

City Council Chamber, City Hall, Tuesday, March 2, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 2, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present.

At 1:48 p.m. Mayor White stated that Council would begin with presentations and called on Council Member Lawrence. Council Member Lawrence invited all present with Youth Art Month to the podium and stated that today they were recognizing the Youth Art Month Exhibit sponsored by Area Six of the Texas Art Education Association which was at the City Hall Annex, 900 Bagby, 1st floor through March; and presented them a Proclamation recognizing youth as the future of the city, honored them for their importance and recognized March as "Youth Art Month" in the City of Houston. Council Members Galloway, Goldberg, Edwards, Garcia, Alvarado, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Quan stated that he was pinch-hitting for Council Member Sekula-Gibbs who was on her way, for a program he was extremely proud of; that city employees did such a great job in many areas and this was the second year in a row the Employee Wellness Advisory Council received the Life Giver Award because of their efforts in raising 1,300 units of blood during the last blood drive and invited all present with the Employee Advisory Council to the podium. Council Member Sekula-Gibbs appeared at the podium and stated that she had a Certificate of Appreciation to present and on behalf of the City of Houston and her office she took great pride presenting the Certificate to the City of Houston Employee Wellness Advisory Program and the Gulf Coast Regional Blood Center, commending them for their commitment to saving lives and for collecting more than 1,300 blood donations; and presented the group with the Certificate. Council Members Galloway, Goldberg, Edwards, Garcia and Berry absent.

Mayor White stated that he wanted to thank all the employees who made such a big difference; that it was a gift of life and he thanked everyone who gave a part of themselves for someone else. Council Members Galloway, Goldberg, Edwards, Garcia and Berry absent.

At 1:58 p.m. Mayor White called the meeting to order and Council Member Quan invited Rev. James Nash of St. Paul Missionary Baptist Church to lead all in the prayer and Council Member Quan led in the pledge of allegiance. Council Members Galloway, Goldberg and Garcia absent.

At 2:00 p.m. the City Secretary called the roll. Council Members Galloway and Goldberg absent.

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

Council Member Khan moved that the rules be suspended for the purpose of allowing Ms. Leah McAlister to speak in place of Mr. James Scott, seconded by Council Member Quan. All voting aye. Nays none. Council Members Galloway and Goldberg absent. MOTION 2004-0221 ADOPTED

Mayor White stated that he understood Council was privileged today to have a number of young people share their ideas and their presentations were organized in a particular manner and he would ask the City Secretary to call on them in a manner which she felt appropriate. Council Member Goldberg absent.

Ms. Leah McAlister, who was added to the speakers list, appeared and stated that she was present to introduce the students of Pinn Oak Middle School who were present with their projects of city improvements. Council Member Goldberg absent.

Mayor White called on the first group of Miss Angela Zhu, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Mr. Eun Ji Lee, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Miss Miranda Gunnels, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Mr. Dovo Luguvi, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); appeared, presented information and spoke on their subject It Takes A Village which was a solution to homelessness, crime and the unemployed, it was to help the homeless population find a more efficient and steady career, to get Council to donate to a non-profit organization or Houston Housing Authority and trade homelessness for construction workers working on abandoned apartments; that the qualified few would become apprentice building shelters and at the end of the lesson would be available for jobs in the construction field and the abandoned apartments would no longer create crime and would become a safer environment; and their team would be happy to stay for questions and would like to be a part of the Houston Housing Committee.

Mayor White complimented their presentation.

Miss Mia Gomez, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Miss Cecilia Gomez, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Miss Amy Karr 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Miss Irma Ruano, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); appeared, presented information and spoke on their subject Road Kills which was a solution to prevent accidents at the ten most dangerous intersections in Houston, it was on traffic and safety issues; and based on the number of deaths and accidents they identified the 10 most dangerous intersections of which a list was provided; they also designed three signs which could be placed at the dangerous intersections and moved as others became more dangerous and those were also included in their packet; and stated they would be happy to answer any questions.

Mayor White thanked them for their presentation.

Mr. David Barron, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Mr. Ben Brantley, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Mr. Andy Sapp, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); appeared and spoke on Water Under The Bridge, a solution to the large number of Houston residents driving through water and flooding out, displaying a model with mechanical sensors and electric eyes, etc., which would measure the level of water by rising waters conveying a message to drivers.

Mayor White thanked the group for their presentation.

Mr. Wen Zhang, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Miss Samantha Cunningham, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Miss Catherine Sobieski, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Miss Bobbye Bruton; appeared, presented information and spoke on Arms Of Protection, a solution to drivers going around railroad traffic arms; stating that 325 were killed in 2002 from train collisions in Texas; that they developed an improved model of the railroad arm which extended all the way across the road and should be solid material, not hollow; and encouraged Council to review their model and implement railroad safety in Drivers Ed; and they would be present for questions after the meeting if there were any questions.

Mayor White thanked the group for their presentation.

Mr. Manuel Acos, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368) had

reserved time to speak with the next group of students and was not present.

Mr. Juan Carlos Lazarus, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); Mr. Miguel Medina, 4601 Glenmont, Bellaire, Texas 77401 (713-295-6500 ext. 368); appeared, presented information and spoke on Aqui Houston, a solution to help visitors from Spanish speaking countries find important information about the City of Houston, stating that between 1988 and 2002 almost 1.2 million immigrants came to Houston and in 1999 651,000 spoke a language other than English with 76% speaking Spanish; that a main concern was communication and the group wanted to address that problem by providing Spanish speaking people with help and with money from Randall's they printed 700 copies and El Dia, a Spanish Newspaper, planned to run their brochure for one week; and urged Council to copy and distribute the brochures in different City offices such as The Mayor's Office for Immigrant and Refugee Affairs; and they would be happy to stay and answer any questions.

Mayor White thanked the group for their presentation. Council Member Garcia absent.

Mr. Christopher Cato, 7710 Boggs Road, Houston, Texas 77016 (no phone) had reserved time to speak but was not present when his name was called. Council Member Garcia absent.

Ms. Deborah Elaine Allen, 1122 Sol Street, Houston, Texas 77029 (713-649-8358) had reserved time to speak but was not present when her name was called. Council Member Garcia absent.

Council Member Khan thanked all the students from Pinn Oak School and stated that they came up with very excellent innovative ideas, many things Council was considering now and they learned a lot from them; and thanked the parents who accompanied the students for coming also. Council Members Goldberg and Garcia absent.

Mayor White thanked everyone for their suggestions and stated that it was hard to pick one as there were so many good ones, but as an example of something they made Council sensitive to was the idea of having mobile signs at hazardous intersections; that he did not want to pick just one as they were all helpful and they should all stay involved in the City. Council Member Garcia absent.

Council Member Edwards suggested the students get in contact with the City's Teen or Youth Council as they may be able to move their proposals more through committee; and Mayor White stated that he would ask Mr. Cantu through the teacher who introduced them to make the contact. Council Member Garcia absent.

Council Member Quan stated that he had invited the students dealing with homelessness to join Council in the discussion; that they had much enthusiasm and had done much research and he looked forward to working with them. Council Member Garcia absent.

Mr. Troy Cooksey, 3233 South Shore, Humble, Texas 77338 (713-230-4076) appeared and stated that in October the City of Houston perpetrated the biggest theft of personal property in its history by opening the new runway at Intercontinental Airport and usurping the property values of hundreds of homeowners; that the FAA seemed to exist to only protect airports and airlines from the outrage of the public and urged that the City and the FAA do a proposal. Council Members Goldberg, Khan and Ellis absent.

Council Member Wiseman stated that it was her understanding the Aviation Department was aggressively addressing the situation, she understood there were efforts to make sure all up-to-date and current data was available to the Aviation Department and if it involved additional testing they were prepared to do so to make sure they were in full compliance and she was sure they would keep him up to date, but as his Council Member she would also help to let him know where it stood.

Ms. Diane Washington, P. O. Box 266741, Houston, Texas 77207-6741 (281-403-0507) appeared and stated that she was past founder of C & L Services, Inc. and stated that she was present to make everyone aware minority contractors were being exploited by general contractors on paper to meet a goal of 30% minority representation to be in compliance; that C & L became a victim of circumstance given the opportunity by Beers Skanska who was a general contractor on the METRO Light Rail Facility Maintenance Building to submit a bid proposal on a portion of the painting service and several months later TLG became a subcontractor of Beers and the bid proposal she submitted to Beers TLG was told to take the proposal and use it as a part of his game plan, then in October 2002 C & L entered into the contract with TLG and given opportunity to do the work she submitted to Beers and meanwhile C & L was advised by TLG to give another bid proposal to cover the entire building; that they were never given a change order for all the additional work done and C & L still owed their employees for two pay periods and now they were forced into bankruptcy due to Beers and TLG's negligence to pay; that they were owed \$120,000.00. Mayor White, Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Galloway, Ms. Washington stated that it was a contract under Beers and she was a sub under TLG. Council Member Galloway stated that the contract was with METRO and not the City; and upon questions, Ms. Washington stated that she had gone to METRO, but was still without money and still had to file bankruptcy and it was not right to treat minorities like that just to have them on paper. Council Member Galloway stated that she was chair of the MWBE Small Contracting here at the City of Houston and they just formed an advisory committee and would be having a public hearing on minority contractors to find out problems, but that was with the City and it would be in April and she could listen for that, but she would go back to METRO and see what they had in place to protect minority businesses who contracted with them. Mayor White, Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that Mr. Russ Frank with METRO was to be present today, but he had not shown up as yet and if she wanted to contract METRO he would be the one to start with; that Mr. Cantu would give her the phone number. Mayor White, Council Members Goldberg and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Goldberg and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Stephanie Myers, 1324 Cleveland, Houston, Texas 77019 (713-654-4901) appeared and stated that she was a new homeowner in the Fourth Ward after receiving assistance through the Miracle of Hope, a government subsidiary, to buy her home; that when they moved into the neighborhood they were concerned about its reputation, the news called it upcoming Midtown and others called it Cracktown; that they were robbed after two weeks of living there and she was always confronted by people just getting out of jail; that she was told by an officer she should not call 9-1-1 all the time about the drug problem as they were aware of it and she should take it further so she called Undercover Narcotics and they assigned Officer James Lockley who also said they were aware of the problem; that she wanted to know why it did not change if everyone was aware of the problem; that there was trash, streets needed repaving and sewer problems were at her neighbors house; that many homes should be demolished; and something needed to be done. Mayor White, Council Members Goldberg, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado thanked Ms. Myers for coming and speaking on issues facing the community; that she was right they deserved to live in a safe area; that her office was working with homeowners associations and had made strides though there was much work to be done; that the area was still referred to as Freedmen's Town and it was a community in a

transition; that they would work with HPD to make sure there was a strong presence of patrol and aggressive effort to rid drug dealers, etc.; and upon questions, Ms. Myers stated that the sewage problem must also be a plumbing problem because the man's backyard at 1318 Cleveland had been flooded since she moved in. Mayor Pro Tem Alvarado stated that she saw that was repaired, but if the problem was still there Mr. Robert Fiederlein was in the back and could speak with her and Asst. Chief Montalvo was present and could address the criminal issues she spoke of. Mayor White, Council Members Goldberg and Berry absent. Mayor Pro Tem Alvarado presiding. Mayor White, Council Members Lawrence, Goldberg, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Garcia stated that he had conveyed to the new Police Chief things she spoke of; that the department was being challenged because of widespread narcotics trafficking throughout the city and he asked him to look at it immediately as it was a quality of life issue. Mayor White, Council Members Goldberg, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that he toured the area and it was up and coming and it was in transition; that the city set a budget for abandoned buildings and his staff would call her to get more information on other complaints she raised. Mayor White, Council Members Goldberg, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Edwards, Ms. Myers stated that she was not involved with the civic clubs at this time; that she was familiar with the area before she moved in, but when someone offered a good deal off the principal she took it. Council Member Edwards stated that she would suggest her working with civic clubs if she planned to stay in the area; that hopefully with people now living there help would come to the area. Council Members Galloway and Goldberg absent.

Council Member Alvarado stated that Travis with her office was in the back and he could put her in contact with various organizations. Council Members Galloway and Goldberg absent.

Mr. Robert Wolf, 12338 Burgoyne Drive, Houston, Texas 77077 (281-493-0281) appeared and stated that he was present with a suggestion to raise money for the City while making it safer and it was to enforce traffic laws regarding running red lights; that they should have a sting based at certain corners; and urged Council Members to ask the new Chief to look at having a revenue raising traffic enforcement team. Mayor White, Council Members Galloway, Goldberg, Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Ms. Cathy Betley, P. O. Box 25345, Houston, Texas 77265 (713-686-1728) appeared and stated that she had been pulling building permits at the City of Houston since about 1975 and she was present to give a brief overview as to why she supported the system and those who worked for them; that plan review had slightly increased their staff but they were working twice as hard as last month and in one day they had over 600 plans; that besides structural, architectural, electrical, plumbing and storm they were also required to process plans through peripheral departments and for commercial including planning, traffic, water, wastewater, flood and sometimes health and for residential plans were required to process through three peripheral departments and it included planning, traffic, water and sewer; that she heard complaints periodically and when Council Members did get complaints from constituents they should contact Mr. Gary Bridges or Ms. Sheila Blake and those in Plan Review because they were competent and could track every plan in the system. Mayor White, Council Members Galloway, Goldberg, Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Berry stated that Council did only hear the negative and often regarding permits; and upon questions, Ms. Betley stated that they had doubled their plans in the system and yet only increased their staff by several people; that they used to have available where if you needed to rush through a plan you could pay extra and it was available the next day, but

how could you do that when you had 40 people wanting the same service. Council Member Berry thanked Ms. Betley for coming. Mayor White, Council Members Galloway, Goldberg, Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Ms. Sharbel Raphael, 3605 Toliver, Houston, Texas 77093 (713-697-1786) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg and Quan absent. Mayor Pro Tem Alvarado presiding.

Mr. Steve Nolin, 4304 Sherwood, Houston, Texas 77092 (713-688-6022) appeared and stated that he was present to speak on public safety and police accountability and priorities should be set to get service levels which made sense; that with a marijuana law being passed at the state last year which would divert small time offenders to treatment instead of incarceration they should see what they could do for citizens who did not require treatment for drug abuse and he would like to join in the cause in getting officers to make marijuana possession by adults their lowest priority. Mayor White, Council Members Galloway, Goldberg and Quan absent. Mayor Pro Tem Alvarado presiding.

Ms. Jerrilyn Halbert, 6738 Langdon, Houston, Texas 77074 (832-265-2745) appeared and stated that she was opposed to the Aquarium Restaurant being granted authority to exhibit tigers; that they belonged in the wild and not in a captive display, it showed a disrespect for nature and the animals; that the white tigers were wretchedly inbred to the detriment of their health; and urged Council to reject their proposal or any others to keep exotic animals for display and to protect the safety and well being of any exotic animals by preventing restaurants and business from showcasing them for their own gain. Mayor White, Council Members Galloway, Goldberg and Quan absent. Mayor Pro Tem Alvarado presiding.

Mr. Augustine Castillo, 1103 Erin, Houston, Houston, Texas 77009 (832-656-7804) appeared and stated that for the last 10 years he made over 100 calls with cars parked on sidewalks and it was a problem throughout the City; that police did have a difficult problem and enforcement of City Codes were lack in older neighborhoods with trash, blocked sidewalks, graffiti and busted curbs being some; that he would like Council Members, in some way, to help police enforce the City Code as he did not know what else to do. Mayor White, Council Members Galloway, Goldberg and Quan absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado thanked Mr. Castillo for all his volunteer time helping. Mayor White, Council Members Galloway, Goldberg and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Garcia thanked Mr. Castillo for coming and stated that he knew it was a passion for him, but it had not fallen on deaf ears; that one particular place was a car auction on North Main, which was creating a nuisance and they were focusing resources in certain areas; that Chief Montalvo was present and he should let her know of other places as well. Council Member Goldberg absent.

Mr. Tom King, 511 E. Republic, Houston, Texas 77043 (281-380-8220) appeared and stated that something really disturbing was the senseless, idiotic war on drugs; that it was a war on in adamant objects and it was not winnable; that something similar was tried when there was prohibition as alcohol was a drug which was also abused and that had not worked; that human laws were made by human beings, few of whom were perfect in virtue, why then did human laws prohibit vices from which only the virtuous abstained; that Council could show sense and call a ceasefire to the war and could do a lot with the money. Council Members Goldberg and Holm absent.

Mr. Joseph Omo Omuari, 2820 Palm 2B, Houston, Texas 77004 appeared and stated that he was going to pass and give his time as he thought he had three minutes and not one. Council Members Goldberg and Holm absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Goldberg and Holm absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) appeared and stated that he was the only official U. S. candidate for President and continued to express his personal opinions until his time expired. Council Members Lawrence, Goldberg and Holm absent.

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was God and continued to express his personal opinions until his time expired. Council Members Lawrence, Goldberg and Holm absent.

Ms. Polly Ledvina, 2375 Bolsover, Houston, Texas 77005 (713-524-4578) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Goldberg and Holm absent.

Minister Joe Angel Lopez, 2000 Carlton Parc #7, Houston, Texas 77063 (281-435-0779) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Goldberg and Holm absent.

Ms. Janice Blue, 1708 Rosewood, Houston, Texas 77004 (713-522-6899) appeared and stated that she was present again opposing any changes in City ordinance which would allow tigers to be apart of any exotic display at the Aquarium restaurant; that Mr. Marr who had also been present toured the Houston Zoo and commented that of all the many parks and zoos he had seen this was one of the finest facilities for wild tigers; that she was also impressed with the zoo keepers, personnel and team of veterinarians which backed up the zoo and they existed as an education service and not entertainment. Council Member Goldberg absent.

Council Member Lawrence moved that the rules be suspended for the purpose of allowing Ms. Janice Blue additional time to speak, seconded by Council Member Khan. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2004-0222 ADOPTED.

Ms. Blue stated that an article in the Houston Chronicle pointed out that white tigers especially served no purpose and were bred purely for their entertainment value and bred from Mother to son, etc., and it caused many problems for them; that they were compared to puppy mills in that they now had tiger mills; and urged that the restaurant not be allowed to house them. Council Member Goldberg absent.

At 3:11 p.m. City Council recessed until 9:00 a.m., Wednesday, March 3, 2004. Council Member Goldberg absent.

City Council Chamber, City Hall, Wednesday, March 3, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, March 3, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Ms. Susan Taylor, Acting City Attorney and Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present.

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

At 9:08 a.m. Mayor White reconvened the meeting of the City Council and stated that the first order of business was the Monthly Financial Report. Council Members Goldberg,

Galloway, Edwards, Wiseman and Holm absent.

## **MAYOR'S REPORT**

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

Ms. Annise Parker, Controller, stated that she was pleased to present the Monthly Financial Report for the period ending January 31, 2004, that on the revenue side they projected a \$4.6 million decline from last month, that the February Sales Tax check for taxes collected during the December holiday shopping season totaled \$39.1 million, it was \$2.5 million more than they received in February 2003 or an increase of 6.7%, that the healthy bump in sales taxes were being offset by declines in other revenue categories including Industrial Assessment, Electrical and Telephone Franchise Fees, that fortunately declines on the expenditure side of the ledger were more than offsetting the projected decreases in revenue, the gap was closing, General Fund expenditure projections decreased by \$5.3 million from February and was primarily due to reduced personnel cost realized through attrition and the anticipated savings from changes in the Employee Health Care Premium allocation, that due to the adjustments in expenditures they were now projecting a budget shortfall of approximately \$3.6 million, it was down from the \$5.8 million shortfall they reported last month, that since the start of the fiscal year General Fund spending had been reduced by about \$15 million, that she did want to report that the monthly report reflected a \$5 million transfer to the General Fund from the Convention and Entertainment Facilities Department, it was the transfer that C&E committed to make to help offset the cost of Police, Fire and EMS services during the Superbowl, they were still awaiting a full accounting of the cost on the Superbowl, but it would be a help to the General Fund, and that concluded her report. Council Members Goldberg, Edwards, Wiseman and Alvarado absent.

Ms. Judy Gray Johnson, Director, Finance and Administration stated that as the Controller pointed out this month the sales tax was the good news, they had not always had that case and it was nice to have something moving in the positive direction, the December report for what they received in February was very encouraging, 6.75% up from the prior year and as a result they had increased their estimate for the year for sales tax by \$3.1 million, they did have some offsets against that one of which was the Industrial District Assessments which the valuations had come in lower than anticipated and as a result they had lowered their estimate of revenues for that item, they had also lowered the estimate of revenues for interest earnings since the interest rates continued to be very very low and of course that was good news on the debt side but not so good news on the investment side, their expenditure estimates for the General Fund had all been updated based on the departmental spending trends as well as the change in Health Benefits contribution, they also lowered their estimates for Workers Compensation costs based on an analysis done by the Human Resources Department, overall their expenditure estimate was down \$8.6 million since last month, if their projections held they would end the year with a fund balance that was \$4 million higher than when they began, if the Controller's projections were accurate then they would end the year with a fund balance of \$3 million below where they began, a \$7 million swing in estimates at this time of the year was really not all that unusual, the differences were closing and the gap, they were sure, would be closed and they would find a way to end with a fund balance that they could all be happy with, that they would be working together on that over the next month, that they had made a few changes on the revenue side on the Enterprise Funds, primarily Water and Sewer Revenues, which due to higher rainfall, their estimate for a total of Water and Sewer sales were down by \$2 million for the year, and that concluded her report. Council Members Goldberg, Edwards, Wiseman and Alvarado absent.

Council Member Sekula-Gibbs stated that she knew they were going to have a meeting about the pension on Friday at 11:00 a.m. but wanted to ask the City Controller where on the Monthly Report was their payment for pensions listed, and Ms. Johnson stated that they did not specifically identify the pension that was simply part of the personnel costs that were reported for every department, they had more of a departmental approach to reporting the expenses than a line item, and Council Member Sekula-Gibbs stated that she thought it should be identified clearly because she asked repeatedly how much were they spending and was it going up and that had not been available and if it was buried in the Monthly Financial Report it certainly should not be buried. Council Members Goldberg, Edwards, Wiseman and Alvarado absent.

Ms. Parker stated that they could show a chart tracking the pension contributions if she wished, and Ms. Johnson stated that it was not going to show anything interesting on a month to month basis because those are set for the year, but they could year to year, and Sekula-Gibbs stated that it should be done not only on the City employees but on Police and Fire so they could see what their obligations were because they were being caught up with something very ugly. Council Members Goldberg, Edwards, Wiseman, Alvarado and Green absent.

Mayor White stated that for example Municipal pension they would apply approximately 14.7%, that was .141 times the personnel expenditures in that category on the sheet, that was not to say the Council Member's request was unreasonable, it was entirely reasonable, but if someone wanted to derive it at the table they would use the percentage contribution times the personnel expenditures which were set forth. Council Members Goldberg, Edwards, Wiseman, Alvarado and Green absent.

Council Member Sekula-Gibbs asked if she could get the answer by Friday and to show for the last several years where they had been and where were they going because the press seemed to have the information but the City Council did not have the information, and Ms. Parker stated that she thought the media may just have the same general ballpark figures that the Council had and Friday's presentation for the special Fiscal Affairs Committee meeting they would be able to look at what had been the contribution, historically, for the three different pension funds and what the predictions were for the future. Council Members Goldberg, Edwards, Wiseman, Alvarado and Green absent.

Council Member Sekula-Gibbs stated that she had many calls and emails from very alarmed citizens who were very upset about what had been in the press recently about the impending un-funded liability that the City had for municipal pensions and were concerned about the lack of transparency and there was a sense that the City Council was in some way responsible for not controlling the pension, and really what had happened was that the pension board was acting autonomously into a large degree through direction of the State Legislature and allowing the pension, through the direction of the administration, to go up, Proposition 15 was passed by about 63% of the vote that solidified that and made it impossible to bring that pension rate down without basically reversing Proposition 15, which may indeed be possible, that she thought they had to be clear to the people, who were their voters and who elected them, that it was a situation that was not often discussed at the Council table, they had never voted, she personally had never voted on raising pension rates, it had never come up, and yet quietly behind the scenes pension rates had been going up and they were now required as a City to pay higher rates for employees which was something that was not clearly delineated in the financial report to the City and it was something very serious and she thought they had to recognize that the last Legislative Session there were two bills of great importance that happened, Senate Bill 308, House Bill 601 and then Constitutional Amendment Proposition 15 that went through under the direction of the previous administration that raised the municipal pensions and it happened and they were not really given the information until it was a done deal and so now they were being told that their obligation, and she got the information from the Chronicle, was going to go up from around \$50 million a year to \$150 million a year, that was a big jump and she applauded the Mayor for bringing it to the light of day during his State of the City address, she really thanked him for bringing the light of day to it because it was something

that many of them had been really worried about, but no one was willing to bring to the light of day so it was high time that they brought it to everyone's attention and if at all possible do what San Antonio did and opt out, they as a City opted out of Proposition 15, that deadline passed and she did not know if they were aware of that but there was about a 200 day or some odd limit that they could opt out and Houston did not exercise that option, but she would bet that their representatives in Austin could craft some legislation that would allow them to be more flexible and move that window up or down in terms of managing their pension without having to be draconian in any of their steps, so she thought that they had to work together in it and had to review where the pension board was going and had to make sure that the pension board answered their questions, she had called them, they did not answer questions, they did not send information, that she was going to ask the Controller to provide the information to them, what were they paying, what had they paid, what would they be paying projected for the next five years, what did they pay for the past five years and where were they going to get the money. Council Members Goldberg, Edwards, Wiseman, Alvarado and Green absent.

Mayor White stated that they had those two reports and knew they did have their mind full of a procedure where he was a sure a number of Council Members had an opinion on this and other items after the agenda and knew the Finance Committee was having one meeting and the request for information concerning historical contributions and applying the percentages to the personnel costs for year to date was something that was a reasonable request that they could very well accommodate if they could, that it was not the last thing said about it, either today or in the coming nine months. Council Members Goldberg, Edwards, Wiseman, Alvarado and Green absent.

Council Member Ellis moved to accept the Monthly Financial Report, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards, Wiseman, Alvarado and Green absent. MOTION 2004-0223 ADOPTED.

### **CONSENT AGENDA NUMBERS 1 through 35**

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

1. RECOMMENDATION for approval of the **GREATER HARRIS COUNTY 9-1-1 EMERGENCY NETWORK** Budget for Fiscal Year 2004 - January 1, 2004 through December 31, 2004 – was presented, moved by Council Member Ellis, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0224 ADOPTED.

#### **ACCEPT WORK** - NUMBERS 5 through 10

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,835,577.48 and acceptance of work on contract with **TOTAL CONTRACTING LIMITED** for Construction of Conrad Sauer Drainage and Paving Improvements, GFS M-0221-01-3 (M-0221-01) - 02.73% under the original contract amount - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0225 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,608,399.01 and acceptance of work on contract with **CONRAD CONSTRUCTION CO., INC** for Construction of Paving and Drainage Improvements on North Kirkwood Road from I-10 to Westwick Subdivision, GFS N-0701-01-3 (SB9014) - 04.80% under the original contract amount - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0226 ADOPTED.

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$576,905.76 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for Northwest Wastewater Treatment Plant (WWTP) Odor Control Improvements; GFS R-0265-21-3 (4806-1) - 01.30% over the original contract amount **DISTRICTS A - LAWRENCE and B - GALLOWAY** – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0227 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$386,778.78 and acceptance of work on contract with **LEM CONSTRUCTION CO., INC** for Grisby Lift Station Rehabilitation; GFS R-0267-57-3 (4276-19) - 01.31% under the original contract amount - **DISTRICT G - HOLM** – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0228 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,319,732.46 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Replacement in Denver Harbor Subdivision, GFS S-0035-77-3 (WA9799) - 02.74% under the original contract amount - **DISTRICT H - GARCIA** – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0229 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$895,944.99 and acceptance of work on contract with **INDUSTRIAL TX CORP.** for Construction of Flow Meters for Various Facilities; GFS S-0936-04-3 (WA10605-A) 14.59% under the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; E - WISEMAN; G - HOLM and H - GARCIA** – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0230 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 12 through 20

12. **SANITARY MATTRESS COMPANY dba KING KOIL SLEEP PRODUCTS (Bid No. 10)** for Bedding for Building Services Department - \$53,424.00 minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$1,602.72 for a net award amount not to exceed \$51,821.28 - General and Fire Department Revolving Funds – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0231 ADOPTED.
13. **AMEND MOTION #1999-617, 4/14/99, TO EXTEND** expiration date from April 14, 2004 to October 13, 2005, for Soft Body Armor for Houston Police Department, awarded to **LONE STAR UNIFORMS, INC** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0232 ADOPTED.
14. **AMEND MOTION #01-348, 3/28/01, TO EXTEND** expiration date from March 28, 2004 to March 27, 2006, for Schweizer 269 Series Helicopter Replacement Parts Contract for Police Department, awarded to **AIR FLITE, INC** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0233 ADOPTED.

15. **LAWRENCE MARSHALL FORD-MERCURY, L.P. (Bid No. 1)** for Patrol Vehicles for Police Department - \$4,172,805.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0234 ADOPTED.
16. **LAWRENCE MARSHALL CHRYSLER, L.P.** - \$95,074.00, **PHILPOTT MOTORS, LTD., d.b.a. PHILPOTT FORD** - \$257,566.00, **LAWRENCE MARSHALL FORD-MERCURY, L.P.** - \$69,320.00, **LAWRENCE MARSHALL CHEVROLET II, L.P.** - \$85,695.00 and **ALVIN AUTOLAND, INC d.b.a. RON CARTER AUTOLAND** - \$177,913.00 for Special-Duty Vehicles for Police Department - \$685,568.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0235 ADOPTED.
17. **HOUSTON-GALVESTON AREA COUNCIL** for Special-Duty Vehicles through the Interlocal Agreement for Cooperative Purchasing for Police Department - \$81,630.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0236 ADOPTED.
20. **AMEND MOTION #2000-492, 4/5/00**, as amended by **#2003-334, 4/2/03, TO EXTEND** expiration date from April 5, 2004 to April 4, 2005, for Tool, Automotive and Equipment contract for Various Departments, awarded to **SNAP-ON INDUSTRIAL, DIVISION OF IDSC HOLDINGS LLC (formerly SNAP-ON TOOLS COMPANY)** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. MOTION 2004-0237 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 24 through 35

24. ORDINANCE issuing permit to **COLONIAL PIPELINE COMPANY**, to own, acquire, construct, operate, maintain, improve, repair and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICT E – WISEMAN** – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0145 ADOPTED.
25. ORDINANCE issuing permit to **DYNEGY MIDSTREAM SERVICES, LIMITED PARTNERSHIP**, to own, acquire, construct, operate, maintain, improve, repair and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - **DISTRICTS E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0146 ADOPTED.
26. ORDINANCE repealing Ordinance No. 2003-969 relating to a pipeline permit issued to **ENTERPRISE PRODUCTS COMPANY**; issuing a permit to **HSC PIPELINE PARTNERSHIP, L.P.**, to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provision under which said permit is issued; providing for severability - **DISTRICTS D - EDWARDS; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0147 ADOPTED.
27. ORDINANCE approving and authorizing execution of interagency contract between the

City of Houston and the **CITY OF BAYTOWN** for the Harris County Organized Crime and Narcotics Task Force/11 – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0148 ADOPTED.

28. ORDINANCE approving and authorizing contract between the City of Houston and **BERING OMEGA COMMUNITY SERVICES** providing up to \$1,231,200.00 in Housing Opportunities For Persons With AIDS (“HOPWA”) Funds for the administration of a Short-term Rent, Mortgage and Utility Assistance Project, which sum includes a limitation of additional funding in the amount of \$615,000.00 - Grant Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0149 ADOPTED.
31. ORDINANCE appropriating \$496,800.00 out of Airport System 2000B NON-AMT Construction Bond Fund; authorizing purchase of certain tracts of land and improvements thereon, out of Greenview Manor Section Two, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-23.1; Project 617; approving purchase and sale agreements with the owners of the land (Sylvia Petra Alaniz; Jose E. Perdomo and Piedad R. Perdomo; Jerry Don Ratcliff and Linda Sue Paden; Gary F. Sipe and Kathleen M. Sipe; and Francisco Zuniga) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0150 ADOPTED.
33. ORDINANCE appropriating \$1,468,550.00 out of Water & Sewer Consolidated Construction Fund, awarding contract to **R. K. WHEATON, INC** for Water Line Replacement in Ridgecrest Subdivision, GFS S-0035-96-3 (WA10737); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Water & Sewer Consolidated Construction Fund - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0151 ADOPTED.
34. ORDINANCE approving and authorizing first amendment to contract between the City and **ARCH WIRELESS OPERATING COMPANY, INC (formerly known as MOBILEMEDIA COMMUNICATION, INC d/b/a MOBILECOMM)** for Pager Rental Services for Various Departments for a contract extension – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0152 ADOPTED.
35. ORDINANCE awarding construction contract to **TRIMBLE AND STEPHENS CONSTRUCTION SERVICES, INC d/b/a STEPHENS CONSTRUCTION SERVICES** for Construction of Sehad Youth Activity Center, GFS Y-P-013-01-3; providing funding for construction management, engineering testing services and contingencies relating to construction of facilities financed by the Community Development Block Grant - \$574,400.00 - CDBG Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Goldberg, Edwards and Wiseman absent. ORDINANCE 2004-0153 ADOPTED.

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

**ACCEPT WORK**

2. RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$1,640,495.62 and acceptance of work of the Surety, **CAPITAL INDEMNITY CORPORATION** on contract awarded to **MEB ENGINEERING, INC** for Parks to Standard Program - Bid Package No. 6, Carverdale and MacGregor Parks, GFS F-0363-06-3 - 03.18% over the original contract amount - **DISTRICTS A - LAWRENCE and**

**D - EDWARDS** – was presented, moved by Council Member Galloway, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg and Edwards absent. MOTION 2004-0238 ADOPTED.

3. RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$99,225.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Stewart Park Improvements and Upgrades, GFS F-0502-01-3 05.00% over the original contract amount - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg and Edwards absent. MOTION 2004-0239 ADOPTED.
4. RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$193,200.00 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for E. R. and Ann Taylor Park, GFS F-0514-00-3 - 05.00% over the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg and Edwards absent. MOTION 2004-0240 ADOPTED.

#### **PROPERTY**

11. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcels KY3-069A, KY3-069B and KY3-069C, located along the north line of Old Katy Road between Dairy Ashford Road and Morris Road, owned by Shell Oil Company, a Delaware corporation, Lynn Elsenhans, President and C. E. O., for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2 - \$404,402.00 - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg and Edwards absent. MOTION 2004-0241 ADOPTED.

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

18. **PHILPOTT MOTORS, LTD.** - \$1,442,344.00, **LAWRENCE MARSHALL CHEVROLET II, L.P.** \$2,050,970.00 and **CLASSIC CHEVROLET HUMMER, INC** - \$32,772.00 for Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments - Equipment Acquisition Consolidated, Enterprise, Police Special Services, Building Inspection and Storm Water Utilities Funds – was presented, moved by Council Member Quan, seconded by Council Member Garcia and tagged by Council Members Wiseman and Sekula-Gibbs. Council Members Goldberg and Edwards absent.
19. **AMEND MOTION #2000-515, 4/12/00**, as amended by **MOTION #2003-374, 4/16/03, TO EXTEND** expiration date from May 24, 2004 to May 23, 2006, for Automotive Refinishing Products Contract for Various Departments, awarded to **LUIS AUTO COLORS** – was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs, and tagged by Council Member Wiseman. Council Members Goldberg and Edwards absent.

#### **RESOLUTIONS AND ORDINANCES**

21. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Variable Rate Demand Multifamily Housing Revenue Bonds (Mayfair Park Apartments) Series 2004 and approving the Official Statement with respect to such bonds - **DISTRICT H – GARCIA** – was presented, and tagged by Council Member Garcia. Council Members Goldberg and Edwards absent.
22. ORDINANCE approving and authorizing consent to encroach, permitting improvements

owned by Durward P. Hulce and Melinda Parmer, the abutting owners, to encroach into the alley located at 339 West 23rd Street; the area of encroachment containing 123 square feet of land, more or less, adjacent to the north property line of Lot 30, Block 45, Houston Heights Addition, Houston, Harris County, Texas; subject to the terms and conditions of the consent to encroach - **DISTRICT H - GARCIA** – was presented, and tagged by Council Members Garcia and Lawrence. Council Members Goldberg and Edwards absent.

23. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 15-foot-wide storm easement, containing 2,226 square feet of land, more or less, and a portion of a 15-foot-wide alley right of way containing 935 square feet of land, more or less, Parcels SY2-048A and SY2-048B; both easements being located in the John Austin Survey, Abstract Number 1, Houston, Harris County, Texas, vacating and abandoning Parcels SY2-048A and SY2-048B to Houston Heights Apartments, L.P., abutting owner, in consideration of the owner's dedication of two street right of way easements containing an aggregate of 8,169 square feet of land, more or less, a 10-foot-wide sanitary sewer easement containing 1,243 square feet of land, more or less and a 20-foot-wide storm sewer easement containing 5,884 square feet of land, more or less and payment of \$600.00 and other consideration to the City - **DISTRICT H - GARCIA** – was presented, and tagged by Council Member Garcia. Council Member Edwards absent.
29. ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **CHEVRON U.S.A. INC** for certain property located within the Houston, Texas, Enhanced Enterprise Community; granting variances to certain requirements of Chapter 44 of the Code of Ordinances – was presented, and tagged by Council Member Ellis. Council Member Edwards absent.
30. ORDINANCE approving and authorizing lease agreement between the City of Houston and **ENTERPRISE JET CENTER, INC** at William P. Hobby Airport - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Edwards absent. ORDINANCE 2004-0154 ADOPTED.
32. ORDINANCE awarding contract to **DISCOVERY SERVICES OF TEXAS, INC** for Legal Duplicating & Litigation Support Services for the Legal Department; providing a maximum contract amount - 1 Year with four one-year options - \$281,808.75 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Edwards absent. ORDINANCE 2004-0155 ADOPTED.

#### **NON CONSENT AGENDA** - NUMBER 36

#### **MISCELLANEOUS**

36. RECEIVE nominations for Positions One and Two, and Alternate Positions One and Two of the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, the one-year term to expire December 31, 2004 – was presented. Council Member Edwards absent.

Council Member Ellis stated that he wanted to re-nominate Council Member Wiseman for Position One and nominate Council Member Green for Alternate Position Two. Council Member Edwards absent.

Council Member Wiseman stated that she wanted to nominate Council Member Holm for Alternate Position One and nominate Council Member Ellis for Position Two of the Houston-Galveston Area Council Board of Directors. Council Member Edwards absent.

Council Member Ellis moved to close nominations for Positions One and Two and Alternate Positions One and Two of the Houston-Galveston Area Council Board of Directors, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards and Berry absent. MOTION 2004-0242 ADOPTED.

Mayor White stated that the vote would occur next week, that he appreciated the work of Mayor Pro Tem Alvarado and colleagues in determining the interest of a number of Council Members in those very important positions and thanked the colleagues for their interest. Council Member Berry absent.

**MATTERS HELD** - NUMBERS 37 through 40

37. ORDINANCE relating to Health Care Benefits for City Employees, Retirees, Deferred Retirees, Survivors and certain dependents; approving and authorizing various plans and agreements and amendments to plans and agreements regarding Health Care for the aforementioned beneficiaries, approving a maximum contract amount; containing other provisions relating to the foregoing subject; providing for severability – **(This was Item 19 on Agenda of February 25, 2004, TAGGED BY COUNCIL MEMBERS GARCIA, EDWARDS, ALVARADO, QUAN and HOLM)** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0156 ADOPTED.
38. ORDINANCE appropriating \$161,101.64 out of Water & Sewer System Consolidated Construction Fund, \$38,075.09 out of Tax Increment Reinvestment Zone Affordable Housing Midtown Fund and \$100,115.33 out of Homeless and Housing Consolidated Fund; approving and authorizing Developer Participation contract between the City of Houston and **KENDALL HOMES CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Avondale Subdivision, CIP S-0800-B5-03 and R-0800-B5-03 - **DISTRICT D - EDWARDS** – **(This was Item 30 on Agenda of February 25, 2004, TAGGED BY COUNCIL MEMBER EDWARDS)** – was presented.

Council Member Edwards moved to refer Item No. 38 back to the administration, seconded by Council Member Lawrence.

Council Member Ellis asked Council Member Edwards why were they referring it back, and Council Member Edwards stated that one of the reasons was that they tried to stay on top of development in their community, they tired to meet with developers with these issues and they misrepresented that they had met with them and they had not and she just wanted to make sure they were consistent because they held all developers to a standard of at least talking with the community and meeting with them regarding the issues, so she would appreciate if her colleagues would work with her on it, and Mayor White stated that he understood the intent was to insure that the Council Member had an opportunity to confer with some of the people involved in it concerning the substance of what was to be done and for reasons not having to do with the Council Member that meeting did not occur and so that was giving an opportunity for that meeting to occur during the week. Council Member Berry absent.

A vote was called on Council Member Edwards motion to refer Item No. 38 back to the administration. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0243 ADOPTED.

39. ORDINANCE awarding contract to **DIAMOND CARWASH SALES & SERVICE** for Vehicle Car Wash Services for the Houston Police Department; providing a maximum contract amount 3 years with two one-year options - \$584,923.00 - General Fund – **(This was Item 36 on Agenda of February 25, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Wiseman moved to refer Item No. 39 back to the administration. A vote was called on Council Member Edwards motion to refer Item No. 38 back to the administration. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0244 ADOPTED.

Mayor White stated that he thought it was a good example of a lot of public servants working together to think about better ways that they could do business and he appreciated the number of Council Members who participated and asked probing questions about the particular matter, that it would be the policy that they would make sure the vehicles were cleaned and appropriate for service. Council Member Berry absent.

40. ORDINANCE appropriating \$1,357,521.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **ALLCO, INC** for Wastewater Collection System Rehabilitation and Renewal, GFS R-0266-T1-3 (WW4235-18); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – **(This was Item 38 on Agenda of February 25, 2004, POSTPONED BY MOTION #2004-219)** – was presented. Council Member Berry absent.

Council Member Ellis moved to refer Item No. 40 back to the administration.

Mayor White stated that he understood the reason for the motion to refer back was that they still had not paid back taxes, and Council Member Ellis stated that he would be in favor of delaying it for a week and giving them an opportunity but they had done it already once and if they referred it back to the administration maybe it would get their attention.

A vote was called on Council Member Ellis motion to refer Item No. 40 back to the administration. All voting aye. Nays none. MOTION 2004-0245 ADOPTED.

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

Council Member Green stated that yesterday they had the 21<sup>st</sup> Metro accident on the rail line and wanted to reiterate the necessity that they educate their citizens on the safety of the train. Council Member Goldberg absent.

Council Member Edwards stated that she wanted to thank the Mayor's staff, particularly Mr. Fontaine for the presentation on Saturday to the Third Ward Community about the new pilot program "You Call We Haul", that Council Member Alvarado's office was there, that they had a pretty representative crowd, that Mr. Fontaine was very good and able to handle the issues and situations real well, that she thought they were going to have a successful program and was excited about the work that they might be able to do in what was commonly known as "the bottoms", that she wanted to thank them on that issue. Council Member Goldberg absent.

Council Member Edwards stated that this evening in conjunction with Council Member Alvarado and State Representative Garnet Coleman they were having a townhall meeting and was vaguely called "Third Ward is our home and it's not for sale" and it was regarding properties in the Third Ward area, that it would be at 7:00 p.m. at the Third Ward Multi Service Center, that the community was excited about it and also to the point that Sunnyside was having a meeting regarding the same issues tomorrow night, so they had information regarding that if someone wanted it, that Mr. Charles Whit and his group were putting together the meeting so she wanted to congratulate him and his group for their leadership and looked forward to working with them on that issue. Council Member Goldberg absent.

Council Member Edwards stated that this time last year they had The Chocolate Bayou Festival, that for those not familiar with Chocolate Bayou that was the old name of Cullen Road and in the Sunnyside area Chocolate Bayou had a very historic and respected flavor, that on Sunday at Sunnyside Park they were going to be kicking off the year of activities celebrating Chocolate Bayou

Festival, that it would culminate the years activities in September with the two day festival, that she wanted to thank the Mayor's office, Ms. Susan Christian and especially Vince, they had been very instrumental in working with them, Mr. Jordy Tollett, with the Convention and Entertainment Bureau, that on Sunday at 3:00 p.m. they were kicking off the activities with a reception at the Sunnyside Park Community Service Center and would invite everyone to come out. Council Member Goldberg absent.

Mayor White stated that in view of Council Member Edwards initial comments concerning Mr. Fontaine, he would note what an invaluable role he had played, he had been out in the last week driving with the Solid Waste crews in the morning, mowing with the Parks Department and it was very invaluable the information he furnished in making some decisions going forward on the ground because they could just not assess something if they were not there, that he wanted the Council Members to know that the Deputy Chief of Staff had taken a very hands on approach to learning what went on at the basic level of City services and it was invaluable.

Council Member Edwards stated that she wanted to thank PWE, that they had a very serious case of some senior citizens whose sidewalk was broken up and they had television coverage and Public Works had taken care of it and she wanted to thank them for taking care of Ms. Sheryl Williams and her parents and their home.

Council Member Lawrence stated that she wanted to congratulate the Super Neighborhoods in Spring Branch that were recognized by Leadership Houston for their outstanding parade and festival that they had last fall, that the group was led by Mr. Victor Alvarez and Mr. Jimmy Wong and hoped they would take it by the horns and lead it again next year, that over 10,000 people participated and had really brought the community together.

Council Member Garcia stated that he wanted to congratulate his Chief of Staff because the Conoco Phillips Fun Run was held Saturday and he did the 10K in 48 minutes, that it was a great event and the community was excited to see the Fun Run come through, that he would have been running also but decided to join the Mayor on horseback and some of his other colleagues.

Council Member Garcia stated that this Saturday would be the First Saturday in the Heights Event, a lot of great businesses and a lot of things to see and do on the first Saturday and would like to encourage everyone to participate in that.

Council Member Garcia stated that also on Saturday was the Near Northside Bond Parade and thought several of his colleagues were participating in that and wanted to encourage them to get in touch with the folks out there and enter a float or at least walk in the parade.

Council Member Garcia stated that March was the month of March On Crime and was their annual event to encourage citizens and the community to be aware that there were a lot of community initiatives and a lot of things the Houston Police Department was doing and surrounding law enforcement agencies to make sure the communities were safe and also carried the name of "Lucha Contra El Crimen" because it was born out of the cooperation with the Hispanic community in that regard, that he wanted to encourage their citizens to participate in all of the different activities that the Houston Police Department may be doing.

Council Member Garcia stated that he wanted to thank Mayor White because they opened up the SWAT Shoot House, which he thought would go a long ways in terms of ongoing and effective tactical training for the police officers, that he wanted to recognize Officer Sandy Walls, the SWAT officer who took the initiative to lead that charge and making it happen.

Council Member Garcia stated that he wanted to remind his colleagues that on Monday at 10:00 a.m. was the Public Safety and Homeland Security Committee meeting and looked forward to seeing them there.

Council Member Holm stated that with regard to the unacceptable state of the City pension program she wanted to reassure her constituents, who were calling outraged, that she to was very upset by the state of the fund and the lack of leadership and accountability that had led them to where they were today, but wanted them to know that their new City leadership would not put off tough decisions for the future and that they were looking carefully at options that would benefit and be fair to all employees and be fair to all taxpayers and would like to thank Council Member Ellis for his leadership as Chairman of the Fiscal Affairs Committee and for calling special meetings and helping them to really move forward to resolution and a fair commitment.

Council Member Alvarado stated that she too wanted to join Council Member Edwards in applauding Mr. Terrance Fontaine in the Mayor's office, that what she appreciated most was that he had kept the District Council Members involved and informed every step of the way and made them feel as if they were a part of the program, that they were going to do some additional things and other cleanups involving other departments, that he was doing a great job and she appreciated it.

Council Member Alvarado stated that there was an article in the newspaper by Mr. West, President of the Greater Restaurant Association, who was a little critical of the Convention and Visitors Bureau and she took issue with some of the points made because she thought their Convention and Visitors Bureau, especially under the current leadership, did a fine job during the Superbowl and had worked tirelessly to bring conventions to the Houston area and was sure there was always room for improvement, but if they were new to the City and read the article would think that the bureau was not doing anything to promote the City and she hoped that the association would sit down with the bureau and have some discussion and try to air it out in a more private manner instead of blasting it in the newspaper.

Mayor White stated that Council Members may or may not be aware that there was a broad, expert, diverse and hard working group of citizens that had been at work for six weeks on assessing where they were with the bureau and C&E, a broad group of stakeholders, that included a lot of the stakeholders that would typically be very interested and involved in the governance of a bureau such as hotels, restaurateurs, travel and entertainment and there was a lot of work that had been put in and they were going to make a report shortly to him, that he convened the group and that report would be available, that he did agree, on this and other issues, that the most important thing was that they decide where they went from here and recognize success where there was success and also recognize that there could be improvement. Council Member Edwards absent.

Council Member Sekula-Gibbs stated that she wanted to invite all Houstonians and her Council colleagues to the upcoming townhall meeting that she was co-hosting with Council Member Galloway tomorrow at Acres Homes Community Center, they would be addressing health care access in the Acres Homes community, that it was a part of a series of townhall meetings that she would be hosting throughout Houston where there was a great need for improved healthcare, that the meeting would be from 6:30 p.m. to 8:00 p.m. at 6719 West Montgomery Road at the Acres Home Multi Service Center. Council Member Edwards absent.

Council Member Sekula-Gibbs stated that she wanted to thank Council Member Edwards for putting on the meeting of the "U Call We Haul", that it was a very good meeting. Council Member Edwards absent.

Council Member Sekula-Gibbs stated that she wanted to invite everyone to go out to the Rodeo. Council Member Edwards absent.

Council Member Sekula-Gibbs stated that she wanted to thank Mayor White for shining the light of scrutiny on the issue related to the pension, that it was an issue that had been festering for years and had not come to the light of day and had not been discussed in a meaningful way at City Council and had not been up for a vote, that they would have a special meeting that Council Member Ellis, Chair of the Fiscal Affairs Committee, had called on Friday at 11:00 a.m., that it was to the credit of Mayor White that it was coming out and would be discussed, that it was critical that they have it

discussed publicly. Council Member Edwards absent.

Council Member Quan stated that he wanted to congratulate Council Member Holm for being recognized by Scenic Houston for her fine work on behalf of the City, that he also wanted to recognize Southwest 2000 who had received a Leadership Houston Award. Council Member Edwards absent.

Council Member Quan stated that last night Council Member Khan had his CIP meeting which was well attended and was a very well run meeting. Council Member Edwards absent.

Council Member Quan stated that he wanted to congratulate Council Member Ellis and his wife Vicky for the addition of a new daughter to their household. Council Member Edwards absent.

Council Member Berry stated that with regard to rail safety on March 11, 2004 at their TIA meeting they would be discussing rail safety and a few people from Metro would be coming over and hopefully they could educate the public better and look into what the real cause was. Council Member Edwards absent.

Council Member Berry stated that he wanted to recognize a Planning Department employee, Mr. Jim Harrison, who did his job and was very pleasant and was a positive face for the City of Houston, that he was a mechanical inspector and had gotten a rave review by someone he was inspecting. Council Member Edwards absent.

Council Member Berry stated that they had been hearing from firefighters with regard to morale in that department and looked forward to the Mayor's choice of a new Fire Chief and hoped he would do like the police officers and listen to a lot of them because they had a lot of ideas as to what should be done. Council Member Edwards absent.

Council Member Berry stated that there was a story that ran on Fox News with regard to parking enforcement officials and a performance report, that what concerned him was that a City of Houston official stated that they did not have a monthly performance report for the parking enforcement officers and it was as clear as day that they did, that it was called a monthly performance report and there was 10% given for individuals to boot cars and there was an effectiveness rating based on the number that they did and there was no other way to read it other than to say the City was currently giving bonuses to boot cars, that was not the Mayor's policy and not a policy of the current administration and thought the policy may have been there for ten years but did not think that was how they should respond to those source of concerns and hoped that the word would go forth that when they saw issues that concerned them they would not deny them, that they would embrace what the issue was and address it and move forward, that he hoped the Mayor would reverse that particular policy. Council Member Edwards absent.

Council Member Berry stated that with regard to the trash pickup, they had been getting some confusing calls in his office on calling 311, that they make sure that viewers and constituents know that it was a pilot project in the Third Ward only, that everyone else was still going to get their trash picked up. Council Member Edwards absent.

Council Member Berry stated that he also wanted to join with Council Member Quan in welcoming Grace Katherine Ellis to Council Member Ellis's family. Council Member Edwards absent.

Mayor White stated that an issue that he thought Council Member Berry's committee might shed some light on was that there were a lot of places around the City where freight trains just blocked the streets for long periods of time and he had asked the Legal Department and they did have some work and research going on concerning the extent to which they could seek a rule making or other federal regulations, that as they knew a fair amount of what the City could do was limited by federal law but he wanted to explore all of their options because it was not right for freight trains to block major intersections, that it did not occur uniformly all over town, that he thought as part of the process they

would get some more information from Legal concerning what the remedies were but something that the Council Member was good at and which helped the governance of the City on Spur 527 was information gathering from the citizens concerning it, how often it occurred and why it occurred he thought would be very helpful in making a record and telling them and they would work with Legal to see if there was anything they could do about it. Council Member Edwards absent.

Council Member Alvarado stated that she wanted to have some discussion about it, that in the East End when they were dealing with the San Jacinto Rail, Congressman Green put together a task force that was paid for by some of the rail industry and they consulted with a group out of A&M to look at all of the rail crossings to look at the trains that had been delaying entrances and exits to neighborhoods so some of that information was already compiled and she would be happy to have his office share that information with Council Member Berry and the administration. Council Member Edwards absent.

Council Member Garcia stated that the East End Management District had put together a law enforcement task force and it was an issue that the train the Mayor had mentioned was a chronic issue that had come up in those meetings before and they had representatives from the railroad police department there and that may be a good opportunity for him to kind of get caught up. Council Member Edwards absent.

Council Member Wiseman stated if they looked at the City's Code of Ordinance, Chapter 38 dealt entirely with railroad companies and what the City could and could not do with respect to regulating railroad companies. Council Member Edwards absent.

Council Member Galloway stated that there was a major problem with the freight trains blocking in Fifth Ward because mostly all the yards were in her district and they had several young people who lost their legs and even died from two trains on a track and young people trying to cross the tracks, that the community wanted for the City to put a walkway because they were talking about children in the age range of 5 and 6 years old crossing the tracks going to school. Council Member Edwards absent.

Council Member Ellis stated that they would be having a special meeting of the Fiscal Affairs Committee and encouraged anybody who wanted to come to the meeting, that it would be at 11:00 a.m. on Friday at the City Hall Annex, they would be discussing the three different pension funds, that primarily what he wanted to do during the committee meeting was talk about where the different pension funds derive their authority, how the increases in benefits had occurred historically and that there was a misunderstanding, that he had several former Council Members call him and say they had never voted for that, that it was more of an educational process for everyone around the table as well as the general public and the meeting so they could understand that City Council did not have a hand in the increase of those benefits, that each of the pension systems were independent bodies with boards, that he thought they could agree they were going to need the help of the pension board members as well as the Council Members and the State Legislature to fix the problem that they were presently in, that he would encourage anybody who had any input and/or questions to attend the committee meeting on Friday at 11:00 a.m. Council Member Edwards absent.

Mayor White stated that he really appreciated the deliberate way that Council Member Ellis was going about the issue and thought it was important for all of them to first understand the facts and legal status and not jump to conclusions that were based on second hand reports of what the law may or may not say, that second it was not an issue of fiscal restraint versus municipal employees, that if they had something that could not be funded it was not a benefit to a City employee, that he thought everybody knew that many City employees were under compensated relative to private sector and historically they had some pension benefits that offset that but when certain things occurred they had to be realistic and he appreciated the comments of Council Member Sekula Gibbs, they needed to know the fact and what the numbers were because they were all in it together and they were moving together, and the third point was that it was not an issue which they would or needed to somehow resolve in a period of two weeks or thirty days, it would require, as Council

Member Ellis said, good dialog with the pension boards, a clear understanding and exploring a wide range of alternatives and not to jump to judgment about one alternative or another, obviously they would make some proposals in connection with the budget they submitted for the next fiscal year but in no business did they try to solve every problem in one fiscal year, they took a long term approach to it and he appreciated the spirit in which Council Member Ellis was conducting the business. Council Members Edwards and Green absent.

Council Member Sekula-Gibbs asked who on the administration was beneficiary of the language of the law that allowed for doubling of the years of service towards the pension, and Council Member Ellis stated that Ms. Susan Taylor, Acting City Attorney, was going to give the presentation on Friday and assumed she would hand out a package with chronological events and Ms. Taylor stated yes, that their intent was to provide information and spreadsheets as to what the various governance provisions were, the composition of the board, etc. Council Members Edwards and Green absent.

Council Member Goldberg stated that to follow up he thought what they saw in the Chronicle was shocking, that to think about the people who were in charge of the pension doubled their own pension, that the CAO did a negotiation and the executive of the pension board doubled his own pension, David Long, they needed to find a way to get rid of David Long, they had to find a way to recall him, that three things happened in the last Legislative Session, first of all they stripped the three appointees that the City Council had and one of those appointees was raising all the questions and bringing all the issues forward, that next they substituted those three appointees for their own appointees and now the board had an appointee, and then they instituted the meet and confer process and what it led to was their ability to keep the pension board afloat and keep the investments sound had failed so they were looking for other sources of money and looking for taxpayer money, it was General Fund, that was where the money was coming from, then they went and hired Towers Perrin to give a rosy report to go ahead and increase the benefits and they would all be funded and everything was okay, that they had a debarment ordinance for the contractors and they did not need one for professional services they could just say they were never doing business with them, that Towers Perrin did a bad job for them and they needed to debar Towers Perrin from ever doing business with the City of Houston, that he thought what they did was a travesty and it was going to cost the taxpayers, that it amounted to almost a 10% increase in property taxes to pay for what they had done. Council Members Edwards and Green absent.

Mayor White stated that over his dead body was it going to result in a 10% increase in property taxes. Council Members Edwards and Green absent.

Council Member Goldberg stated that the amount of money that they would have to make up would add up to 10% increase in rate and was glad to hear they were not going to increase the property tax rate but all it meant was that now they were going to have to decrease services, that City employees would not get raises, that they were going to have to lay off employees, that was what it amounted to. Council Members Edwards and Green absent.

Council Member Wiseman stated that she wanted to echo the sentiments of Council Member Alvarado with respect to the Convention Bureau and Mr. Tollett, that she heard from people all over the Country that had shared that he was truly very well respected in the industry around the Country and would hope that any concerns that anyone in the community may have with respect to his performance that it be handled in the most appropriate manner possible and not in a knee jerk type of reaction, that she was very supportive of the work that had been done by the bureau and Mr. Tollett and would hope that they continue to see good things from there. Council Members Edwards and Green absent.

Council Member Wiseman stated that she also wanted to give her kudos to Mr. Fontaine and thanked Mayor White for his assistance in the matter of the bathroom facilities at Law Park, that Mr. Fontaine worked very quickly on that and shared with her that the work was being done immediately and the last she heard from Mr. Fontaine within the next two weeks those bathroom facilities would be fully operational, that she appreciated it very much and other people in the community appreciated

it very much. Council Members Edwards and Green absent.

Council Member Wiseman stated that she would also like to thank Mr. Gary Norman and Mr. Robert Hovater from Public Works, and Lieutenant Steve Arrington and Detective Brian Harris all members of the administration who attended a civic association with her on Monday evening at Brook Forest Civic Association, that they had two issues that were very sensitive to the community and she appreciated having those representatives there to share with them the work they were doing and to express the Mayor's personal interest and concern in that. Council Members Edwards and Green absent.

Council Member Galloway stated that she had brought to the Mayor's attention on February 11, 2004, along with pictures, of all the rubbish that was on Sydnor Street, that she wanted to report to them that it was still there, in fact some more trash had been dumped on the site and it had gotten worse, that she thought it was going to be picked up by now, that she did not know what was going on with it and why it had not been done. Council Members Edwards, Sekula-Gibbs, Berry and Green absent.

Council Member Galloway stated that she had a group of citizens in the northeast area who were very concerned about lease to purchase, that there was a development of approximately 200 to 300 homes that wanted to have at least 25% of those homes to be built to be lease to purchase, that the community did not want that and she did not blame them because it had happened in their community before, that nothing was on the table as of yet but it was just that the developer stated it, that the community did not mind if they had their target at maybe 5% of the homes to be lease to purchase, but they may have to change an ordinance or some State law, that the citizens would be coming to the public session, that she just wanted to let them know that nothing was on the table it was just talk and just wanted to let them know her feelings on the issue. Council Members Edwards, Ellis, Berry and Green absent.

Council Member Galloway stated that as Council Member Garcia stated, March on Crime was this month and they wanted Mayor White out in the Fifth Ward area at the parade that they had were going to have on March 27 at 12:00 p.m. and wanted Mayor White to be the Grand Marshall. Council Members Edwards, Ellis, Berry and Green absent.

Council Member Galloway stated that she wanted to commend Mayor White on his selection for Police Chief. Council Members Edwards, Ellis, Berry and Green absent.

Mayor White stated that on the lease to purchase plan he understood that the developer had not formally come up with the proposal but he had her concerns and the community members and enjoyed their conversation yesterday, that he wanted to thank her for preparing him on the issues when he met with sixteen civic club leaders in her district last night, that it was very helpful and thought they were appreciative of some of the things they had begun to do. Council Members Edwards, Ellis, Berry and Green absent.

Council Member Galloway stated that she had spoken to Mr. Fontaine and was going to give him a tour first so he could get all of the background information before she took the Mayor on the tour, that it was really down into the trenches because they had chickens, roosters, cows and horses, that sometimes she thought she was in a third world country when she went through her district, that illegal dumping had gotten all out of hand, that they were going to have to get strict with their citizens and start fining them and locking them up for dumping trash in their communities, that it was getting worse and they did not have the manpower in order to go and literally pick it up, that they had so many dump sites that when the crane came to pick up the trash it was about 5 to 10 feet deep now. Council Members Edwards, Ellis, Berry and Green absent.

Mayor White stated that he wanted to say that Chief Administrative Officer of the City, Mr. Anthony Hall, in pushing a report like this through quickly and highlighting the need to do that was very aggressive and was looking after the interest of the City of Houston and had worked with him on

the project, as was Ms. Sara Culbreth, who did a lot of work and pushed to find ways that they could get a sense very quickly on where they were, and those two public servants in particular thought that this kind of approach and this kind of look of exactly where they were was something that encouraged him to take a look at and really appreciated their assistance in letting them as a community just account for where they were on it, so whenever he received some accolades and thank you's for doing this they knew there usually were people who had been extremely instrumental in helping him on it and Mr. Hall and Ms. Culbreth, in particular, deserved a lot of credit for urging it to be done. Council Members Edwards, Ellis and Green absent.

Council Member Garcia stated that on Item No. 34, the ordinance for the wireless company, it was not so much the issue with that particular company but he noticed that the contract was going to be set up as a various department contract, that he had some not too pleasant experience with that type of contract, various departments, because there was not anyone who was actively overseeing the contract itself, the monitoring or the performance and basically they had various departments who had access to the contract but no one was necessarily overseeing the performance or compliance of the contract, that he wanted the administration take a look to see if that was a good way to continue doing business. Council Members Edwards, Ellis and Green absent.

There being no further business before Council, the City Council adjourned at 10:29 a.m. upon MOTION by Council Member Wiseman, seconded by Council Member Holm. Council Members Edwards, Ellis and Green absent.

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

MINUTES READ AND APPROVED

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Anna .Russell, City Secretary