

City Council Chamber, City Hall, Wednesday, November 5, 2008

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, November 5, 2008, with Mayor Bill White presiding and with Council Members Toni Lawrence, Jarvis Johnson, Anne Clutterbuck, Wanda Adams, Mike Sullivan, M. J. Khan, P. E., Pam Holm, Adrian Garcia, James G. Rodriguez, Peter Brown, Sue Lovell, Melissa Noriega, Ronald C. Green and Jolanda "Jo" Jones; Mr. Arturo Michel, City Attorney; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Claudia Vasquez, Director, Citizens Assistance Office; Ms. Martha Stein, Agenda Director and Ms. Marta Crinejo, Assistant Agenda Director, present.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:15 a.m. Mayor White called the meeting to order and stated they had a special presentation before they began the official Council meeting and recognized Council Member Lawrence. Council Members Johnson, Garcia and Brown absent.

Council Member Lawrence stated that she wanted to thank her colleagues, that this month had been dedicated for all the employees to give so for one month they had given money to any charity they wanted to and that was so important for them to be a part of the 501(c) (3) throughout the Nation, that she wanted to say thank you to all the people who had participated in the City, making money and raising money; that being in charge of the Council floor and being on the Rodeo Swine Committee, they decided to have a little bit more fun so they challenged every Council office to raise money and they asked the Council office who raised the least amount of money to kiss the pig with lipstick; that they had a chart to post the loser who got to kiss the pig and asked that Council Member Holm come forward to kiss the pig. Council Members Johnson, Garcia and Brown absent.

Council Member Lawrence stated that the pig could not be possible without Bruce Fowler from Lawlers and today they were going to make a presentation to Lawlers Cheesecake and Food Company and requested the Mr. Lawler come forward and Council Member Lawrence presented him with a proclamation and Mayor White proclaimed Wednesday, November 5, 2008 at Lawler's Dessert Day in Houston, Texas. Council Members Johnson, Garcia and Brown absent.

At 9:24 a.m. Mayor White called on Council Member Green for the prayer and pledge of allegiance. Council Members Johnson, Garcia and Brown absent.

At 9:25 a.m. Mayor White requested the City Secretary to call the roll. Council Members Johnson, Garcia and Brown absent.

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

Mayor White stated that they would move to the public hearing. Council Members Johnson Garcia and Brown absent.

#### **HEARINGS - 9:00 A.M.**

1. PUBLIC HEARING on proposals for the City of Houston to enter into separate strategic partnership agreements with the below named districts in Harris County and Fort Bend County; on separate proposals by the City of Houston to annex for limited purposes certain territory

within said Districts and certain territory in the vicinity of certain Districts; and on separate proposals by the City of Houston to amend the regulatory plans for limited purposes of certain territory in the vicinity of certain Districts:

- a. Amending the existing strategic partnership agreement with **Chelford City Municipal Utility District**;
- b. Amending the existing strategic partnership agreement with **Harris County Water Control and Improvement District No. 36**;
- c. **Addicks Utility District**;
- d. **Harris County Municipal Utility District No. 500** involving the Towne Lake Management District;
- e. **Harris County Municipal Utility District No. 501** involving the Towne Lake Management District;
- f. **Harris County Municipal Utility District No. 503** involving the Towne Lake Management District;
- f. **Cinco Municipal Utility District No. 2**;
- h. **Cinco Municipal Utility District No. 5**;
- i. **Harris County Municipal Utility District No. 49**;
- j. **Harris County Municipal Utility District No. 71**;
- k. **Harris County Municipal Utility District No. 106**;
- l. **Harris County Municipal Utility District No. 144**;
- m. **Harris County Municipal Utility District No. 165**;
- n. **Harris County Municipal Utility District No. 166**;
- o. **Harris County Municipal Utility District No. 278**;
- p. **Harris County Municipal Utility District No. 371**;
- q. **Harris County Municipal Utility District No. 383**;
- r. **Harris County Utility District No. 15**; and
- s. Amending regulatory plans for certain territory previously annexed for limited purposes located in Harris County and Fort Bend County, located in the vicinity of various municipal utility districts and other similar entities as listed in the ordinance – was called. Council Members Johnson, Garcia and Brown absent.

The City Secretary stated that Ms. Margaret Wallace would make comments on the hearing. Council Members Johnson, Garcia and Brown absent.

Ms. Wallace stated that for the following districts the City would amend the existing agreement by adding new territory, that there was no territory outside the utility district to be included in the annexation, the area was entirely commercial, there were no residents, that the City would levy a 1% sales tax, which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed and it would not provide any other public services; that these districts included Chelford City Municipal Utility District and Harris County WCID No. 36; that for the following districts the City would execute a new Strategic Partnership Agreement, there was no territory outside the utility district to be included in the annexation, the area was entirely commercial and there were no residents, that the City would levy a 1% sales tax, which it would divide evenly with the utility district, the City would not enforce the fireworks ban in the area to be annexed, nor would it provide any other public services, that Addicks UD, Harris County MUD No. 500, Harris County MUD No. 501, Cinco MUD No. 2 and Cinco MUD No. 5, correction, for those MUDs the City would enforce the fireworks ban in the areas to be annexed; that for the following districts the City would execute a new Strategic Partnership Agreement, there was territory outside the utility district to be included in the annexation, the area was entirely commercial, there were no residents, that the City would levy a 1% sales tax, which it would divide evenly with the MUD, the City would enforce the fireworks ban in the area to be annexed, including the territory outside the district, that it would not provide any other public services, Harris County MUD 49, Harris County MUD 71, Harris County MUD 383, Harris

County MUD 106, Harris County MUD 165, Harris County MUD 166, Harris County MUD 1449, Harris County MUD 278, Harris County MUD 371, Harris County MUD 503 and Harris County Utility District 15; that in addition, for all existing regulatory plans that included, as part of their provision, Chapter 33 of the Fire Code for Territory in the vicinity of, but not part of existing SPA, the City would amend those regulatory plans to read, the City of Houston would enforce Chapters 33, Section 3301.2.2 of the 2000 International Fire Code or any successor chapters, that since the City did not have a zoning ordinance the area would not be zoned and no other services would be provided. Council Member Johnson absent.

The City Secretary stated that no one had reserved time to appear on the hearing and asked if there was anybody in the audience who wished to be heard concerning the published, and there was none. Council Member Johnson absent.

Council Member Khan moved to close the public hearing, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Johnson absent. MOTION 2008-0816 ADOPTED.

Council Member Green moved to suspend the rules to consider Item Numbers 2 and 3 out of order, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Johnson absent. MOTION 2008-0817 ADOPTED.

Council Member Lawrence moved to suspend the rules to consider Item No. 5 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Johnson absent. MOTION 2008-0818 ADOPTED.

Mayor White and Members of Council congratulated Council Member Garcia on winning the election for Sheriff of Harris County, that they were all very proud of Council Member Garcia who led all candidates countywide, that he had been an incredible representative of the people and a true public servant, that they wanted to congratulate him on the way he conducted his campaign, and Council Member Garcia stated that he wanted to thank them all. Council Member Johnson absent.

2. CONFIRMATION of the appointment of **MS. JANIECE LONGORIA** to the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY**, for a two-year term – was presented, moved by Council Member Garcia, seconded by Council Member Green. All voting aye. Nays none. Council Member Johnson absent. MOTION 2008-0819 ADOPTED.

Members of Council congratulated Ms. Janiece Longoria on her appointment to the Port of Houston Authority of Harris County and thanked her for her public service. Council Member Johnson absent.

Ms. Longoria stated that she wanted to thank them for giving them the honor to serve them as one of their representatives on the Port of Houston, that they never forget that they were public servants representing all of the members of the community and the region and they worked very hard every day to earn an A, and to please let them know if they ever do not meet their expectations with what they were doing at the Port of Houston. Council Member Johnson absent.

Mayor White stated that he wanted to thank her and all Members of the Port for building the port and taking it in new directions, that they knew some of the general policies that the City had tended to promote with them at the City of Houston and they would support them in the future, that they needed to remove barriers that existed, international trade which brought jobs and they needed to make sure that they were mindful of the fact that they lived in a growing community where the presence of various kinds of industrial activity near neighborhoods

created greater needs for environmental stewardship, in emissions and noise, and he knew that was a principal that had been adopted and embraced by the Port of Houston, and Ms. Longoria stated that was one of their primary interests, to increase their environmental awareness and stewardship, and Mayor White stated that there had been winds of change and some times they were not all in the same direction, the winds of change within the Country, but within the community the winds of change were that they conduct all government in a transparent purpose, that it was improper for any elected official, he or anybody else, to try to influence the selection of contracts, vendors and consultants by members of public bodies, that they should be chosen, and contracts should be awarded based on what the best value for the taxpayers and citizens were and they should have very strong supporters of MWBE goals that were clear, transparent and met as such, and if people kept those rules in mind in the governance she had the full support of the City of Houston, that some would say there were winds of change in the local government and he would support the Port in making sure that everything that it did was done in a transparent fashion and as she noted that he and Members of the City Council had not tried to influence things like vendor selection or who was hired as a consultant of the Port or anything else and if anybody attempted to do so he believed it would be both improper and illegal and he knew that she and Members of the Port Board and the management of the Port would cherish and embody those values of transparency in their governance.

Ms. Longoria stated that she would like to say that they at the Port of Houston had the model for small business in the State, that Gilda Ramirez, Director of Small Business, had created a wonderful program that other governmental subdivisions were now using as a model; that she wanted to offer her very hearty congratulations to their new Sherriff elect Adrian Garcia, who ran a wonderful campaign, that he would make a wonderful sheriff.

3. CONFIRMATION of the appointment of **MR. DOUGLAS ELLIOTT** to Position 10 of the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for a two-year unexpired term that will end on March 1, 2010 – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0820 ADOPTED.
5. RECOMMENDATION from Director Parks & Recreation Department for the renaming of **CARVERDALE PARK** to **R. L. and CORA JOHNSON PARK - DISTRICT A – LAWRENCE** – was presented.

Council Member Lawrence moved to suspend the rules to move Item No. 5 back to it's original order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Rodriguez absent. MOTION 2008-0821 ADOPTED.

At 9:48 a.m. Mayor White stated that they would move to the public session and the City Secretary began calling the public speakers. Council Member Rodriguez absent.

Mr. David Phillips, 3238 Las Palmas, Houston, Texas 77027 (713-355-8311) had reserved time to speak but was not present when his name was called.

Mr. Charles X. White, 8607 MLK, Houston, Texas 77033 (7130292-3436) had reserved time to speak but was not present when his name was called.

Ms. Maria Stowe, 1525 32 1/2 Street, Houston, Texas 77022 (832-767-0404) had reserved time to speak but was not present when her name was called.

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (281-995-5995) had reserved time to speak but was not present when his name was called.

Mr. Robert Lynn, 14102 Lorne Drive, Houston, Texas 77049 (832-606-3489) appeared, presented information and stated that this was about their contract and what Mr. Frank Wilson had done to them as a group of individuals; that it was obvious he took them for granted by taking away every conceivable bonus they had with September 30th being the last time he took; that on the front page of his presentation it said Special Contract and Pension, he said he increased pension funds to \$60.00 a year, but page two it said pension and he said for 30 years you received \$2,160, but 30 times 60 was 1,800 so that was fraudulent; that he also said on the front page the contract would bring 2nd Tier Operators closer to the Top Tier, but page four showed the Second Tier Pay Scale and Front Tier Pay Scale and the second got 17.13 and was moving to 19.00 and the front Tier got 19.23 and was moving to 21.13 which was 3¢ different and Longevity Pay was in bold letters saying it would be paid September 30, 2008, and they did not receive the money; that they were told they had an ultimatum to either take 1% or he would give them longevity if they took that 1%, but they could not afford to take 1%; that he received 10% in August and he called it a rise with economy, but there was no rise for them; that he took away their longevity pay which on page 5 showed the longevity explanation which was getting a maximum of \$600.00 and raises he claimed to have given them he took away; that on the front page it showed 9.6%, but it totaled to 5.1% in reality. Council Members Johnson, Clutterbuck, Khan, Holm and Garcia absent.

Mayor White thanked Mr. Lynn for coming; and asked if the front page he referred to said published by TWO International & TWU Local 260; and upon questions, Mr. Lynn stated that was correct; that he came as they wanted their longevity back; and Mayor White thanked Mr. Lynn for coming to share their concerns, but he would tell him they did not intervene in labor management relations concerning METRO, but they did want METRO to observe all laws to the rights of organized labor, the labor union, but they did not dictate to the labor union either. Council Members Johnson, Clutterbuck, Khan, Holm and Garcia absent.

The City Secretary stated that Mr. Dell York had previously been called and was now present and would speak at this time. Council Members Johnson, Clutterbuck, Khan, Holm and Garcia absent.

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (281-995-5995) was recalled and appeared and stated that Mayor White had asked for a list of things to do with the mulch and he had a good suggestion; that at the Almeda Sims Plant there was 50 acres right beside it and there was a wood fire gas location plant in Philadelphia, Pennsylvania, which was bought and never used because they did not have enough wood, but Houston did and the gas could be used for one of the dryers there and replace the natural gas being used; that there could be wood fires all over Houston from the large stacks of mulch; that they could buy it for pennies on the dollar and it could be shipped in a week and he had all the information. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm, Garcia and Noriega absent. (NO QUORUM PRESENT)

Mayor White thanked Mr. York for coming and stated that he understood what he was saying and if he saw it as an opportunity to pursue they would encourage him to do so, but in general the city would not be in the power business, but they would buy power from people at competitive prices; and Mr. York stated that he was not able to do it. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm, Garcia and Noriega absent. (NO QUORUM PRESENT)

Ms. Patricia Simmons, no address (no phone) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm, Garcia and Noriega absent. (NO QUORUM PRESENT)

Ms. Johnny Mae Riley, 7714 DeMoss, Houston, Texas 77036 (713-272-0828) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Johnson, Clutterbuck, Adams, Khan, Holm, Garcia and Noriega absent. (NO QUORUM PRESENT)

Ms. Mary Norris, 5055 Bayou Vista Drive, Houston, Texas 77091 (713-681-8654) appeared and stated that she owned property on the corner of Golf and Judiway and there was a senior center there and a building beside it; that she had it 30 years and had flooded twice where the big building was demolished; that she recently found out there was a 50 feet wide flood easement under her property and went the complete distance of her property and into the next property and the next property; that she understood that the Brickhouse Gully was going in and she saw the men working at the end of Golf Drive and they were told a sewer system would be put in; that she was asking if they would discontinue the easement under her property which was 62 years old; that she could not sell her property because of it, they had a contract on it and lost and that was how she found out about it. Council Members Johnson, Adams, Khan and Garcia absent.

Ms. Norris introduced Mr. Tommy Smith, her realtor, and Mayor White stated that they had many public speakers and in accordance with the rules it would take a motion to take the speaker; and Ms. Norris displayed a picture showing where the easement ran and stated that she would do anything to have it removed with them adding the sewer across the street; and upon questions by Mayor White, Ms. Norris stated that they had a lawyer, Mr. Bamberg, who was supposed to contact the city; and Mayor White stated that he would ask representatives of the City Attorney's Office and it may require work with Planning and maybe Council could get a little information and determine whether it was in Planning or Public Works and get to the bottom of it; that he was not saying they knew what they would do, but they did have experts. Council Members Johnson, Khan and Garcia absent.

Council Member Lawrence thanked Ms. Norris for coming and invited Mr. Smith to make his remarks; and Mr. Smith stated that he would reiterate what Ms. Norris said; that he was in close contact with the Harris County Flood Control District and he knew Hurricane Ike set things back, but the project Brickhouse Gully was put into place before and there was a vacant park across the street; that this ran basically 1/3 of an acre and crippled her trying to sell, the property was basically useless unless this was resolved; and with the construction would they abandon what was under her property; and Council Member Lawrence stated that many of the ditches were taken care of by the county, the county had many projects and the Public Works Department was totally separate and they were not necessarily notified of county projects and she would introduce him to Mr. Norman in Public Works and they could find out what the county was doing and encouraged him to make the same presentation at the County Commissioner's Meeting. Council Members Johnson and Garcia absent.

Mayor White stated to Council Member Lawrence he would first find legal status and if she thought it was city, county; and upon questions, Council Member Lawrence stated that it was both a sewage and drainage easement and the county was doing a lot of work in the area and she was pretty confident it was a county project, but they could find out for sure; and Mayor White stated rather than Legal he would like Mr. Norman to take a look at it, he thought Council Member Lawrence was usually right on point; that they did want to decrease flooding and was not sure of what was being done, but did not want anyone to get the run around and they would get to the bottom of it and Mr. Norman was present to speak with her at this time. Council Members Johnson, Sullivan and Garcia absent.

The City Secretary stated that Mr. Charles X. White had previously been called and was now present and would speak at this time. Council Members Johnson, Sullivan and Garcia absent.

Mr. Charles X. White, 8607 MLK, Houston, Texas 77033 (7130292-3436) was recalled and appeared, presented information and stated that he was present submitting a request from the City of Houston, a partnership in relation to Public Safety and more specifically, Community Emergency and Disaster Readiness, the request was consistent with existing mutual aid agreements and interoperability agreements currently enforced by the city and county with various providers; that the scope of the request was rooted in the language contained in Presidential Directives 5 and 8 and under the banner of Charity Productions and their University Collaborative they were seeking federal and private funding to enhance community first responders training, equipment and exercises using the National Incident Management System, the National Preparedness Framework, Homeland Security Exercise and Evaluation Program and Lessons Learned; that he would like to formalize Charity Productions' 24 years of service to the city to a semi-formal functional context in such a way the relationship would be mutually beneficial in their dual effort to provide services to people of Houston; that Charity Productions had presented workshops, trainings and projects with the City's Office of Emergency Management, Police and Fire Departments, Municipal Courts, Mayor's Anti Gang Office, Mayor's Office of Public Safety and the Mayor's Ministerial Advisory Board; that their partners as well as he held all necessary training certifications and expertise to provide quality collaboration with community groups including C.E.R.T.; that recognizing the response and conditions during hurricane Ike many community groups that worked before, during and after the storm realized the city and the county had manpower and resource limitations and by forming an expanded partnership with their request representing targeted populations identified as vulnerable populations was a core principle in the National Incident Management System's protocols and it was within the Mayor and Council's authority in compliance with federal guidelines and by authorizing the request the city's goal of reducing loss of life and property would be expanded; and urged they review the request and not an either or situation but both. Council Members Lawrence, Johnson, Sullivan, Holm and Garcia absent.

Upon questions by Council Member Adams, Mr. White stated that he would ask Council review this as a both situation instead of an either or; that the partnership was not financial, they were not asking for money at this point; that the city and county had manpower limitations and existing C.E.R.T. programs had functional limitations and in the community they were able to expand and target specific response with teams and taskforce and improve the response time, however, to have a mutual aid agreement, non financial and consistent with federal regulations it would assist them in applying for money to provide services, training and equipment. Council Members Johnson, Holm, Garcia and Green absent.

Council Member Khan stated that he appreciated what he did for the community; that Mr. White and his colleagues were instrumental in a situation which developed between store owners and a local community in the Sunnyside area and he was thoroughly impressed and appreciated the leadership shown; and upon questions, Mr. White stated that the federal government gave the city and the county funding, there was a component called mitigation and in the mitigation process the community should be included, however, they experienced exclusion from the process and there was dual funding, options for communities and they would like a mutual aid agreement that all municipalities could provide for their continuation as they had gone as far as they could without the funding; and Council Member Khan stated that they did not make decisions for funding like this, but if resources were available through Homeland Security for community preparedness and other communities took advantage of it he thought Houston should do the same and in that regard supported it. Council Members Johnson, Holm, Noriega and Green absent.

Council Member Jones thanked Mr. White for all he did and stated that she was confused and upon questions, Mr. White stated that he wanted a mutual aid agreement to help seek funding from private foundations, one being the Kellogg Foundation and two being FEMA; that

they were not asking the city for money, they would be asking the Kellogg Foundation and FEMA and in their packet would be the memorandum of agreement with the city saying specific things the city supported as a community based organization and community readiness process; that he was certified and Homeland Security screened and they had expertise for their own training; that a mutual aid agreement was part of the NIMS Package and a mutual aid agreement clearly identified what each group was doing for each other in a specific time frame under specific conditions, an example being basically a six month time frame during the emergency and disaster season and when a disaster happened; that in this town they did not have medical triage transport sites which he proposed in 2002, it was a concern of the Medical Center, but they had a church retrofitted with a generator specifically for medical triage; that the mutual aid agreement would help them be more competitive in getting funds for when they were needed. Council Members Johnson, Noriega and Green absent.

Council Member Brown thanked Mr. White for coming and stated that he agreed they did need an expanded community partnership in terms of more effective emergency management and recovery; that the existing community social infrastructure needed to be an important part as government could not do everything; and upon questions, Mr. White stated that he would say yes and no, nothing had transpired; that relating to the county they had been in discussion with them for five years and no traction and the city was allusive and no traction so today he was asking for an expanded mutual aid agreement which was already in guidelines being used by the city and the county; and Council Member Brown stated he would encourage the Administration to designate someone to reach out to them and other community groups who wanted to be a part of a larger network to help meet needs during time of disaster. Council Members Rodriguez, Noriega, Green and Jones absent.

Mayor White thanked Mr. White for coming and stated that he thought an appropriate way was to have a committee meeting of Public Safety and Homeland Security and evaluate issues in which citizens respond; that on the medical triage side of it there was a whole process and team and tremendous resources which went in to it; and to Council Member Noriega stated that he thought they could have a hearing and he would do follow-up with FEMA and there were also county programs; that he would ask Ms. Stein to show her lessons learned with Dr. Persse and Chief Stroemski and Chief Flannigan and many others who were very much involved in the response, just have a hearing on what went right and wrong. Council Members Rodriguez and Green absent.

Ms. Rocky Jackson, 4619 W. 34th #313, Houston, Texas 77092 (832-889-6440) had reserved time to speak but was not present when his name was called. Council Members Rodriguez and Green absent.

Mr. John Handrick, 3525 Stage, Houston, Texas 77056 (832-876-3862) appeared and stated that he was a personal trainer and had an After School Program with HISD and he taught about fitness and nutrition; that currently there was an obesity problem and things in place were holding him back; that they wanted to know why they could not eat healthier, but in school pizzas were being sold and he was their voice, they wanted to know why there was no recess, why there was no equipment for them and he could change the lives of 20 children at a time, but needed funding and equipment; that he could change the rest of their lives, in 5 to 10 years the children would be in the healthcare system, already some were, many were taking medication for people twice their age; that they should not have to eat unhealthy in schools and he should not be the one trying to talk food; that those he taught were hungry for the right food and they needed community partners in neighborhoods, grocery stores needed to step up and help families who could not afford it, inexpensive foods were unhealthy and high in fat; that the chain of obesity needed to be broken and his program did that, it educated parents and children; that he was looking for resources to teach the children. Council Members Rodriguez and Green absent.

Mayor White thanked Mr. Handrick for coming on an important issue. Council Members Rodriguez and Green absent.

Council Member Jones thanked Mr. Handrick for coming and stated that the city and HISD were separate from one another, but it seemed it would be great for him to start a business plan or a 501C3; and Mr. Handrick stated that the plan he had was funded and with the little money provided he provided foods and equipment, but some funds came out of his pocket as well and as for HISD he would love to know who to go to as emails did not get him very far; and Council Member Jones stated that her office would help make introductions to him on the HISD board. Council Members Lawrence, Rodriguez, Lovell and Green absent.

Mayor White stated that the epidemic in Diabetes was a double digit percentage increase since 2005 and was very serious. Council Members Lawrence, Rodriguez, Lovell and Green absent.

Council Member Noriega stated that some did fall under the school district, but the first thing which happened in schools which were stressed, when their budgets were reduced or scores dropping they did away with all activities, physical, music, etc., anything which got kids up and moving were the first things to go and in a family which was stressed, one which did not have enough income to meet all their needs was the fresh meat, produce, etc., fell by the wayside as well; that as a community to say it was someone else's job was not the right response; that there were many programs, the city had urban gardens and working to increase it and many things could contribute to the solutions just as they did to the problems; that the school system in the city was crucial to the economic and financial future, there would be benefits to having dialogue with the schools and she would encourage thinking on whispering in their ears; that nothing was more important than education and this issue was complicated but she thought it could be solved and thought they could speak up and make a difference; and Mayor White stated that Council Member Johnson had a committee and in that spirit his coaching would be to start with a school and see if there was something they could do with medical records there and problems being seen with diets with empty calories and animal based fats, etc., there may be things later in life but Diabetes was seen now; that Council Member Johnson, Ms. Vasquez and Ms. Linda Clark with his office may be resources and Council Member Noriega worked in the school system; that he learned if you could not do something in a school it was unlikely you would do it in all schools and if he was willing to develop time and energy. Council Members Garcia, Rodriguez, Lovell and Green absent.

Council Member Johnson stated that as the Mayor pointed out the programs were absolutely needed and he would encourage him to continue; that a few years ago Houston wore the label of the fattest city in the country and as that was taken from adults children took their orders from adults and they needed to work better and get themselves in order to teach the children; that he used to work with children and it was not that they were hungry, but that they ate the wrong foods and that led to many other problem; and upon questions, Mr. Handrick stated that he was funded through the 21st Century Program, he did not have his own nonprofit; and Council Member Johnson stated that he would encourage him to have his own nonprofit as he already had his own curriculum, etc., and there were opportunities for funding out there; and upon further questions, Mr. Handrick stated that he was currently at Davis High School; and Council Member Johnson stated that they knew some of the board members there and maybe they could point him in the right direction and he would be contacting him. Council Members Khan, Garcia, Rodriguez, Brown, Lovell and Green absent.

Council Member Adams thanked Mr. Handrick for coming and his compassion and stated that the City of Houston had in place After School Programs and since they liked doing pilot programs to see if they worked could they implement a wellness program through the Parks

Department, they were getting the same students in their programs; that she found out last week stroke victims were getting younger and younger and the youngest she was told was nine; that they could be proactive and set the bar; and Mayor White stated that this was why he was considering a hearing on the issue of Juvenile Nutrition, there were so many innovative thinkers including Director Williams and Director Turner, they had been expanding the wellness program and hiring for more expertise and he would like to get it out there and show people how to plug in, but he would suggesting starting at one school, getting a good principal and see how they could help. Council Members Khan, Garcia, Rodriguez, Brown, Lovell, Green and Jones absent.

Council Member Lawrence stated that a couple was present for another reason but they had a fabulous program in Carverdale Park with children and they worked with CyFair and wanted to expand to HISD; and asked the Johnsons to raise their hands so maybe they could meet, their programs together may be a very good match. Council Members Garcia, Rodriguez, Brown, Lovell, Green and Jones absent.

Mr. Melvin Hughes, 4710 Charade, Houston, Texas 77066 (281-213-7083) appeared and stated that he worked for the City Water Department and today was present as a representative of the Houston Organization of Public Employees (HOPE); that they came last month to Council after being denied to city working facilities where they wanted to provide relief to employees after Hurricane Ike; that he was happy they were then able to enter 25 worksites, because Council realized assistance was needed; that they helped many employees and he thanked them for allowing HOPE to provide assistance and showing they respected them. Council Members Holm, Garcia, Brown, Lovell, Green and Jones absent.

Mayor White stated to Mr. Hughes and others there were some 1,400 plus employees who had their residence destroyed or substantially damaged and for all those with HOPE and the HR Department and others who helped city employees he wanted them to know when specific instances came to his attention they would see what could be done to resolve it just as any good employer should do. Council Members Holm, Garcia, Lovell, Green and Jones absent.

Ms. Nicolle Sanders, 11555 Bissonnet, Houston, Texas 77099 (281-703-0247) appeared and stated that she worked in the Public Works and Engineering Department with the City of Houston and also had stood before Council as Mr. Hughes had and today was representing the Houston Organization of Public Employees (HOPE) as well; that she remembered stating to Council who was responding to the first responders and now she was honored to say Council responded and she was present to express their gratitude to Council for their help in allowing them to gain access and assist city employees and their HOPE members; that they were able to reach about 3,000 city employees with gift cards and about 200 more submitted applications for more substantial assistance toward the damages caused by Hurricane Ike; that some who received the gift cards saw greater needs in others and gave their cards to others and they looked forward to more collaboration with the city and she congratulated the Mayor and Council for working with the employees toward a greater change. Council Members Garcia, Green and Jones absent.

Council Member Khan thanked Pastor Sanders for coming and stated that she was one of his constituents and had been instrumental in helping large numbers of people after Katrina and Rita also; that she teamed up with Mr. Bandara, an apartment owner, and they set up two apartments dedicated to helping people with spiritual and emotional needs and services; and he thanked her for all she did for the community. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Green and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Alejandra Valles, 4299 San Felipe #300, Houston, Texas 77027 (832-331-0938) appeared and stated that she was the executive director of HOPE and present today to thank

the Mayor and Council Members for expressing support and allowing HOPE access to worksites and allowing them to help city employees after Hurricane Ike; that they wanted to especially thank Council Members Lovell, Johnson, Jones, Noriega, Garcia, Brown and Adams for their strong advocacy on the issue on behalf of city workers and wanted to commend Mayor White for his proactive approach in forming a subcommittee to address the impact of Hurricane Ike on city employees and through the committee they were able to address Council again and express the need for more help in reaching out to more employees; and thanked Council Members Johnson and Lovell for their leadership on the subcommittee they did not get all they wanted but did come to a compromise with the Administration and thanked Candy Aldridge for reconsidering her initial denial of access to HOPE of worksites and coordinating access for them to 25 sites; and shared a story of a single mother and her children after the hurricane; and again thanked Council for their actions in making a difference. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Adams thanked all with HOPE for coming and stated that she could sit in her seat and be proud; that she was a former city employee and HOPE member and she thanked all of them; that HOPE stood for Houston Organization of Public Employees but also that they helped, they provided all needed during the disaster and she thanked them for their compassion and concern to those who could not come and stand for themselves. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Council Member Brown stated that he thanked Ms. Valles and Mr. Hughes and Ms. Sanders for coming; that it was nice for Council to be thanked and he thought HOPE, particularly today, was a good work, hope was spreading and their HOPE union was a model of a creative partnership between the employee, employer and union and all were supportive of it and encouraged them to keep on trucking and keeping the pressure on them as a Council. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Vice Mayor Pro Tem Lovell stated that she also wanted to thank them; that they were in a situation they were never in before and she was proud of how they all kept their focus on doing what was right for the city employees, making sure their needs were met. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Ms. Olga Ochoa, 11623 Brook Meadows, Houston, Texas 77477 (281-850-3925) had reserved time to speak but was not present when her name was called. Mayor White, Mayor Pro Tem Garcia, Council Members Lawrence, Holm, Noriega and Jones absent. Vice Mayor Pro Tem Lovell presiding.

Mr. Tony Morris, 2400 S. Loop West, Houston, Texas 77054 (832-785-4855) appeared and stated that this was a glorious morning; that today he was present to speak on the election as last night he had the pleasure of being with so many democrats at their Democratic Party and he saw many friends win and one lose, Mr. Noriega and his wife still came and saluted the crowd; that he also went to the Republican Party and met friends, but not many were left; that this was a new day for the city and Harris County, there was a sweeping change in the judicial system and congratulated Council Member Garcia for becoming the new Sheriff for Harris County; that he also wanted Council to consider a place on Richmond Avenue becoming a landmark, it was a restaurant and bar and had been shut down a long time and was deteriorating, but it was a tremendous work of art and presented two pictures to remind them of what it looked like. Mayor White, Council Members Adams, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia thanked Mr. Morris for coming. Mayor White, Council Members Adams, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mr. James D. Robinson, 3602 Burke, Pasadena, Texas 77540-2353 (713-378-0693) appeared and stated that he came before Council last week asking for help and his situation was the same; that last year someone hit him on the freeway on his way home; that he had been drinking and was on his way home from a club, but he was someone who hit people on purpose in conjunction with insurance companies and the Houston Police Department and the investigating officer showed up after he had disabled his vehicle and the report was falsified so his insurance company could pay the one who hit him; that in August he asked HPD to help in correcting the arrest report and they refused to do so and that was why he came last week. Mayor White, Council Members Adams, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mayor Pro Tem Garcia stated that he understood Mr. Robinson had been communicating through Assistant King's office and he thought at this point the recommendation was for him to seek private counsel as the department would not be changing the report status. Mayor White, Council Members Adams, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-437 (832-407-5344) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Adams, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mr. Vivek Goel, 8450 Cambridge, Houston, Texas 77054 (713-240-9981) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Adams, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and stated that he was going to straighten the time business out with his letter from the U. S. District Court, they had a problem with who was in order and in charge; Clark Kent; Daily Planet News Paper; NBC Universal, Inc.; and continued with his personal remarks until his time expired. Mayor White, Council Members Adams, Holm and Jones absent. Mayor Pro Tem Garcia presiding.

At 11:06 Mayor Pro Tem Garcia stated that they would move to the Monthly Financial and Operations Report and the Quarterly Investment Report and recognized Ms. Annise Parker, Controller and Ms. Michele Mitchell, Director of Finance. Mayor White and Council Member Jones absent. Mayor Pro Tem Garcia presiding.

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 and a Quarterly Investment Report by the City Controller – was presented. Mayor White and Council Member Jones absent. Mayor Pro Tem Garcia presiding.

Ms. Annise Parker, City Controller and Ms. Michele Mitchell, Director of Finance, reviewed the Monthly Operations and Financial Report, a copy of which is on file in the City Secretary's Office for review. Council Members Garcia and Jones absent.

Ms. Parker received the Quarterly Investment Report, a copy of which is on file in the City Secretary's Office for review. Council Members Garcia and Jones absent.

Council Member Clutterbuck moved to accept the Monthly Operations and Financial Report and the Quarterly Investment Report. Council Members Johnson, Garcia and Jones absent.

Upon questions by Council Members Khan and Holm, Ms. Parker stated that there would be a Pension Committee meeting that Council Member Holm was chairing on Thursday afternoon, that the pension was not affected by changes in the stock market, the pension benefits received by the employees were affected by negotiated benefits changes, to remember they were working off of a 30 year horizon, that where the impact would be was that the City would have to move more money into either the UAAL or the current allocation, that it had no impact directly at all on the benefits that the employees receive; that there would be a full discussion on Thursday, but it was sampled once a year and the liability was fixed at that point by the actuaries, they did not go in with all the fluctuations in the market, that it was limited, the peaks and valleys were also removed as they did their projection, so yes it would have an impact long term, but the impact of concern to Council was whether it would require an infusion of more funds from the budget if they make that allocation. Council Members Garcia and Rodriguez absent.

After further discussion, Mayor White stated that he would encourage the meeting, that it could be the last meeting of the Pension Committee and he would ask individuals to focus and he would ask employees and Members of the Pension Board, to focus on what the trends were over time, that they set up the pension funds, and the pension fund reforms that were done in police, and municipal, that twice in municipal they went back, so that the trends, the lines on the ultimate liabilities and assets over time would cross, they did not, and he was against something that was totally disruptive to good government, to say one year based on the stock market the City's contribution should be 12% of the payroll, and the next it should be 19% of the payroll, and the next 13%, unless they were going to layoff people every year and put on temporaries, which he did not think was in the interest of their workforce, that there was still work to be done over the long run for them and others on long term pension reform, but having a stable amount of contribution by the public entity, that was based upon a reasonable percentage of payroll, which was not 50% of payroll, a reasonable percentage of payroll, and periodically reviewing benefits to make sure they were consistent with that without taking benefits that had already been accrued, was a vision that he thought Mr. Mason and others had for their pension system, but he thought there was going to be a full hearing on that, that one topic, and he did not know whether the City Controller, who had been a real leader on the effort was going to be in attendance or not, and he had not had time to put it in a memo but would say it at the Council table and still try to put it into a memo, he had never given advice on investment policies or pensions funds, despite that lots of pitches were made to him, but he thought that the pension funds should really consider some of the values which existed in extremely high rated corporate debt and high rated municipal debt that could later be sold, that in other words he believed, he personally believed, that whoever bought the City's debt at 5.5% tax exempt within the last week could sell that bond, and he was not guaranteeing it but he believed, they would be able to sell that bond within 12 to 18 months, a \$1,000 bond for \$1,100, and get the yield plus the appreciation, that he did believe that because it made no sense at all that they should be paying 400 basis points more, or 300 basis points more for something tax exempt then they would U.S. Treasuries, that the only reason was if they thought the City of Houston was going to default on it's debt, and if they did then that would mean that there were a lot of other things, like a nuclear attack or something like that, where they would have other problems in the Country besides the City of Houston; that he would encourage, and he had never done it before, that it was totally up to the trustees of the pension funds, but he did believe that it was a decent time for the pension funds to make very conservative, debt investments were considered conservative, compared to equity investments and he thought this was a good time for them to take a look at that. Council Members Garcia and Rodriguez absent.

Council Member Holm stated that she wanted to remind every one that there was a Pension Committee meeting posted for Thursday, November 6, 2008 at 2:00 p.m.

A vote was called on Council Member Clutterbuck motion to accept the Monthly Operation and Financial Report and the Quarterly Investment Report. All voting aye. Nays none. MOTION 2008-0822 ADOPTED.

### **MAYOR'S REPORT**

Mayor White stated that they would move to the consent agenda.

### **CONSENT AGENDA NUMBERS 2 through 36**

#### **MISCELLANEOUS** – NUMBER 4

4. RECOMMENDATION from Director Houston Airport System for expenditure of funds for specialized training by **TEXAS A&M ENGINEERING SERVICES - EMERGENCY SERVICES TRAINING INSTITUTE** for Aircraft Rescue and Fire Fighting at George Bush Intercontinental and William P. Hobby Airports - \$224,400.00 - Enterprise Fund - **DISTRICTS B - JOHNSON and I – RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0823 ADOPTED.

#### **ACCEPT WORK** - NUMBERS 6 through 8

6. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$977,377.88 and acceptance of work on contract with **CST ENVIRONMENTAL, INC** for Building Demolition & Environmental Remediation at George Bush Intercontinental Airport/Houston (IAH), Project 617D, WBS A-000476-0008-4-01 - 10.07% under the original contract amount - **DISTRICT B - JOHNSON** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0824 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,568,032.38 and acceptance of work on contract with **UNDERGROUND TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00A5-4 - 1.61% over the original contract amount **DISTRICTS A - LAWRENCE; B - JOHNSON; C - CLUTTERBUCK; D - ADAMS; F - KHAN; G - HOLM; H - GARCIA and I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0825 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,873,537.89 and acceptance of work on contract with **TOM ALLEN CONSTRUCTION CO.**, for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, WBS R-000266-00S1-4 - 0.86% under the original contract amount - **DISTRICTS A - LAWRENCE; B - JOHNSON; D - ADAMS; E - SULLIVAN; F - KHAN; H - GARCIA and I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0826 ADOPTED.

#### **PROPERTY** - NUMBERS 12 and 13

12. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel AY8-053, located at 9747 Long Point Road, owned by Silvestri Investments of Florida, Inc., Dan Silvestri, Vice President, for the **BUNKER HILL PAVING PROJECT PHASE II from IH-10 to Long Point**, WBS N-000767-0001-2 - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0827 ADOPTED.
13. RECOMMENDATION from Director Department of General Services for condemnation of 7,000 square feet of land, located at 7831 Harrisburg Boulevard, owned by George Christodoulakis, George Katsoulis, Athanasios Katsoulis, Astrimia Douvougianni, Anna Koutras, Panagiotis Theodoropoulos, Stravroula Katsoulis and Prokopios Katsoulis - **DISTRICT I - RODRIGUEZ** – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0828 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 15 through 18

15. **CPR SERVICES AND SUPPLIES, INC dba MDN ENTERPRISES** for Fittings for Ductile Iron and PVC Pipe for Department of Public Works & Engineering - \$268,361.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0829 ADOPTED.
16. ORDINANCE appropriating \$146,492.00 out of Water & Sewer System Consolidated Construction Fund for Emergency Repair of a 24” Water Force Main at 1024 W. Bay Area Blvd. and I-45 for the Public Works & Engineering Department, WBS R-000019-0046-4 - had been pulled from the Agenda by the Administration, and was not considered.
- 16a. **REYTEC CONSTRUCTION RESOURCES, INC** for Emergency Repair of a 24” Water Main for the Department of Public Works & Engineering - \$146,492.00 - Enterprise Fund - had been pulled from the Agenda by the Administration, and was not considered.
17. **HACH COMPANY** for Chemicals and Water Testing Materials for Department of Public Works & Engineering - \$836,085.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0830 ADOPTED.
18. **STEWART & STEVENSON, LLC** for Allison Rebuilt Transmissions and Repair Parts for Various Departments - \$1,154,977.44 - General and Fleet Management Funds – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0831 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 19 through 36

19. RESOLUTION approving and adopting a revised Investment Policy for the City of Houston, Texas – was presented. All voting aye. Nays none. RESOLUTION 2008-031 ADOPTED.
20. ORDINANCE consenting to the addition of 22.4821 acres of land to **NORTHEAST COUNTY MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2008-0975 ADOPTED.
21. ORDINANCE approving second amendment of the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper

Kirby Zone); authorizing the City Secretary to distribute such plans - **DISTRICTS C - CLUTTERBUCK and G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2008-0976 ADOPTED.

22. ORDINANCE amending Ordinance No. 2008-521 relating to the Fiscal Affairs of the Upper Kirby Redevelopment Authority on behalf of Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone); approving an amendment of the Fiscal Year 2009 Operating Budget and the Fiscal Years 2009-2013 Capital Improvement Budget for the Authority - **DISTRICTS C - CLUTTERBUCK and G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2008-0977 ADOPTED.
23. ORDINANCE approving the issuance of Bonds and Notes by the Upper Kirby Redevelopment Authority - **DISTRICTS C - CLUTTERBUCK and G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2008-0978 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** providing up to \$187,498.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Database and provision of other Homeless related Information Services – was presented. All voting aye. Nays none. ORDINANCE 2008-0979 ADOPTED.
29. ORDINANCE approving and authorizing contracts between the City of Houston and **A-1 PERSONNEL OF HOUSTON INC, ADVANCE'D TEMPORARIES, INC, ALSO TEMPS, INC, ELITE PERSONNEL CONSULTANTS, INC d/b/a EVINS TEMPORARIES, EXECUTEAM STAFFING, L.P., SILVER & ASSOCIATES CONSULTING, INC, TOPP KNOTCH PERSONNEL, INC, ACRO SERVICE CORPORATION, BERGAILA & ASSOCIATES, INC, LOGAN BRITTON, INC** and **OBJECTWIN TECHNOLOGY, INC** for Temporary Employee Services and Information Technology Staffing Services; providing a maximum contract amount - 2 Years - \$30,000,000.00 Central Services Revolving Fund – was presented. All voting aye. Nays none. ORDINANCE 2008-0980 ADOPTED.
30. ORDINANCE amending Ordinance No. 2006-172 (passed on February 22, 2006) to increase the maximum contract amount for contract between the City of Houston and **HYSECO, INC** for Hydraulic Cylinder and Valve Repair Services for Various Departments - \$89,250.00 - General and Fleet Management Funds – was presented. All voting aye. Nays none. ORDINANCE 2008-0981 ADOPTED.
34. ORDINANCE approving and authorizing Interlocal Cost Sharing Agreement between the City of Houston and the **CITY OF PEARLAND** for Water Line Construction on Fuqua Road - **DISTRICT E - SULLIVAN** – was presented. All voting aye. Nays none. ORDINANCE 2008-0982 ADOPTED.
35. ORDINANCE appropriating \$5,199,250.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORP.** for Chocolate Bayou WWTP Improvements, WBS R-000265-0040-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, project management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - ADAMS** – was presented. All voting aye. Nays none. ORDINANCE 2008-0983 ADOPTED.

36. ORDINANCE granting to **LONGHORN BAG, LLC, A Texas Limited Liability Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **FIRST READING** – was presented. All voting aye. Nays none. ORDINANCE 2008-0984 PASSED FIRST READING IN FULL.

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

**MISCELLANEOUS**

5. RECOMMENDATION from Director Parks & Recreation Department for the renaming of **CARVERDALE PARK** to **R. L. and CORA JOHNSON PARK** - **DISTRICT A – LAWRENCE** – was again before the City Council, moved by Council Member Khan, seconded by Council Member Garcia.

Council Member Lawrence asked R. L. and Cora Johnson to stand and be recognized, and stated that they had been a couple who had never given up on their neighborhood, that through three Council Members they had worked with Cyfair School District and established fabulous programs over there, that they were 24/7 for kids, that on Thanksgiving there were dinners at that park for people who wanted to share Thanksgiving Dinner together, that they continually worked with various groups, that they were true activists and for that reason she would like to change the name of that park from Carverdale Park, which was the neighborhood, to R. L. and Cora Johnson Park.

Council Member Noriega stated that she wanted to congratulate Council Member Lawrence on her wisdom and thought it was a wonderful idea, that she wanted to echo her colleague's congratulations.

A vote was called on Item No. 5. All voting aye. Nays none. MOTION 2008-0832 ADOPTED.

Mayor White stated that he wanted to congratulate Mr. and Mrs. Johnson and thanked them for what they had done in the community.

**ACCEPT WORK**

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,630,596.85 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.**, for Sewer Line Relocation and Replacement, WBS R-000266-00U2-4 (WW4898) - 3.11% under the original contract amount - **DISTRICTS B - JOHNSON; H - GARCIA and I – RODRIGUEZ** – was presented, and tagged by Council Member Garcia.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,527,866.50 and acceptance of work on contract with **METRO CITY CONSTRUCTION, L.P.**, for Waterline Relocation and Replacement, WBS S-000035-00V2-4 (WW10863) - 1.05% under the original contract amount - **DISTRICTS H - GARCIA and I - RODRIGUEZ** – was presented, and tagged by Council Member Garcia.

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,189,142.29 and acceptance of work on contract with **BOYER, INC** for Supervisory Control & Data Acquisition (SCADA) and Security Communications Network for Water Production Facilities, WBS S-000522-0008-4 - 9.03% over the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2008-0833 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS**

14. **UR INTERNATIONAL, INC** for Radio Frequency Identification System for the Houston Department of Health & Human Services - \$250,800.00 - General and Health Special Revenue Funds – was presented, and tagged by Council Member Noriega.

#### **RESOLUTIONS AND ORDINANCES**

24. ORDINANCE approving and authorizing submission of an application for grant assistance and acceptance of the award for the Texas Department of Transportation (TxDOT) Statewide Transportation Enhancement Program (STEP) Comprehensive Commercial Motor Vehicle Safety Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented.

Council Member Sullivan stated that he wanted to recognize the Houston Police Department Truck Enforcement Division, the men and women who were in the audience, that he had worked closely with them on some of their field inspections and they did good work and would like to acknowledge them and thank them for what they do for the citizens.

A vote was called on Item No. 24. All voting aye. Nays none. ORDINANCE 2008-0985 ADOPTED.

25. ORDINANCE approving and authorizing submission of an application for grant assistance and acceptance of the award for the Texas Department of Transportation (TxDOT) Statewide Transportation Enhancement Program (STEP) Comprehensive Motor Vehicle Safety Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. ORDINANCE 2008-0986 ADOPTED.
26. ORDINANCE approving and authorizing contract between the City of Houston and **VOHNE LICHE KENNELS, INC** for Detector Canines and Detector Canine Handler Training Services for the Houston Police Department; establishing a maximum contract amount - 5 Years \$640,791.14 - General Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0987 ADOPTED.
28. ORDINANCE approving and authorizing an Interlocal Agreement between the City and the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** for a National Emergency Grant related to Hurricane Ike Assistance - \$1,214,000.00 - Grant Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0988 ADOPTED.
31. ORDINANCE appropriating \$1,349,251.13 out of Parks Consolidated Construction Fund and \$387,000.00 out of Parks Special Fund and approving and authorizing first

amendment to Professional Landscape Architectural Task Order Contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** (Approved by Ordinance No. 08-0455) for the Parks and Recreation Department, WBS F-00504B-0002-3; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund – was presented.

Council Members Adams stated that she would be tagging Item No. 31, that she was looking at the funding that they requested during the budgetary period of \$700,000 for the Master Plan for the Parks and she wanted a briefing and get some questions answered on additional funding for an updated Master Plan for Parks, that she wanted a briefing on what were the updates to other park projects, that there 11 and they did not know what they were and what the additional money was going to be used for, and Mayor White stated that they would get that for her, and Council Member Rodriguez requested that they add his tag to the item as well.

32. ORDINANCE appropriating \$2,349,163.00 out of Parks Consolidated Construction Fund and \$300,000.00 out of the Parks Special Fund and approving and authorizing Professional Landscape Architectural Task Order Contracts between the City of Houston and **M2L ASSOCIATES, INC** and **JAMES PATTERSON ASSOCIATES, INC dba WHITE OAK STUDIO** for Parks & Recreation Department Capital Projects, WBS F-000675-0002-3; providing a maximum contract amount of \$3,500,000.00 for each contract; providing funding for the Civic Art Program and contingencies related to the construction of facilities financed by the Parks Consolidated Construction Fund - was presented. All voting aye. Nays none. ORDINANCE 2008-0989 ADOPTED.
33. ORDINANCE awarding construction contract to **DIVISIONONE CONSTRUCTION LP** for the Miller Outdoor Theatre - AV Booth and Hill Seating, WBS D-000125-0004-4; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by the Civic Center Facility Revenue Fund - \$605,088.75 - Enterprise Fund - **DISTRICT D - ADAMS** - was presented. All voting aye. Nays none. ORDINANCE 2008-0990 ADOPTED.

**MATTERS HELD** - NUMBERS 37 and 38

37. MOTION by Council Member Khan/Seconded by Council Member Garcia to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Lars E. Monson of Brown & Gay Engineers, Inc., on behalf of Willowick Place at River Oaks, L. P., a Delaware limited partnership (Willowick Place at River Oaks GP, LLC [Frederick R. McCord, President], General Partner), for the abandonment and sale of Las Palmas Street right-of-way and a 10-foot-wide water line easement, located between West Main Street and West Alabama Street, in exchange for the conveyance to the City of a 65-foot-wide utility easement, out of the A. C. Reynolds Survey, Abstract 61, Parcels SY8-061A, SY8-061B and VY8-052 - **DISTRICT C – CLUTTERBUCK – (This was Item 7 on Agenda of October 29, 2008, TAGGED BY COUNCIL MEMBER CLUTTERBUCK)** – was presented. All voting aye. Nays none. MOTION 2008-0834 ADOPTED.
38. ORDINANCE amending Ordinance No. 2005-822 (passed by City Council on June 29, 2005) to increase the maximum contract amount for contracts with **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS BY SAN ANTONIO MTA, LP**, it's General Partner and **SAN ANTONIO MTA, LP, d/b/a VERIZON**

**WIRELESS BY VERIZON WIRELESS TEXAS, LLC**, it's General Partner, and approving and authorizing first amendment to contract with **AT&T MOBILITY NATIONAL ACCOUNTS, LLC (Formerly NEW CINGULAR WIRELESS NATIONAL ACCOUNTS, LLC)** for Wireless Communications Equipment and services for Various Departments - \$2,367,811.25 - Central Service Revolving Fund – **(This was Item 30 on Agenda of October 29, 2008, TAGGED BY COUNCIL MEMBERS JOHNSON and LAWRENCE)** - was presented. All voting aye. Nays none. ORDINANCE 2008-0991 ADOPTED.

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

Council Member Garcia stated that he wanted to take a few minutes to reflect on what happened yesterday and he wanted to thank all of his colleagues for the kind words that they shared with him; that he thought the election yesterday was based on the confidence that the public that had developed on leadership that had come from this body, and he thought it had been by virtue the leadership that Mayor White had provided, that he had been a person that they had all been able to follow and had given them good principles to adhere to and taught them, encouraged them and challenged them to be good stewards of the taxpayer's money and good stewards of integrity and transparency, and to be good stewards of a good public open process, and because he had been a student of the Mayor in that regard he thought people saw that this was what he wanted to bring to the Harris County Sheriff's Office, that he thought it was also a testament to the fact that his law enforcement background was rooted deeply within the Houston Police Department, one of the finest, if not the finest, law enforcement agency in the Country, if not in the world, but during the campaign trail he often said they were going to work to knock HPD off of that pedestal and put the Sheriff's Department in that place, that he believed that the Sheriff's Department should be the lead law enforcement agency and they were going to work to do that and thought that competition would serve the taxpayer's well, but it had also been a testament to something, as he looked around the Council table, he saw and watched and was a witness that the citizens of Houston had elected tremendous people that he had served with at this particular body, that principally people who worked hard; that Council Member Johnson if he was not commandeering water for people who really needed it; and Council Member Clutterbuck if she was not watching the penny; and Council Member Holm if she was not pushing that quality of life was not a slogan but a reality; and Council Member Lawrence making sure that things were proper and forthright and make sense for the most; and it went on, Council Members Jones, and James and Mike and Council Member Noriega and Peter with his plan, and he had a plan to, and Ronald and his dear friend, M. J. Khan; that he thought the election yesterday was a testament that the taxpayers respect and the voters admire people who just stick their nose to the grindstone, do not come up for partisan politics, and that was what the voters wanted, that the election, not just on his behalf, but in general, he thought, was a mandate from the voters that they wanted people who worked hard and would do things that made sense to the most people and that the things they did would be bring the greatest good for the most, even for those who did not have a voice, that it was also, he thought, a testament to the fact that in this day and age they should be much broader in their thinking, they should be accepting not accepting things as usual, that this was the way they had always done it, but rather they should be working to tear down those boundaries and tear down those obstacles and work in the spirit of the taxpayer, to work in the spirit of growth, to work in the spirit of progress, to work in the spirit of unity, to work in the spirit of embracement and not in the attitude of us against them, so this was something that he would be looking forward to provide in the Sheriff's office to make sure that they were doing everything as partners, not partners in crime, but partners against crime, so that they could make sure that people could feel safe about traveling from one side of the Country to the other, and as they travel from the north end of the County to the south end of the County, and as they travel through Houston, or through any other city, that they would find seamless public safety, that they would find that they were all working together and that they all had the interest of the public at heart; that as he watched Mayor White, whether it was during Katrina, Rita or Ike, or the budget process, one of

the things that he, a phrase he had used, and he had listened to it carefully, was how they were all in it together, and in public safety he would look to bring all of the public safety together, because they were all in it together and they were all being paid by the same people and they all were charged to do the same thing, so he believed that was what happened yesterday, people had given them a mandate, not just him, he just happened to be the benefactor of this chance; and he would say to all of them that he was so grateful, a kid like him coming from humble beginnings, all of them had their own stories, but some folks had been asking him if it had sunk in, and little by little it was beginning to sink in; that he thought by virtue of another great election that happened yesterday, all things were possible in this great Country, and he was honored to be part of the solution, and would work in that spirit to be part of that solution, and to demonstrate that they all had something to contribute and they all had a common value, and that they embrace family, children in the future, but he would tell them as well that they were in the twenty first century and they should be thinking as such, and there would be many times when he would not have the answer and he would turn to the people who he believed would and those were sitting around the Council table, that he would probably but the Mayor a little bit more often than he would care; that he believed that this election was principally responsible because of the tremendous tutelage that he received from all of them and those that he served with before some of the freshman colleagues; that he had learned so much from each and every one of them; that he had to tell Mayor White that history would be good to him in many ways because he had really come in with a spirit of partnership; that not a whole lot of people had really talked much about the Mayor's Bible study teaching credentials, but in an interesting kind of way he thought the Mayor had put on the table, virtue of his openness and transparency, that they had higher ideals and higher principals that they should all work to reach and it had been helpful to him to watch and pay attention to, that he did not know how all of these things happened but he did believe in a greater being and he thought the greater being had aligned all of these dynamics in a very interesting kind of way and he was so in awe of it; but he would say to the citizens that he thanked them for the opportunity that they had given him, and he would work hard to always remember that they had given him a privilege, not a right, to serve them, and that they would work through all the good things, all the tough things, and they would work in the same spirit that the City of Houston had been a tremendous role model, that he thanked them all for the support and advice that they had all given him during his time in Council, that he was not going far, his office would be down the street in the City of Houston, that he would be paying attention to pot holes, that he knew how to dial 3-1-1, but to all the men and women in public safety and to all the employees of the City of Houston, they to had made it possible for him because if folks did not think that things were happening the right way for the City they would not have any confidence in whatever platform he gave, so because they had really helped to deliver on the promises that they were making here, and because the Mayor had helped the Council Members provide them with the resources and the respect and the dignity that they needed to do their job, he thought in Houston the citizens felt progress every day that they were waking up, sometimes it was not as fast as they would like, but it was progress, and progress was always a good thing; that he was honored to have served with them and he was honored to call them his friends and colleagues, and they would have a friend in County government and he looked forward to continue to work with all of them.

Mayor White stated that their Nation was really a dream based on hope and the ideal of progress, they were not an ethnic group, they were a nation, and to him if they looked at some common things, of candidates who run in both parties, and he would not say that he applauded every election result, and neither could probably any Council Member, or citizen, who was sitting at the Council table, but what they did tend to see emerging out of Harris County was that the politics of progress and hope and what they were for beat the politics of what they were against in personal destruction; that fear and ignorance were often the enemies of real progress, more so than any ideology, that people, because of insecurities and fear, wanted to feel better than somebody else, based on all sorts of reasons, that people could be motivated by fear of the unknown at some time, but they were a tough people and they embrace the future

and they had an optimistic view of what the future brings, and he hoped that people, despite what people's consultants may say from time to time, would say that at least in this time, this place and this Country, those people who talk about what they were for would do better than those who simply talked about what they were against, that those who talked about their personal, what they brought to the job, and their own strengths and weaknesses and not so much just their opponents, the voters would find that an asset and he believed that Council Member Garcia's race exemplified that in many respects that he could detail, but he thought it was some of his personal qualities, plus the community was ready to move on in many ways, that he feared some time that people would conclude that there were broad generalities, as did the pendants, and people who were paid to make grand statements on TV to fill up the time about what it meant for a particular direction, that there would be people in parties who claim mandates in tea leaves, whether it be in judicial or congressional races that were inconsistent, but the fact was that the voters who called themselves independent were the most powerful voters in this election, that was a fact, he was not attacking parties, he believed that party structures were part of accountability in government, thank goodness that there were levels of organizations that could induce humility in candidates or elected officials from time to time, because he had seen many lose that quality, thank goodness that people with similar values could ban together and come together without having to think that they had to have a party line, they had a rich and deep American political tradition within the Country that was enhanced by the competition of a party system and a partisan system, but he would say as a matter of fact that they saw election results that said that for a good significant portion of the voters who voted on the basis not solely on party considerations that they were the determining influence in the election, and for those for them who participated in party primaries and party activities, then remember that those people to deserved their respect, that finally, both locally and nationally, he was addressing it because he did believe that, sitting to his left, was just one of many leaders who would emerge in either public office or civic community leadership, as leaders of the community, and their opinions would count for people, that he was going to say to everybody to please remind their fellow citizens who were full of hope, some with dread right now, that the business of governing a great Country was not a sprint, it was a marathon; that progresses should be measured daily and weekly and monthly, that by one stroke of the pen any politician who thought they could change human behavior or economy with one stroke of the pen, they do not know life; that their President Elect inherits not President Bush's war, but a conflict that America was involved in as a Country, that their economic issues transcend parties and that they should be dealt with on a basis in which people try to find common ground, they should not be surprised if their political leaders were not perfect, he did not think anybody around the table was, and hold them up to that standard, that there would be a learning process for all involved, and he could say for each Member of the Council, as a public servant, he could think of no one who he had observed, who year by year, worked hard to become better at what he or she was doing, than Council Member Garcia, that they started together as a special group, that Council Member Green discussed some of the people that were part of that group that he sees sitting with him, those people who were in their fifth year; that they had seen their colleagues, in good times and bad times, and he thought that he could speak personally on behalf of all those people who sat with Council Member Garcia for those five years that it had been like watching Hakeem Olajuwon, at the University of Houston, in his early years with the pros, the first year he struggled making free throws, the next year he was making free throws, somebody who invested in their game, who did not see getting political office as the goal, saw public service as the goal so for whatever they could do to improve themselves and their staff would be the object of that goal, if they took that away, each of them as their own example, then he was sure they would be better public servants and the citizens would be better as a result, so congratulations. Council Member Noriega absent.

Council Member Sullivan stated that he wanted to recognize and congratulate Council Member Rodriguez who would be honored at the Houston Community College Legacy Award Dinner, that he was a recipient this evening; that the Vista Bonita Apartments, in his district, had

a very long history of citations on the property, the property owner, in his opinion had dodged responsibility to take corrective action on a litany of items in areas of health and safety violations; that tragically they even lost a 23 month old toddler in a drowning there; that he wanted to acknowledge the City employees who worked on an aggressive but necessary inspection of the property; that he would not tolerate any apartment projects in his district that were unsafe for their residents; that on Monday he toured the HPD Lake Patrol Division and learned first hand what they did, how they were staffed and how they served the citizens in Lake Houston; that one thing that he brought away from the meeting and tour was that they may be a great source in their water quality issues as they went forward; that he wanted to thank Solid Waste Director, Harry Hayes and his department for their cooperation in clearing debris in his Council District related to Hurricane Ike; that with respect to the CIP projects and how they would potentially be delayed to protect their financial he wanted to thank Mr. Dadoush for coming and reviewing all of his district's CIP project timelines with him last week; that as to Summerwood Homeowners Association, something they worked on jointly was to make sure those homeowners who were not in the City of Houston and were under a contract with them in a SPA wanted to speak to him about the public safety services that were provide, they had a good community meeting; that he wanted to thank HFD, HPD and the Planning Department, that there was a great concern that the SEDs were standing in the way of their receiving full services from them; that he wanted to thank everyone who was involved in last week's Chapter 26 Public Hearing for the new Kingwood Library. Council Members Clutterbuck, Adams, Noriega, Green and Jones absent.

Council Member Lovell stated that she wanted to remind people of Houston's history, that 50 years ago they elected Hattie May White to the Houston School Board, that she was born in 1916 in Huntsville, Texas and graduated from Booker T. Washington High School and Prairie View A&M University; that she married Dr. Charles White and had five children, that she made history and pointed the way for Houston to enter a path that had led them at least part of the way out of a dark and depressing period of their history, the Jim Crow era of legal segregation; that on November 4, 1958 the voters of HISD elected Hattie May White to the Houston School Board, the first African American to hold office in Harris County in the twentieth century; that this achievement came about because of Mrs. White's courage, the support of her family, the hard work and contributions of Houston's African American Community and the recognition by a large number of white voters; that at a time when the school board meetings were televised every week Mrs. White was a voice of reason and sanity, that Hattie Mae died in 1993 and HISD named their administrative headquarters for Mrs. White, the one on Richmond, but it has since been torn down, that she would like the City of Houston recognize the historic achievement that this trailblazer and honor her by naming an appropriate City facility after her. Council Members Adams, Noriega, Green and Jones absent.

Council Member Lawrence stated that she wanted to thank her colleagues for participating in the CMC Program, that they reached their goal and raised \$10,832.62; that she wanted to congratulate Council Member Garcia and looked forward to the neighborhood deputies working very close with HPD; that Lawlers Foods was a great success story and that was why she wanted to recognize them; that she appreciated the comments made by her colleague on the swimming pools, that they were doing research and it was not just about apartments, it was about residence and what happens, what kind of responsibility when they had a pool, that maybe they could not afford if their fence was blown down, but they certainly could afford to empty the pool; that they had people looking at it and what other cities were doing; that Captain Darin Unruh, a firefighter who was injured and was still in the hospital, that he was still in critical condition. Council Members Adams, Lovell, Noriega, Green and Jones absent.

Mayor White stated that he visited with the Captain's wife, Jill, and his sister, brother and parents yesterday, that it was a tough time for the Fire Department, that anything they could do

to make sure that that he knew he was not forgotten, that it was very important. Council Members Adams, Lovell, Noriega, Green and Jones absent.

Council Member Johnson stated that he wanted to thank Council Member Lawrence and Mayor White for acknowledging the Captain who was critically injured during the fire; that every day they put their lives on the line; that he wanted to congratulate Council Member Rodriguez on being honored tonight; that he and Council Member Garcia crossed paths as he worked for his non profit and Council Member Garcia being a part of the Mayor's Anti Gang Office, that while they did not agree on everything he thought there was a professional courtesy that they both paid to on another; that he thought that Council Member Garcia would bring integrity to the Sheriff's Department; that yesterday was certainly a historic day, Council Member Garcia being the very first Hispanic Sheriff in the County and in the nature that Barack Obama being the first Black President; that while it may have been individually a proud moment for many Black Americans, he believed it was a proud moment for Americans as a whole. Council Members Adams, Sullivan, Noriega, Green and Jones absent.

Council Member Holm stated that she wanted to congratulate Council Member Rodriguez as a young leader in the community; that she wanted to say to Council Member Garcia how happy and proud they were; that she did not believe that the President Elect ran on change for their political environment, that she thought he was running on attitude and who they were as a nation. Council Members Adams, Sullivan, Lovell, Noriega, Green and Jones absent.

Council Member Garcia stated that Linda Mercer, who was a staunch advocate of the Cottage Grove Community, was in the hospital, ICU, and was recovering from an aneurysm, and asked that they have a moment of silence for her and to keep her in their prayers. Council Members Adams, Sullivan, Lovell, Noriega, Green and Jones absent.

Council Member Khan stated that there was never a day that goes by when he was amazed about America, and every time he thought he would not be wowed any more something else comes along and he was again wowed, that yesterday was really one of those moments, that he strongly believed that generations from now people will look back on yesterday and call it one of the most defining moments in human history. Council Members Adams, Sullivan, Lovell, Noriega, Green and Jones absent.

Council Member Brown stated that he thought they just experienced the most transformative and far reaching and historic election since probably 1932 and he wanted to say that the long campaign had made him proud to be an American, Houstonian and Texan; that the candidates each distinguished themselves in connecting with the American people about hope and change. Council Members Adams, Sullivan, Lovell, Noriega, Green and Jones absent.

Council Member Clutterbuck stated that she personally gets giddy with excitement after every election and this was no exception, they reaffirmed their believe in the power of the individual, and the power of each of them and their rights as citizens to elect leaders and control their own destiny through that; that they had a revolution without firing a single bullet, but she was also reminded that it was not necessarily a bloodless revolution, that she was thrilled that no drops of blood were spilled yesterday, that she was reminded in her lifetime that it was not always the case; that her father was a Life Magazine Photographer and the reason she was born in Atlanta was because her father was assigned as one of the first journalists to follow Martin Luther King, Jr. and he also followed many of the freedom buses and was nominated for a Pulitzer after being beaten up after following the freedom buses; that he was one of the people who gave her the inspiration, the belief that anyone could grow up to be anything in this Country. Council Members Adams, Sullivan, Lovell, Noriega, Green and Jones absent.

Council Member Rodriguez stated that he wanted to thank his colleagues for their kind words; that he wanted to thank Mayor White or allowing him to represent the City of Houston at a meeting of the City Council in Laredo, Texas and Mayor Salinas sends his regards, that it was an honor to say thank you to their firefighters and the City workers and all the people that helped in the Ike recovery; that he wanted to congratulate Council Member Garcia; that he wanted to wish Ms. Nicki Cooper and Mr. Jose Soto best of luck as they exchange vows and wished them the best of luck. Council Members Adams, Lovell, Noriega, Green and Jones absent.

Council Member Sullivan stated that he wanted to recognize Yellow Cab and their role in the election, that they worked in conjunction with Vote Now Houston, that they carried 740 voters to the polls at no charge; that he had a CD in his office of the City of Fort Worth ceremony where he presented a proclamation on the Mayor's behalf if anyone would like to see it; that in Kingwood after the hurricane they had some traffic light problems, that they had one intersection in particular that kept going to flashing red, that there was a company that had been contacted by a cable provider to do some work in the right-of-way and the work they did was conflicting with the traffic signal operation, that he brought it to Andy Icken's attention and he said there were in fact methods that utility contractors could use to tunnel under a road and if they could do that without cutting the road bed they do not need a City permit, that Andy was on top of it and working to correct it, and Mayor White stated that if they damage City equipment then all costs that the City incurs for remedying it would have to be paid immediately on demand. Council Members Lawrence, Johnson, Khan, Holm, Garcia, Rodriguez, Lovell, Noriega, Green and Jones absent. (No Quorum Present)

Council Member Adams stated that they were getting ready to kickoff the Neighbors to Neighbors initiative for communities getting together to help with Hurricane Ike, that it would kickoff on November 15, 2008; that this week Texas Southern University was celebrating their homecoming; that she wanted to congratulate Sheriff Elect Garcia; that she was proud to know that this morning they awoke to new leadership, that she had the opportunity to talk to Senator Borak Obama when he came to Houston. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Garcia, Rodriguez, Lovell, Noriega, Green and Jones absent. (No Quorum Present)

There being no further business before Council, the City Council adjourned at 12:42 p.m. Council Members Lawrence, Johnson, Sullivan, Khan, Holm, Garcia, Rodriguez, Lovell, Noriega, Green and Jones absent. (No Quorum Present)

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

/S/Anna Russell

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Anna Russell, City Secretary