her fellow Council Members to join her in wishing Council Member Johnson a Happy Birthday today. Council Members Lawrence and Green absent.

Council Member Lovell stated that she wanted to commend Council Member Lawrence for her work on the Dangerous Dog Ordinance, that it was a really serious ordinance and she hoped that they pass it next week, that people like the postal carrier who came to Council and people who made their living and had to put up with dogs attacking them should not have to, that families who wanted to have their walks and have their children on their bikes and not worry that they were going to be attacked, and then again last night before last the Lamar FFA Club their animals, sheep, were attacked, as last week the Bellaire FFA, these high school students should not have to go through this they were trying to do something good and she was hoping the ordinance would be able to help out with that. Council Member Green absent.

Council Member Edwards stated that she wanted to give the City of Houston a great handclap of praise for an awesome day and week that they had out of the tragedy of last Thursday with Officer Johnson being killed, that she was amazed at the classic Reverend Lawson presence today and would like to restate and reenergize his caution to them not to let the old days come back where they take tragedies and use them for political platforms, that everything that had to be worked out would be worked out but now was not the time, that it was an awesome thing to see the City of Houston from tow truck drivers to people coming outside of restaurants, that it made her proud, that it was a new season and she hoped they took it and moved forward with it and leave the old things behind, that all the things that they needed to do policy wise would be done, but let the Johnson Family have their moment and let the City have

a moment to celebrate and to grieve but she thought they had more cause to celebrate based on what she saw today.

Council Member Edwards stated that they would have a Council presentation at the Chocolate Bayou Festival at 2:30 p.m., that they were expecting a lot of folks and she wanted to thank people, the Rodeo just signed in with them so they could use the Rodeo parking as a shuttle place, that Metro was working with them and they were encouraging people to park at the Rodeo parking lot and then be shuttled over to the park.

Council Member Lawrence stated that she wanted to say ditto to Council Member Edwards on Reverend Lawson's sermon, she thought he touched many of them today and put everything in perspective, whether it was firefighters or HPD, how much they meant to the City and how much they did for them, and for them to come out and appreciate his life, that it was very hard for a family when they do not get to say goodbye and that was the situation with the Johnson family, so keep their prayers for the officer and his family.

Council Member Lawrence stated that she wanted to thank Mr. Arturo Michel, last night they had about 150 people at a townhall meeting with Wrenwood, these folks would continue to come up, they had a major problem, the City annexed the area in 1974, they did not have City water and had literally been held up by their utility, that finally about a year ago they let the City know, they had some major problems out there, that Public Works, Mr. Cheng, was out there explaining the process and TCEQ was there, they had a lot of good people out there and the residents were very appreciative of Texas American Water for what they were doing, they questioned the rates and they were right in line with what the City approved, but she hoped that Public Works looked at it very hard because it was an area of Houston since 1974 and they always wanted to be a part of Houston and the legal stance and process they would go through she thought the worst thing was when there was a violation, whether it was Neighborhood Protection or anything that was on a piece of property and they could not find the owner, they could not notify them whether they were cutting weeds or whatever and they had a utility where the owner had vanished, so October 4, 2006 TCEQ would declare that he was missing and right now Texas American could really not do much because they really could not take over so it was an unusual situation.

Council Member Garcia stated that he wanted to take a second, he always appreciated watching moments in history and try to understand what they meant and today he saw and heard a sermon or speech that was right up there with Martin Luther King's "I Have a Dream", it was that profound, for Reverend Lawson to work through a social conscious issue, to put things in context, but with a sense of responsibility it was a very profound moment, that Houston was a little less because they did not have Rodney Johnson amongst them, but they were so fortunate to have a leader and mentor and someone wise like Reverend Lawson, that the most important thing he heard was that they needed to respect the Johnson family, that in that same light what did Houston's finest mean, that what he heard today was that here was a Christian man who wore the blue uniform, he was a guy who did a very tough job for 8, 12, 14 and 16 hours a day but never lost perspective of his children and family and community, that he was a power physically guy but with a heart that beat under the bullet proof vest and badge for Houston's less fortunate, that he was not shy to talk about the Gospel, that in human terms Houston's finest, he believed, were the men and women who wore the uniform and did a sometimes thankless job, that it took a lot of time away from their families, their children and they never complain much, but they do it everyday, to him that was what Houston's finest was.

Council Member Garcia stated that the pizza today was brought to them by Rick's Pizza in Denver Harbor and Rick's Pizza was one of the businesses who had felt some tough times during the construction on Lyons Avenue, that the owner delivered the pizza himself and he

wanted to thank him for delivering the pizza and would encourage folks to go to Rick's Pizza. Council Member Edwards absent.

Council Member Garcia stated that on Friday the LULAC Council 18 was going to roast and toast Colonel Rick Noriega, that he wanted to thank the LULAC Council 18 for honoring Colonel Noriega, that it would be held at Brady's Landing. Council Member Edwards absent.

Council Member Garcia stated that on Saturday morning they would be sponsoring a citizenship workshop at the Boys and Girls Club on Airline and it would begin at 8:00 a.m., that volunteers were appreciated and he would ask them to come on by; that at 10:00 a.m. on Saturday the Bonita Houston, who they had been working with and was led by Tyrone Evans, would also be having a community health fair, that it would be held at 2605 Parker Road; that the Lyons Health Clinic would be having a grand opening on Saturday at 5602 Lyons. Council Member Edwards absent.

Council Member Holm stated that she wanted to extend thoughts and prayers to the family of Officer Rodney Johnson, that this morning as they all went into the service heavy laden and grieving for the loss of the life of one of their men in blue she came out with a true celebration of life, that he was a truly much loved and respected man who was a father, brother, husband, friend and counselor who clearly led a truly committed faith guided life. Council Member Edwards absent.

Council Member Holm stated that she wanted to wish Council Member Johnson a Happy Birthday. Council Member Edwards absent.

Mayor White stated that each of them that were blessed to do public service did not know how long they would do it, he frankly never thought that he would see in person the likes of anything that their Country had sometimes seen where God used somebody to put turbulent events in context, obviously Bobby Kennedy's remarks after Martin Luther King's death in Indianapolis and his speech extemporaneous at that time did so and reverberates throughout the decades, he could remember hearing Ronald Reagan's words when the Challenger exploded and he spoke for people, they were privileged to have Bill Lawson among them as a leader who could put in words the moral sense of a community, he was going to make a video tape of that and send it to all of them because it may be that no matter how long they serve in public service that could be an example for all time of something they had witnessed with their own eyes of what moral leadership meant. Council Member Edwards absent.

Council Member Alvarado stated that she wanted to congratulate Reverend James Dixon, who last week was elevated to the Universal Federacy of Bishops and consecrated as a presiding prelate of the Kingdom's Builders Fellowship, she was not able to be there but thought some of them were there and it was quite an honor to have people like Reverend Lawson and James Dixon in their community and she wanted to congratulate them for that. Council Member Edwards absent.

Council Member Alvarado stated that they had a townhall meeting in their district this week and she wanted to thank HPD, the Mayor's Anti Gang Office, especially Victor Gonzales and Trish Harrington for being a part of it, they had a kind of gangs 101 for their civic clubs and it was very successful and she would encourage her colleagues to get those individuals to come to their civic clubs and give the gangs 101 class to some of their civic clubs, they certainly learned a lot, they had some really good people who worked in the Anti Gang office and thought they had some hidden talents there.

Council Member Sekula-Gibbs stated that she wanted to also express her condolences to the family of Officer Rodney Johnson and extend really deep thanks to Pastor Steve Riggle for offering the Grace Community Church for the lovely funeral service that was conducted today as well as to the many chaplains and family members and Pastor Lawson who provided consoling and contemplative remarks, that she was very proud of their Police Department, of their men in blue and was proud of their bravery and professionalism, especially at times like this when they had suffered such a great loss and she respected the magnitude of that loss and the depth of the grief that now blanketed the family as well as the community; that for hundreds of years immigrants had come to the United States to share in the American dream, they had come here for a better way of life and they leave their birth country and leave their native language behind quite frequently and become Americans, that it did not mean that America did not have strong borders and it did not mean that they welcomed criminal illegal's to come to their Country, it was with that sense of great respect that she asked that Mayor White rescind the sanctuary city policy and that he work with immigration and customs officials to rescind that order and to improve their working relationship with immigration and customs in the notion that they protect and improve the safety of their citizens as well as their Police Department and she hoped that he would use this opportunity to make such a change, which had been needed for many many years. Council Members Lawrence, Johnson, Edwards, Khan, Holm, Garcia, Alvarado, Lovell and Green absent. (NO QUORUM PRESENT)

Council Member Brown stated that he was overwhelmed with the service they had today and felt that during that couple of hours got to know Rodney Johnson and felt a connection with him, that he wanted to honor his family and service to the community by just saying, hey big Rodney we love you, that was the way he was inspired in that service, that certainly his life was an inspiration for them all.

Council Member Brown stated that he wanted to speak about the bikeways in Council Member Johnson's district and second what Mayor White had said that they needed connections between neighborhoods, that there was a book that came out about two years ago that had a frightening message and was called "Fortress America" and that was because of the fear of crime and other things that pervaded many of their neighborhoods, they were making the wrong decisions and walling themselves in, they were isolating themselves from their neighbors, that he was hoping that he could be part of an experience with the community to help them understand that connectedness to other neighborhoods was the way to build a real sense of community and if they were wondering about the course of action he thought the thing to remember was to preserve the possibilities, do not rule them out even if they could not work right now.

Council Member Johnson stated that he wanted to say a couple of words about parks which was in the same spirit, neighborhood parks in particular, small parks within easy walking distance of where people lived help to make their City more livable, safer and more beautiful, it was not quantity, it was quality.

Council Member Clutterbuck stated that she wanted to thank Mayor White for the opportunity to be at the service and all of the citizens who came out whether it was to attend the service or to attend yesterday's wake, she went by and was amazed and wanted to thank the people who did show up, to show Houston what Houston was all about, the line just to get in was an hour and a half long, and then today they were privileged to ride back in a bus and passing all of the citizens of Houston, it was just tremendously moving, that she thought it was a reflection of the quality of their City and a call to all of them to be their best selves and she thought that was what Officer Johnson really stood for, he lived his very best in his short 40 years and she appreciated what the minister said, that their lives were not marked by the amount of time that they spend them on earth, but by really what they did with the time they

were, that she would hope that his life was an inspiration to them, that to summarize all of the comments was that he touched people and was the hand of God touching them and affecting their lives and would hope that all of them as leaders in Houston and citizens who lived under the leadership that they would take that as an inspiration and a call to really be their best selves and approach it the way Rodney would, that she wanted to express her condolences to his amazing wife, she was an incredible individual and all of his family.

Council Member Clutterbuck stated that she was losing Marta Cranejo but they were all gaining her, that she was moving to be the Assistant Agenda Director under Marty Stein, that she was not losing her but they were all gaining a little bit more of Marta, that she wanted to thank her for getting her off to a really outstanding start for the past eight months.

Council Member Khan stated that today was really one of the proudest moments for the City of Houston, where they celebrated the life of Rodney Johnson, in his faith's system they say the Lord grants them this life and he takes it away and the lesson was that they all had their own plans but the Lord had his plans and his plans were better, that the amazing thing was that even though they saw the outpouring of love and respect for Officer Johnson on this day the more they knew of his 41 years on earth the more they were impressed how full a life and how much his time on earth needed to be celebrated, not was he one of the finest men in uniform but it showed what the Police Department and Houston police officers were really like, he was one of the most respected colleagues, loving husband and father and the messages which were read by his family members were so touching and it just reminded all of them when they spend all of their time, energy and resources they needed to take time and spend time with their loved ones and share and enjoy the moments they were blessed with with the people who mattered the most in their lives, it was one thing to be remembered when you were gone but to use it as a genuine treasure, that all of the fathers out there needed to spend time with their kids as much as possible, because those were the moments that would be remembered after they were gone, that he wanted to congratulate the citizens of Houston for the display they saw when they were driving back to City Hall, every person who probably never knew Officer Johnson was standing up on the freeway and getting out of the cars and waiting for the funeral procession to follow and he was not sure if Reverend Lawson's wonderful sermon was heard by all Houstonians but seeing those people lined up it seemed like everybody got the message, with the exception of a few, but it was important that they celebrate each other in these times.

Council Member Khan stated that the holy month of Ramadan started last Saturday, all the Muslims around the world were fasting for 30 days, the Mayor's Annual Ramadan Dinner would be next Wednesday outside of City Hall and everyone was welcome.

Council Member Green stated that next Tuesday, October 3, 2006 at 10:00 a.m. in the Council Chamber they would have the Budget and Fiscal Affairs Committee meeting; that on November 2, 2006 from 9:00 a.m. to 3:00 p.m. the Positive Black Male Association would host it's second annual citywide youth conference, that it would be in partnership with the City's Health and Human Services Department and the Houston Community College and would be held at the Third Ward Multi Purpose Center located at 3611 Ennis, if they needed any more information they could contact J. A. Rob at 713-347-0555; that the Missouri City Chapter of the NAACP was holding it's annual Freedom Fun Banquet on Friday, October 6, 2006 at 7:00 p.m. at the Sugarland Marriott Townsquare, that this year's theme was "Voting Our Values, Voting Our Votes", that they could contact Cathy Lang at 713-662-2727. Council Member Garcia absent.

Council Member Green stated that he like all of his colleagues would like to send out his condolences to the Johnson family, he thought they all witnessed something that was very tremendous, that unfortunately for those of them who were here for their second and third term

they had seen it before and was not something that they wanted to see again but unfortunately the reality of life was that they would see it again, so they wanted to make sure that they kept the Johnson family in mind as they went about their daily lives and not just today or next week, but it would be tougher for the family in another month and another three months, so not to just put them on a shelf when the grieving or perceived grieving was done, on the same not to not take them off of the shelf when they needed a political platform, that he did not think he would even address it but as Council Member Khan said some people may not have heard Reverend Lawson, that he thought they did themselves a disservice, no matter what they believed about any issue when they use the memory or use a person who had met such a tragic end only, purely, for political gain, that he said the same thing when he sat on the other side of the Council table when they had the SafeClear issue when shortly after the SafeClear program was instituted a gentleman was killed while he was crossing the street and he thought some of the people who were lobbying against SafeClear used that argument that SafeClear was the reason why the gentleman was killed, his family did not believe that was the reason and in fact they were quite offended by the fact that people were using his memory and using the circumstances of his death for nothing but purely political and economic gain, he thought the City had shown itself to be true friends of the Johnson family and thought they all carried themselves with the utmost dignity and the utmost respect to the family and he thought they carried themselves with the utmost integrity and once again no matter what they aspired to do after they left the City Council he really believed if anybody around the table or the City if they really cared anything about those five Johnson children and his grieving wife they would not stoop so low to use this man's memory to advance a political career that may or may not be going anywhere and that was for anybody or any agenda, whether it was political or based on hate, that he really believed they were all really above it and thought the citizens of Houston expected more of them and it was up to them to really show them that they were all on the same team, Officer Johnson, they all worked together, they all had some responsibility for what went on in HPD, they were not HPD officers and with all due respect to Council Member Garcia, he certainly did not portray himself as knowing the bond between police officers but he was sure all of them around the Council table had bonds with their own brothers and sisters and their own organizations of which they were members, but once again he would like to implore all of the Members around the table to take the high road, don't live down to what people expected of politicians, it gave them a bad name, and he thought over the last few years they had shown that they were above that around the Council table. Council Member Garcia absent.

There being no further business before Council, the City Council adjourned at 3:22 p.m. Council Member Wiseman absent on city business. Council Member Garcia absent.

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

MINUTES READ AND APPROVED

/S/Anna Russell

Anna Russell, City Secretary