

City Council Chamber, City Hall, Tuesday, April 27, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 27, 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, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer; Mr. Arturo Michel, City Attorney; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director present. Council Member Gordon Quan out of the city on city business.

At 1:54 p.m. Mayor Pro Tem Alvarado stated that Mayor White was in an important meeting with the Moody Investor Services and sent his regrets for not being present at the presentations, but would be in later; and called on Council Member Green to begin the presentations. Mayor White, Council Members Goldberg, Holm and Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Member Green stated that he was going to give recognition to a couple of volunteers with the Municipal Volunteer Parking Program and invited Mr. E. Paul Weekly and Mr. Tim Hart to the podium and presented them with Certificates of Recognition saluting them for their giving countless hours towards the interest of the community and insuring that disabled motorists have access to designated parking. Ms. Calvert stated that she was director of the Volunteer Program for the City "VIP" and this was one program they featured and what made it so successful was the Municipal Courts Administration and Office of Peoples with Disabilities. Mayor White, Council Members Goldberg, Holm and Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Member Berry stated that his dear friend Andre Ware, with whom he went to college, was recently inducted into the College Football Hall of Fame and wherever he went he was associated with the City of Houston and the University of Houston; that in the 1980s he was honored as the Southwest Conference Player of the Decade, won the Heisman Trophy; and presented him a Proclamation commending him for his outstanding accomplishments, wished him continued success, and proclaimed April 27, 2004, as "Andre Ware Day", in Houston, Texas. Mr. Ware introduced his Mother, the athletic director from the U of H and others with him; and stated that it was a magical week for the Cougars with others being inducted and thanked the Council for the recognition. Mayor White, Council Members Goldberg, Holm and Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs stated that it was her privilege to present a Proclamation to Dr. Deborah MacFarlane of the MD Anderson Cancer Center who was chair person for MD Anderson Clinic Day; that the screening would be at eight sites, May 1<sup>st</sup> from 10:00 a.m. to 12:30 a.m. and it was free; and encouraged all to go. Dr. MacFarlane urged everyone to go and stated that they were in an epidemic of skin cancer. Council Member Sekula-Gibbs presented Dr. MacFarlane a Proclamation proclaiming May 1, 2004, as "Skin Screening Day", in Houston, Texas. Mayor White, Council Members Goldberg, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that she and Council Member Galloway would present the next Proclamation and invited Assistant Chief Geraldine Stewart to the podium. Council Member Alvarado stated that they were honoring her for her years of service as officer and assistant chief and wished her luck in her retirement. Council Member Galloway presented her a Proclamation for being honored with a lifetime achievement award and proclaimed April 27, 2004, as "Assistant Chief Geraldine Stewart Day", in Houston, Texas. Assistant Chief Stewart stated that it was a fantastic career with 29 years in the Police Department. Mayor White, Council Members Goldberg, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that she had a special presentation to the Consul General of Mexico, Mr. Eduardo Ibarrola and invited him to the podium. Mayor Pro Tem Alvarado stated she had enjoyed working with the Consul General who had been very instrumental in various issues; that he had done such a great job Washington, D.C., had hired him and he would be Deputy Chief of Mission; and presented him a Proclamation saluting and commending him, wished him continued success; and proclaimed April 27, 2004, as the "Honorable Eduardo Ibarrola Day", in Houston, Texas. Mr. Ibarrola thanked the Mayor, Mayor Pro Tem Alvarado and Council Members for all their support; and stated that he enjoyed his stay in Houston as it was a wonderful place to live; and they would all have a new friend in Washington, D.D. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

At 2:21 p.m. Mayor Pro Tem Alvarado called the meeting to order and Council Member Edwards led all in the prayer and in the pledge of allegiance. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

At 2:22 p.m. the City Secretary called the roll. Council Member Quan out of the city on city business. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Members Green and Lawrence moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Quan out of the city on city business. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding. MOTION ADOPTED.

Mayor Pro Tem Alvarado again stated that Mayor White was in a bond rating meeting with the City Controller and did send his regrets, but would be in the meeting later; and asked the City Secretary to read the policies and procedures for today's meeting. The City Secretary stated that the total amount of speakers who reserved time today was 233 minutes and under the Rules of Council if the total time was greater than 150 minutes each speaker's time would be one minute and under the provisions of the subsection when it was invoked the question time for Council Members would be limited to a total of one minute for each speaker; and so today all speakers would have one minute to speak. Mayor Pro Tem Alvarado stated that all Council Members would have one minute collectively to question. Mayor White and Council Members Wiseman and Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Members Edwards, Garcia, Lawrence and Galloway requested that speakers be heard out of order; and Council Member Edwards moved that the rules be suspended for the purpose of hearing the following speakers out of order Ms. Dorothy Randall, Mr. Richard Shaw, Mr. David Taylor, Mr. Stephen Graves, Mr. Thomas Webb, Ms. Estella Baltrip, Ms. Joanne Mullins, Mr. Robert Williams, Ms. Stephanie Simon, Mr. Robert Sampson, Ms. Catherine Burst, Ms. Andi Lehmann, Mr. Al Russell, Ms. Sissy Lappin, Mr. Jim Casey, Ms. Susan Green, Mr. Al Payne, Ms. Mark Horton, Mr. Tony Johnson, Mr. Bob Herlin, Mr. Joe Toner and Mr. John Walker, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan out of the city on city business. Mayor White, Council Members Wiseman and Ellis absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0418 ADOPTED.

Mr. Carelton Green, 2222 Englemohr, Houston, Texas 77054 (713-797-0099) had reserved time to speak but was not present when his name was called. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Mr. Carl Jackson, 3602 Southmore, Houston, Texas 77004 (713-520-5411) had reserved time to speak but was not present when his name was called. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Ms. Terri Miller-Wilkerson, 7200 Eastex Freeway, Houston, Texas 77093 (713-695-8119) had reserved time to speak but was not present when his name was called. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Mr. Javier Cantu, 10700 Fuqua, Houston, Texas 77089 (281-451-0761) appeared and stated that he was with the towing industry and over the last weeks they and Council Members had butted heads, but today he was thankful to be present and commend the Mayor and Council for standing up for the citizens and taking on their positions of City leaders and working hard to get the City moving. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Member Berry thanked Mr. Cantu for coming and for his positive tone of remarks; that yesterday there was a three and a half hour meeting on this and many of his peers did speak and they were heard loud and clear and in tomorrow's meeting it would be moved to refer the matter back to the Administration with a request for changes and then have it brought back again in two weeks. Mayor White absent. Mayor Pro Tem Alvarado presiding.

Mr. Ryan Winkleman, 5005 Telephone Rd., Houston, Texas 77087 (832-347-3500) appeared and stated that he was present on behalf of consumers who were being defrauded by some selective wrecker companies and storage lots; that he was an auto dealer and had noticed a pattern for a consent to tow agreement by wrecker drivers which allowed an extremely high rate to be charged for the tow and storage; and asked Council consider that. Mayor White absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that she was part of the Transportation Committee and as her colleague stated that issue would be addressed; that they heard both sides and understood the problem and wanted to get to a happy medium; and upon questions, Council Member Berry stated that the question would be whether it would be a public meeting, but there would be another opportunity to meet on the subject. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that again she would like to remind everyone that speakers were being allowed one minute and Council Members collectively had one minute for questions and they might keep that in mind. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Ms. Marcy Castellanos, 104 Goldberg, Houston, Texas 77017 (281-773-4747) appeared and stated that she would relinquish her time to Ms. Patricia Gonzales. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Ms. Dorothy Randle, 3822 Wentworth, Houston, Texas 77004 (713-522-6016) appeared and stated that she was representing the Oak Manor University Woods Civic Club and trying to get help in closing the furniture business operating at 3802 Southmore which was operating in their deed restricted residential neighborhood and in violation. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that they had talked to the Legal Department and they were working on it and talked with the Mayor's Office and they had someone on it; that an investigator would be out there this week and hopefully tomorrow afternoon they would get some answers. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that Mr. Terrance Fontaine with the Mayor's Office was offering his assistance and would like to speak with her. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Mr. Thomas Webb, 2608 Sutherland, Houston, Texas 77023 (713-928-3738 ext. 16) appeared and stated that he was present because of a concern; that ASCME was informed there was a plan to layoff city jailers and if it was they again felt they were left in the dark; that

today he was asking if that plan was so as the jailers were much concerned. Mayor White and Council Member Ellis absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that he read it also and did not know if that was true, but because of the City's contribution to the pension it was beyond what they thought and given a choice of funding the pension or laying off City jailers or employees what would his advice be; and Mr. Webb stated that he was not in a position to give him advise but would give his opinion and that was to strongly suggest and ask that Council Members vote against Proposition 1 on May 15th. Council Member Goldberg stated that they could not do both and again was asking his question; and Mr. Webb stated that his preference was for them to do what they were very capable of and that was rolling up their sleeves and saving both; that Houston was not a "City of Can't", but a "City of Can Do" and he felt together they could find the solution. Council Member Ellis absent.

Council Member Garcia moved that the rules be suspended for the purpose of extending time for Mr. Thomas Webb to speak for two minutes, seconded by Council Member Khan. Council Members Edwards, Wiseman and Lawrence, Galloway voting no. Balance Voting aye. Council Member Quan out of the city on city business. Council Member Ellis absent. MOTION FAILED TO RECEIVE A TWO-THIRDS VOTE OF THE CITY COUNCIL. MOTION 2004-0419 FAILED

Mayor White stated that by the no votes it was a signal to Council there were many speakers present and they were trying to hear everyone as each was as important as the next. Council Member Ellis absent.

Council Member Garcia stated that he did not know if jailers were to be laid off, but did know for several years there was discussion about consolidating the jail process with the County and he would assume it was continuing those same discussions. Mr. Webb stated that if there was to be a consolidation he would hope their jobs would be secure. Council Members Edwards and Ellis absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77029 (713-923-9473) appeared and stated that he was present to speak on the Citgo move to Houston; that problems between Lyondale Citgo and the Union were not secret; that he believed inviting Citgo to Houston at this time was like inviting a bad neighbor into your neighborhood; and urged the Mayor and Council to get Citgo to the table with the (Paper Allied Chemical Energy International Union) PACE Union and have them settle their problems before giving them anything. Council Member Ellis absent.

Mayor White stated that shortly after he looked at documentation he requested concerning the number of grievances and outstanding labor items at that facility compared to a similar scale facility he did personally speak to the president of Citgo and express his concern of what that indicated concerning labor relations and he said he personally would sit with those working at the facility to get to the bottom of the problems and he would remind him of that fact. Council Member Ellis absent.

Mr. David Taylor, 704 E. Pasadena Fwy., Pasadena, Texas 77506 (713-534-8185) appeared and stated that he worked for the Lyondale Citgo refinery almost 28 years and they appreciated the Mayor's support, they knew what he attempted to do; that they had been to Washington, DC to talk to their ambassador and spoke with Mr. Jim Green; that they were given a tentative meeting with the vice president, but other meetings had been cancelled; that if they spoke with the Wage and Hour Division, OSHA or the Environmental Authorities, that facility was a rogue employer and they may well have brought a cancer to this fairly good labor business relationship. Council Members Garcia and Ellis absent.

Council Member Goldberg stated that if Mr. Taylor or Mr. Shaw could not get a meeting

with them they should voice concerns to him or his colleagues; that if they thought there was a negative impact to the taxpayers or the way Houston did business they should let them know and they would raise the issues with them. Council Members Garcia and Ellis absent.

Council Member Edwards thanked Mr. Taylor for his work and the work of the PACE Union workers and would concur with her colleague; that she had a good handle on past issues they had with Citgo and she hoped the Mayor would be able to get done what they had tried to do over the past years. Council Members Garcia, Ellis and Berry absent.

Council Member Galloway stated that she also concurred and they would be working with the Mayor to make sure they had a betterment for the City; and Mr. Taylor stated that the PACE International Union represented 320,000 around the US and they were close to looking at a corporate campaign against the Citgo organization and he would hate to see everyone get caught up in something like that, but the situation was that bad. Council Members Garcia, Ellis and Berry absent.

Mr. Stephen Graves, 8523 Hearth Drive, Houston, Texas 77054 (713-738-3660) appeared and stated that he was an HPD jailer for seven years and present to address the layoff issue; that they were proposing to replace civilian jailers with classified officers which would put citizens at risk and put 300 jailers out of work; that Mayor White in the Mayoral election said he wanted to bring jobs to Houston and he voted for him, but it seemed he was taking jobs away; that the proposal he had was cutting unnecessary spending in all departments including Police Department; that jailers were civilianized for over 20 years and that was their career and they would not be able to get back into the workplace. Council Members Galloway, Garcia, Ellis and Berry absent.

Council Member Edwards stated that she would ask for an update from the Mayor's Office as to whether this was urban myth or if this was in fact what was going on; that she had no answers and would like to know if people were being laid off or not; and Mayor White stated yes, there were a number of different budgets in areas and planning exercises which had been run on this and the issue over the long-term of relationship with the County on jail and he had this morning asked Mr. Hall to look at some of the alternatives and report to him and he would figure out a way to disseminate that to Council Members. Council Members Galloway, Garcia and Berry absent.

Ms. Estella Baltrip, 61 Riesner, Houston, Texas 77002 (713-247-4003) appeared and stated that she was also present regarding jailer layoffs; that jailers were earning \$23,000 to \$27,000 a year and they were planning on replacing them with officers earning \$43,000 plus a year; that morale of officers would be affected because they did not want to be in the jail whereas the jailers had been trained to run the jail and they did it well. Council Members Galloway, Garcia and Berry absent.

Upon questions by Council Member Edwards, Ms. Baltrip stated that if jailers were replaced by officers the impact to the jailers would be their livelihood and they needed their jobs; that also complaints in the jail had dropped severely since it was civilianized and she had 19 years and four months as a jailer; that they were aware of the merger and would like to be kept in place; that Mayor White had stated that his parents were able to receive their pensions and they were only asking for the same. Council Members Galloway, Garcia and Berry absent.

Ms. JoAnne Mullins, 61 Riesner, Houston, Texas 77002 (713-247-5877) appeared and stated that she was also present regarding the jailers jobs; that they were in fear of losing them and were told their jobs were in jeopardy in order to meet the fiscal year budget; that at present there were 239 jailers and they all had families who depended on them to survive, they did not make enough to save money; and if officers were placed in their positions it would limit the number to protect and serve the public while watching those confined in jail. Council Members Galloway and Berry absent.

Mr. Robert Williams, 19919 Gatling Ct., Katy, Texas 77449 (281-876-3906) appeared and stated that he was a senior jail attendant..

Council Member Wiseman asked Mayor White to allow the City Secretary to read Rule 22, Section C of the Council Rules; and he agreed. The City Secretary stated that no person within the Council Chamber should applaud, boo, clap or otherwise audibly express approval or disapproval of actions being taken at the Council table or podium except for public recognition initiated by City Council; and the City Council would appreciate the rules being abided by. Council Members Galloway and Berry absent.

Mr. Robert Williams further stated that in answering an earlier question for Council Member Garcia about the merger, they were promised in the last five years it was not possible for a merger to take place any sooner than 39 months after an agreement was signed by the City and Harris County and more than likely it would be four to five years; that he was a senior jail attendant for HPD and was there 11 years; that he was also a member of the Houston Police Officers Union for those same years; that the HPOU had lobbied for and received three substantial pay increases in the last six years and were also promised large pay increases in each of the next three years; that he received one single 3.5% increase in that time; that officers had told him the last increase alone resulted in an additional \$800 per month take home pay, but apparently those pay raises turned out to be something not affordable and now budget cuts were required within. Council Members Galloway and Berry absent.

Mr. Williams requested more time and Mayor White stated that if he had something in writing he wanted to circulate he could present it to Mr. Cantu and they would do that; that Council Member Edwards pointed out a rule where he could stay to the end of the meeting if he wished. Council Members Galloway and Berry absent.

Ms. Kimberly Moten, 9208 Bertwood Street, Houston, Texas 77016 (281-219-1880) had reserved time to speak but was not present when her name was called. Council Members Galloway and Berry absent.

Ms. Stephaine Simon, 707 Broodford Drive, Katy, Texas 77489 appeared and stated that she was also employed by the City of Houston Police Department for 14 years and 11 having served as a civilian jail attendant; that she received hundreds of hours of training at the same facilities and by the same instructors as officers and she was just as responsible and reliable as the officers, but when it came to being a significant and intricate part and respected or accounted for with the pay raises they were not; that they voted the Mayor and Council into office and had believed in them to make the right and responsible decisions and putting jailers out and officers in was not right or responsible. Council Members Galloway and Berry absent.

Mr. Robert Sampson, 1716 Norfolk, Houston, Texas 77098 (713-526-0987) appeared and stated that they had thought it just rumors about the officers and jailers, but the Chief cleared it up today in the news when he said he wanted to get rid of jailers and replace them with officers; that jailers made about half of what the officers made and there were 239 of them; that they would like to be looked at like people and not just figures on a piece of paper. Council Members Galloway, Edwards and Berry absent.

Ms. Catherine Burst, 1747 Maur Drive, Houston, Texas 77043 (713-539-0970) appeared, presented information and stated that she was the coordinator for Houston's Treescape Program and their role was to protect, enhance and sustain the community's urban forestry resources through a collaborative program with the Park People, Trees for Houston and Scenic Houston; that they were asked to evaluate a change in land use at the Agnes Moffit Park and their summary was to ask the soccer club to seek an alternate location. Council Members Galloway and Berry absent.

Upon questions by Council Member Lawrence, Ms. Burst stated that they had not done a tree inventory at this time, but by the preliminary plans they would anticipate losing most of the tree buffer along Beltway 8 and a number of mature trees in the adjacent subdivision and reduce tree canopy by about 30%. Council Members Galloway, Edwards and Berry absent.

Ms. Andie Lehmann, 248 Litchfield, Houston, Texas (713-468-3804) appeared and stated that she was cofounder of the Houston Flying Disc Society and disc golf course designer at Agnes Moffit Park; that Houston took time to develop guidelines and goals for their parks and this park was designated as a community park and the guidelines clearly indicated that the plan proposed by Albion was clearly and completely inappropriate for Agnes Moffit Park. Council Members Galloway and Edwards absent.

Upon questions by Council Member Lawrence, Ms. Lehmann stated that she lived three miles south of the park and used it almost daily and the parking lots were almost to capacity daily. Council Members Galloway and Edwards absent.

Mr. Al Russell, 2022 Shadow Bend, Houston, Texas 77043 (713-827-7474) appeared and stated that he was president of the Timber Oaks Civic Association and member of the Spring Branch West Super Neighborhood Council and present to say they were not opposed to soccer at Agnes Moffit Park, but they did not want all soccer fields in Spring Branch and west Houston to be located in one small park, they should be spread out over the community; that Timber Oaks had surveyed and found out approximately 1% of the members of the soccer club lived in the immediate surrounding neighborhoods, therefore most had to be brought in by vehicles which would significantly increase pollution and traffic. Council Members Galloway and Edwards absent.

Upon questions by Council Member Lawrence, Mr. Russell stated that information provided to them was over one-third of the park would be consumed and he counted 300 trees ten feet high or greater which would need to be cut for the fields; that currently they had a basketball pavilion there, baseball, swimming and Frisbee golf. Council Members Galloway and Edwards absent.

Mrs. Sissy Lappin, 1300 Wood Hollow, Houston, Texas 77057 (713-922-0602) appeared, presented information and stated that she was present with a quality of life issue affecting inner-city children who were the future; that she was founder of the Girls Club which merged with the Boys and Girls Club; that Dallas embraced private/public partnerships and that was why they had first class sports facilities; that in the City of Houston with their limited plan they had soccer fields flooded and took several weeks to drain and once drained and dried was full of broken glass; that major cities went to a private partnership where they maintained the facilities. Council Members Galloway and Berry absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of extending time for Ms. Sissy Lappin to speak by one minute, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Quan out of the city on city business. Council Members Galloway and Berry absent. MOTION 2004-0420 ADOPTED.

Ms. Lappin further stated that Houston had a very large Hispanic population and soccer was their number one sport; that she was asking the Mayor and Council to go look at the soccer fields in their district and then take a trip to Dallas and they would see this was an unjust situation. Council Members Galloway and Berry absent.

Upon questions by Council Member Goldberg, Ms. Lappin stated that they did not want to fence it off and lock it up to others, but people were intrusting them to their children ages five to nineteen and this was a very efficient maximum use of park space and the only way to protect hundreds at a time was fencing. Council Members Galloway and Berry absent.

Mr. Scott Green, 1318 Springrock, Houston, Texas 77055 (713-398-3665) appeared and stated that he was present in favor of Albion; that regarding the Houston Parks Master Plan they said the soccer fields should be tripled to reflect national and state plan guidelines and reflect parks to standard program, etc., and this proposal would more sufficiently use the park and master plan; and urged the Mayor and Council to study the proposal and compare it to the Master Plan. Council Members Galloway and Berry absent.

Council Member Khan stated that a memo was received from Ms. Roksan Okan-Vick, the Parks Director who addressed the issue and said she offered three locations for the soccer players and one was in his district and they did love soccer and would welcome them to their district; and asked them to please come and make it a model for the whole country. Council Members Galloway and Berry absent.

Council Member Lawrence stated that she worked the last four years to get a soccer league in the northwest part of Houston and they were meeting with Parks and looking along Beltway 8 which would be accessible since many came from different areas; that she was meeting with businesses who may want to put in soccer fields on their land; that soccer was a growing sport all over the world and there were not near enough fields. Council Members Galloway and Berry absent.

Mr. Jim Casey, 10115 Sugar Hill, Houston, Texas 77042 (713-785-9125) appeared and stated that he would speak in the context of the City Master Plan and the real distinction was that in the whole west sector of Houston, excluding Cullen Park, there were 247 acres of parks and Agnes Moffit was the largest in the sector being 40 acres; that it took up about one-fifth of the whole park system on the Westside and currently 60% to 80% was used for disc golf and it was a disproportionate use of what the needs were in that area. Council Members Galloway, Holm and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Casey stated that he was sure the disc fields ranged in size, but the Alabanson and Alief locations offered were too far. Council Members Galloway, Holm, Garcia and Berry absent.

Ms. Susan Green, 13107 Lake Mist Drive, Cypress, Texas 77429 (281-370-2581) appeared and stated that she was present to speak about the Albion Hurricanes and Moffit Park and invited all to the Albion to see the children practice and also extended an invitation to Moffit and see the conditions there; that her son saw disc golfers pee on trees, drink beer and roll joints; and urged them to come see their children as she felt they could only improve the park. Council Members Galloway, Holm, Garcia and Berry absent.

Council Member Lawrence stated that she checked with the neighborhoods and everyone wanted the park used for other things and she was trying to find other fields for them; that Cullen was one; and asked that they contact her office in the next week. Council Members Galloway, Holm, Garcia and Berry absent.

Dr. Al Payne, 5508 Grand Lake, Houston, Texas 77081 (713-840-8008) appeared and stated that it was an honor to speak on behalf of the Albion Soccer Club; that Houston was a great supporter of soccer and now it was their turn to be a supporter of the City of Houston and they were present to deal with them on a partnership to help raise money independently of the city to build first class soccer fields and they could do it and it has been done. Council Members Galloway, Wiseman, Holm, Garcia and Berry absent.

Upon questions by Council Member Khan, Mr. Payne stated that children came from all over; that he coached for over 20 years and the staff at Albion was exceptional and people did seek them out to train. Council Members Galloway, Wiseman, Holm, Garcia and Berry absent.

Mayor White stated that he had heard him and would say on behalf of all Council

Members that they had a great deal of respect for what they did as citizens and parents and offering to build the fields; and upon questions, Mr. Payne stated that he was right they had to be in a geographic area with so many fields to work for them and they would work to see which parks would fit that criteria. Council Members Galloway, Wiseman, Garcia and Berry absent.

Council Member Khan stated that again he would say what they were doing was great and would ask that they come look in District F. Council Members Galloway, Wiseman, Garcia and Berry absent.

Mr. Mark Horton, 7455 Brompton, Houston, Texas 77025 (713-664-5223) appeared and stated that the Hurricane Soccer Club had grown from 250 to 550 in the last four years and they never turned down players because of financial constraints; that the club would like to offer free soccer camps for all during summer months and spring break and low cost soccer programs, etc.; that at this time they played in unsafe, unstructured environments with unqualified coaches with no background checks and no insurance. Council Members Galloway, Garcia and Berry absent.

Council Member Goldberg stated in considering all this he wanted his colleagues to consider one thing; that when they did a public/private partnership it always worked, but when the city attempted to do a public/public partnership with HISD they put \$500,000 into the park and it was a disaster, no one played there, there was vandalism and it was such a problem HISD wanted out of the contract so you could not force people to play in certain areas, but when they came forth willing to put money into it then it worked and he was glad someone stepped up. Council Members Galloway, Garcia and Berry absent.

Mr. Tony Johnson, 15907 Oak Mountain Drive, Houston, Texas 77095 (281-856-6279) appeared and stated that he was co director of the Albion Hurricane Soccer Club which was a structured soccer organization for boys and girls ages five to nineteen and all coaches had background checks and kid certification by the South Texas Youth Soccer Association; that he coached 13 years and their club had placed many young people as soccer players in major universities and all were exposed to the universities by competing in their club events and many would not have the advantage of college without soccer. Council Members Galloway, Garcia and Berry absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of extending time of Mr. Tony Johnson by one minute, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan out of the city on city business. Council Members Galloway, Garcia and Berry absent. MOTION 2004-0421 ADOPTED.

Mr. Johnson further stated that club soccer exposed their players to various college coaches around the country and three of their past players had gone on to play in the MLS, the top professional league in the US and they wanted to continue to serve players and give them the avenue to attend major universities. Council Members Galloway, Garcia and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Johnson stated that currently they had three fields and they were asking for four total at this time; that currently they had 550 players each week; that he was not sure how many members the golf association had there, but it did not compare. Council Members Galloway, Garcia and Berry absent.

Mr. Robert Herlin, 820 Gessner, Houston, Texas 77024 (713-935-0122) appeared and stated that he was a parent volunteer with the Albion Club and one of many who lived within a few miles of the proposed facility; that the fencing proposed was limited to the safety of the youth and the trees proposed was a fairly thick band between the residences and facility; that lights would not impinge on residents and provide security and the facility would only use one-third of the park. Council Members Galloway, Garcia and Berry absent.

Mr. Joe Toner, 10615 Heatherford, Houston, Texas 77041 (832-875-4633) appeared and stated that he lived in the area and never saw more than four people on the Frisbee golf course at one time and there was 192 members registered at the Frisbee Golf Association in Houston right now and close to 50,000 youth soccer players; that they loved trees as much as Ms. Burst and he did not think she had read the proposal which utilized the existing open space and some trees would be removed but they were planting additional trees to offset those removed and their offer would improve the park and provide for a much larger constituency than it did at this time. Council Members Galloway, Garcia and Berry absent.

Council Member Khan stated that he wanted to be clear and again was saying his district welcomed disc golf and soccer players. Council Members Lawrence, Galloway, Garcia and Berry absent.

Mr. John B. Walker, 1001 Fannin #1111, Houston, Texas 77002 (713-659-3500) appeared and stated that to summarize their position if they were moved to Alief it would not meet the needs of the children in the area; that it was an underutilized large park with only two to four residences that even abutted it and it would not interfere with the community; and they were going to spend over \$500,000 to put in the fields and maintain. Council Members Galloway, Wiseman, Garcia and Berry absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of extending time for Mr. John Walker to speak for one minute, seconded by Council Member Khan. Council Member Edwards voting no. Balance voting aye. Council Member Quan out of the city on city business. Council Members Galloway, Garcia and Berry absent. MOTION 2004-0422 ADOPTED.

Mr. Walker further stated that they were asking the City to meet their Park Master Plan goals, to better utilize Moffit Park, and to join them as a partner in putting in quality fields; that their dream was to have a far reaching soccer program and avail the children with professional instruction; that their "Field of Dreams" was Moffit Park and if the City would allow it to be built, the children would come. Council Members Galloway, Wiseman, Garcia and Berry absent.

Mayor White stated that he admired what he and others in the league were doing, it was very important and he understood they had certain criteria such as geographical location, the numbers of fields, etc., and if they looked at all alternatives and judged them on that criteria would he approach it with an open mind; and Mr. Walker stated that he would, but they needed to be near the children, not miles from the area. Mayor White stated that one of the most significant things done in the Park Department was earlier this year when they reached an agreement with Constable Raddick where he would develop large amounts of Cullen Park and this was the most ambitious City/County undertaking in a facility; that none were against soccer and they should find a place for them; and Mr. Walker stated that right now they had to drive 45 minutes to get to a County facility to play, there was not a playable soccer field not dangerous within the west Houston community. Council Members Galloway, Wiseman, Garcia and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Walker stated that they did money raising events and they were willing to take on all maintenance, they were willing to build them, maintain them and protect them. Council Members Galloway, Wiseman, Garcia and Berry absent.

Mr. Tim Barth, 14321 Cindywood, Houston, Texas 77079 (713-450-6211) appeared and stated that clearly the City had budgetary issues and it seemed this proposal with Albion was a slam dunk proposal as they were going to upgrade the park with no expense to the City and maintain it and service the community better. Council Members Galloway, Wiseman, Garcia and Berry absent.

Ms. Maggie Murry, 19207 Yarling Meadow, Houston, Texas 77094 (281-646-1012) appeared and stated that she was a soccer parent and felt it was the sport after Little League Baseball; that they had been through four clubs in their soccer career and Albion offered the best all around develop for the youth and not just in soccer but goals for college, etc. Council Members Galloway, Wiseman, Garcia and Berry absent.

Council Member Lawrence thanked Ms. Murry for choosing District A as there were many schools in the district and many had soccer programs; that she felt confident they would be able to work out something and would be very happy to have the field in her district, even six soccer fields. Council Members Galloway, Wiseman, Garcia and Berry absent.

Mr. Jim Hyde, 7919 Granite Ridge Lane, Houston, Texas 77095 (281-861-7955) appeared and stated that he wanted to say they had the option to have four fields together in one spot and if they split them up into different parks it would be a severe detriment to the quality of training they could do and be a logistics nightmare to the trainers. Council Members Galloway, Wiseman, Garcia and Berry absent.

Mr. Robert Latham, 9219 Katy Freeway #144, Houston, Texas 77024 (713-463-9222) appeared and stated that he appreciated the offering of Cullen Park however it was a long way from where most in the organization resided and in looking at the park in terms of the general community he believed Albion only asked for a portion and at this time the Frisbee golf was taking up a disproportionate portion of the park and they would only be reducing that size and doing away with it. Council Members Galloway, Wiseman and Berry absent.

Ms. Sharon Scott, 1260 E. Shadowlake Drive, Houston, Texas 77028 (713-651-9120) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Barbara Sanchez, 514 Kickerillo, Houston, Texas 77079 (281-531-6215) appeared and stated that she had three children who played soccer and lived 15 minutes from the field; that she would not be able to do that if the field was too far; that her sons always played soccer and her daughter was an avid fan and it was a huge part of her life as the trainers were really good. Council Members Galloway, Wiseman and Berry absent.

Upon questions by Council Member Khan, Ms. Sanchez stated that her children played on different teams and if the soccer fields were in different locations she would not be able to do it. Council Members Galloway, Wiseman and Berry absent.

Upon questions by Council Member Goldberg, Ms. Sanchez stated that she knew it had grown, but did not know by how much and was not sure of the anticipated growth. Council Members Galloway, Wiseman and Berry absent.

Ms. Christine Wilson, 10915 Ella Lee Lane, Houston, Texas 77042 (713-785-1264) appeared and stated that she was a parent of two who played in Albion and she was also a Spring Branch employee who worked with children at the high school and middle school and they loved soccer but some could not play except in a parking lot because they said it cost too much and was too far away, and they needed this. Council Members Galloway, Wiseman and Berry absent.

Mr. Peter Tan, 16315 Lasting Light Lane, Houston, Texas 77095 (no phone) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Leslie Casey, 10115 Sugarhill, Houston, Texas 77042 (713-785-9125) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Mr. David Gianin, 3007 Morrison, Houston, Texas 77009 (713-220-5113) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Pam Guidry, 10102 Green Tree, Houston, Texas 77042 (713-787-0672) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Mr. Allan Klenke, 9238 Elizabeth Road, Houston, Texas 77055 (281-802-0709) appeared and stated that he was father of six and the three oldest played for Albion; that the number one constituent for parks should be children and he did not see the use of the facilities for the children as he envisioned; that he felt most citizens of the area would feel that would be a great facility to use. Council Members Galloway, Wiseman and Berry absent.

Council Member Lawrence moved that the rules be suspended for the purpose of extending time for Mr. Allan Klenke to speak for one minute, seconded by Council Member Khan. Council Members Edwards and Goldberg voting no. Balance voting aye. Council Member Quan out of the city on city business. Council Members Galloway, Wiseman and Berry absent. MOTION 2004-0423 ADOPTED.

Mr. Klenke further stated that he would encourage the exploration of neighborhoods around there and see what the moms and dads believed and not just the political side; that soccer was a beautiful sport and built character and the ability to understand dedication as to what it took to be successful in society; that they had opportunity for a great public/private sector coming together and encouraged all to support it. Council Members Galloway, Wiseman and Berry absent.

Mr. Iain Belcher, 7827 Leaf Point, Houston, Texas 77095 (281-345-1636) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Miss Molly Walker, 7 Pine Grove Circle, Houston, Texas 77024 (713-468-4243) appeared and stated that she played for the Albion Hurricanes and soccer was important to her as it was good exercise, it built friendships, taught discipline and it was fun. Council Members Galloway, Wiseman and Berry absent.

Ms. Nicoli Bond, 6320 Knitt Road, Houston, Texas 77024 (713-468-5379) appeared and stated that she was a mother of three and present to support the Albion Soccer Club and their application at Moffit Park; that extra space and restrooms don't sound like much to many, but Moffit Park would ensure 550 children plus would be kept active during their developmental years. Council Members Galloway, Wiseman and Berry absent.

Ms. Danille Mandes, 12706 Birch Falls Road, Houston, Texas 77065 (281-807-1444) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Mr. Chris Sharp, 13506 Myrtlea, Houston, Texas 77079 (713-918-5123) appeared and stated that they could stay in their present facility but were growth constrained; that their players almost doubled in the last year and there was clearly a large need in their corridor for a facility and it was a unique market in that there were no other soccer fields or clubs who conducted play or practice in that area; that he believed with the six fields in a year they could easily grow to 1,000 children and it was very important as it attracted college coaches and scholarship dollars. Council Members Galloway, Wiseman and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Sharp stated that the minimum

fields being requested was four; that they were proposing six; that he felt the property was unique in that it was highly assessable to the beltway and they would not have to go all through the neighborhood and primary times were in the evening. Council Members Galloway, Wiseman and Berry absent.

Ms. Ann Campbell, 2 Concord Circle, Houston, Texas 77024 (713-463-8490) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Debbie McColloch, 7902 Grand Mountain Court, Houston, Texas 77095 (no phone) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Mr. Edward J. Patterson, 14810 Cindywood, Houston, Texas 77029 (713-266-8288) appeared and stated that his son played soccer and there were ups and downs but the coaching they received was great, they did not make excuses and always encouraged them to do better; that the adults were male role models he wanted him to be around and he was proud his son was a part of the organization. Council Members Galloway, Wiseman and Berry absent.

Council Member Edwards congratulated all parents who were involved in this; that young children involved in sports did not have time to be involved in negative things and it helped them to learn about nutrition and their body and mind. Council Members Galloway, Wiseman and Berry absent.

Ms. Debbie Czapski, 49 Hollingers Island, Katy, Texas 77450 (281-392-6590) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Mimi Gomez, 6261 Overbrook Lane, Houston, Texas 77057 (713-783-4320) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman and Berry absent.

Mr. Fernando Nino, 3119 Castle Court, Katy, Texas 77494 (713-328-2466) had reserved time to speak but was not present when his name was called.

Council Members Galloway, Wiseman and Berry absent.

Mr. Dan Fortune, 10215 Minturn Lane, Houston, Texas 77064 (281-894-5825) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Sabrina Dimichele, 1 Stage Stop Circle, Houston, Texas 77024 (713-984-8382) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Carolyn Eckert, 12414 Kimberly Lane, Houston, Texas 77024 (713-656-3221) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Ms. Lori Rabey, 1123 Pennbury, Houston, Texas 77094 (281-599-8065) appeared and stated that she was the current registrar for the soccer club and 60% of their enrollment lived within the constituency of the park; that she kept hearing Cullen Park, but there was heavy use of that park and the Hispanic league would interfere with their program. Council Members Galloway, Wiseman and Berry absent.

Council Member Khan moved that the rules be suspended for the purpose of extending time for Ms. Lori Rabey to speak for one minute, seconded by Council Member Lawrence.

Council Member Edwards voting no. Balance voting aye. Council Member Quan out of the city on city business. Council Members Galloway, Wiseman and Berry absent. MOTION 2004-0424 ADOPTED.

Ms. Rabey further stated that they raised money for fees as the children did pay to play, but for those who did not they had scholarships for them; that since Christmas they added 13 teams which was 200 individuals and seven more teams wanted to join within the next year and Moffit Park was along the Beltway and they would not need to disturb the community. Council Members Galloway, Edwards, Wiseman and Berry absent.

Upon questions by Mayor White, Ms. Rabey stated that the soccer fields currently in Cullen Park were on the northside east of the veladrome, but they were impractical as they were already being used and in an area with construction. Council Members Galloway, Edwards, Wiseman and Berry absent.

Upon questions by Council Member Khan, Ms. Rabey stated that by changing locations it would impact the low-income children and they did not want to disturb that population of the program; that trainers trained together and sometimes swapped in the middle or had a game with the team next to them and they could not do that if the fields were in different locations; that they were fighting for this park today because to move would hurt their program. Council Members Galloway, Edwards, Wiseman and Berry absent.

Mr. Mike Handel, 2401 Fountainview, Houston, Texas 77057 (713-339-5320) had reserved time to speak but was not present when his name was called. Council Members Galloway, Edwards, Wiseman and Berry absent.

Mr. Gary Howell, 10314 Shady River, Houston, Texas 77042 (713-784-2534) appeared and stated that he was involved with community youth for many years and was a founding member of the aspiring youth program of the Houston Young Lawyers Association and he was familiar of the affect which extra curricular activities had, especially at-risk children; that studies showed they were less likely to be involved in crime or drugs, the drop out rate was lower, fewer teen pregnancies, etc., and as a member of the community he supported the renovation of the park. Council Members Galloway, Wiseman and Berry absent.

Mr. Chip Cowell, 11020 Kenwood, Houston, Texas 77024 (713-220-8185) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Mr. Jamie Wood, 1207 Woodhollow #2104, Houston, Texas 77057 (713-784-8038) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman and Berry absent.

Mr. Mark Teale, 2609 Marilee Lane #2, Houston, Texas 77057 (713-782-9161) had reserved time to speak but was not present when his name was called. Council Members Galloway, Edwards, Wiseman and Berry absent.

Ms. Angela Pickert, 1334 Moorhead, Houston, Texas 77055 (832-824-2928) had reserved time to speak but was not present when her name was called. Council Members Galloway, Edwards, Wiseman and Berry absent.

Ms. Veronica Amenedo, 2915 Durban, Houston, Texas 77043 (713-460-0881) had reserved time to speak but was not present when her name was called. Council Members Galloway, Edwards, Wiseman and Berry absent.

Miss Leah Lappin, 1300 Wood Hollow, Houston, Texas 77057 (713-922-0602) appeared and stated that she played for the Albion Hurricanes Soccer Club and soccer was one of the

most important things in her life; that she started at age seven and it taught her to work hard for everything and that success did not just come overnight; that it taught her that things did not always turn out like you wanted and that to be the best you needed to work your hardest and play smart; that there was a major difference in school soccer and club soccer, in school she scored over 36 goals and for the club she scored six and college scouts did not recruit from schools, but from soccer clubs and she did want to go to college; that she also made many friends in soccer. Council Members Galloway, Wiseman and Berry absent.

Council Member Lawrence stated that the Council did hope they could provide her with the courts because soccer was an important in her and her friend's lives; and thanked hr for being present and for being a leader to her piers. Council Members Galloway, Wiseman and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Miss Lappin stated that she was thinking of college and many on her team did and they saw soccer as a good opportunity. Council Member Sekula-Gibbs stated that they should all keep it up; that many good things such as this had to be fought for, no one would just give it to them; that she was glad they were present and fighting for what they believed. Council Members Galloway, Wiseman and Berry absent.

Mr. Mark Lappin, 1300 Wood Hollow, Houston, Texas 77057 (713-922-0602) appeared and stated that a lot of topics was touched on, but regarding the business aspect he encouraged all to go look at Moffit Park; that the parents researched it thoroughly and Moffit was the solution for Albion Soccer; that he did not believe that many trees were being taken down; that 80% of the park was with the Frisbee Golf Association and they had 15 other fields located throughout other parks in the Houston area. Council Members Galloway, Wiseman and Berry absent.

Council Member Garcia moved that the rules be suspended for the purpose of hearing Mr. John Gable out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan out of the city on city business. Council Members Galloway, Wiseman and Berry absent. MOTION 2004-0425 ADOPTED.

Council Member Lawrence thanked Mr. Lappin for coming, bringing the children and giving his views; that she had gone out and looked at the grounds and they were looking for places for soccer all over the city and in her area and she hoped this could be worked out. Council Members Galloway, Wiseman, Garcia and Berry absent.

Upon questions by Council Member Edwards, Mr. Lappin stated that he was told by a father his sons were into Frisbee golf, but he really did not know too much about it; that he heard it was a big sport for college age. Council Member Edwards stated that she would like Mayor White to see if Parks would get her workup on Frisbee golf. Mr. Lappin stated that it was not in the Parks Master Plan and was in about 15 parks. Council Members Galloway, Wiseman, Garcia and Berry absent.

Mr. John Gable, 1221 Fondren #305, Houston, Texas 77035 (713-729-5721) appeared, presented information and stated that he was present to introduce everyone to their campaign "Listen to the Cries of the Children" which was based on talking to children locked up in juvenile facilities, all levels of school, etc., that their campaign had been on about 10 years now and they showed them what happened when they got into bad activities; that they were trying to get a resolution passed and was asking the City to back them up. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Mayor White stated that they had a copy of the resolution he provided and he appreciated him being present. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Ms. Jennifer Minis, 1000 Main, #3300, Houston, Texas 77002 (713-497-5420) had reserved time to speak but was not present when her name was called. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Ms. Marlene Morales, 514 Knipp, Houston, Texas 77024 (832-358-0270) appeared and stated that on a cost benefit analysis establishing soccer fields in existing parks was the most cost efficient strategy, especially given the public/private partnership; that all heard of children's obesity and that should be taken seriously; and though Council Member Khan welcomed all to his area it was unrealistic with the travel time involved. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Council Member Sekula-Gibbs appeared and stated that the health of the children was an important issue and saving the trees would protect them from sun exposure and she was urging all of those present to please protect the children's skin; and Ms. Morales stated that she was a cancer survivor and anyone going to a soccer game in Houston would never want to be there without trees and she would be more than willing to take on the responsibility of insuring Council Members planting of trees was being met. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Mr. Stephen Pearlman, 514 Knipp, Houston, Texas 77024 (832-358-0270) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Ms. Dianne Rosso, 100 Main #3361, Houston, Texas 77002 (no phone) appeared and stated that she wanted to thank the Mayor and Council for considering Albion's proposal and was present to show her support; that she had three children who played for Albion and she listed to the proposal of placing the fields in different places, but just as Ms. Sanchez stated earlier, it would make it impossible for all three of her children to play; that Albion was willing to put money into building and maintaining the fields and felt it was something Council should consider very seriously. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Mr. Franklin Nance, 17202 Crescent Canyon, Houston, Texas 77095 (713-266-9944) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia and Berry absent.

Mr. David Nesbitt, 3070 Tamoshanter Lane, Missouri City, Texas 77459 (281-835-0873) appeared and stated that he was competitive director for the Professional Disc Golf Association and the PDGA and Houston Flying Disc Society were excellent stewards of the property in the parks; that the sport was played throughout the world with 2,000,000 players from age 8 to 80; and the game was of the privileged and under privileged. Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia and Berry absent.

Council Member Khan moved that the rules be suspended for the purpose of extending time for Mr. David Nesbitt to speak, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Quan out of the city on city business Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia and Berry absent. MOTION 2004-0426 ADOPTED.

Mr. Nesbitt further stated that the sport was in multiuse parks and supported by the City of Houston and Moffit was the most active park in the City of Houston averaging over 150 players each day on the weekends; that they raised money for improvements and for the Houston Food Bank and they were asking the council to support the Parks Department in maintaining Agnes Moffit Park in its present form. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Council Member Khan stated that his offer to come to his area was open to his

organization also; and upon questions, Mr. Nesbitt stated that he understood the soccer fields would take away 9 of the 18 holes presently designed; that they were glad to cooperate with Albion where it was practical. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of extending time for Council to question Mr. David Nesbitt, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Quan out of the city on city business Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent. MOTION 2004-0427 ADOPTED.

Upon questions by Council Member Lawrence, Mr. Nesbitt stated that on weekends they averaged about 150 people a day and often they played leagues. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Nesbitt stated that they could coexist with the soccer players and did cooperate in many parks around the city with soccer fields; that they could exist as a nine hole course but it would have a severe impact on the community of disc golfers; that if their nine holes were taken they would like to redesign the course to get back those nine holes. Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent.

Ms. Michele Strealy, 1618 Springwood Drive, Houston, Texas 77055 (713-923-7050) appeared and stated that she was in Council Member Lawrence district and her two children did play for Albion; that in her neighborhood at least seven other children played for the club and they did so because Albion provided quality soccer experience to all children of all groups; that anyone who was on a soccer field in the summer knew what a commodity trees were and her family and others would support any reforestation efforts; and even 150 golfers on the weekend would not compare to the needs of the children of Houston. Mayor White, Council Members Galloway, Goldberg, Wiseman, Khan, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that she would ask them to go back to the super neighborhoods and let them know more of what was going on and it would impact a lot of decisions by working through them. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Larry Kruse, 12742 Sandri Lane, Houston, Texas 77077 (281-798-9058) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Donna Zabble, 1622 Springwood, Houston, Texas 77055 (713-973-8576) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Janet Smith, 15727 Windy Glen, Houston, Texas 77095 (281-855-0161) appeared and stated that she lived in the northwest part of Houston and her son was a part of the Albion team; that she coached youth soccer since 1990 and her son was in college on a full scholarship to play soccer; that her son was only able to play once on a field in Houston and that was on a dirt patch with rocks; that she found it incredible they did not have descent soccer fields for youth and adults within Houston; that it was the sport of the world and crossed every single barrier. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Lawrence moved that the rules be suspended for the purpose of extending time for Ms. Janet Smith to speak, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan out of the city on city business. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0428 ADOPTED.

Ms. Smith further stated that Houston was made up of many cultures and to bring the children together on the field helped them all understand each other and create friendships. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that she would suggest the Quality of Life Committee look at the issue and maybe help to address it from a policy standpoint; and Mayor Pro Tem Alvarado stated that she thought it was a great idea. Council Member Holm stated that she was absolutely opened to it and after today thought it should be pursued. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Charlie Green, 13107 Lake Mist Drive, Cypress, Texas 77429 (281-370-2581) appeared and stated that he was manager of a team where one boy went to state; that Northbrook High School was located two to three miles from Moffit Park and it exhibited the caliber of soccer in the neighborhood. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. William Amenedo, 2915 Durban, Houston, Texas 77043 (713-460-0881) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. NO QUORUM PRESENT)

Ms. Karen Duke, 2920 Teague, Houston, Texas 77080 (713-985-6440) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. NO QUORUM PRESENT)

Ms. Brenda Routt, 9700 Court Glen Drive #914, Houston, Texas 77099 (281-575-0523) appeared and stated that a religious organization had taken control of her whole life and she needed help as she did not know where else to go. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she could hand her information to Mr. Cantu. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. NO QUORUM PRESENT)

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 Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. NO QUORUM PRESENT)

Dr. Deborah MacFarlane, 1515 Holman Blvd. #434, Houston, Texas 77030 (713-404-9252) appeared during a presentation. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, 1122 Sol, Houston, Texas 77029 (713-649-8358) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Bishop Floyd E. Lewis, 3335 Brackingridge, Missouri, Texas 77459 (281-416-7507) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Sharon Foster-Wray, 1303 Masters Way, Houston, Texas (281-358-6204) appeared and stated that she had a series of assaults in her life beginning with a sexual harassment at Kelsey Seybold where she worked for 3-1/2 years; that she asked the doctor to stop and he assaulted her with a sharp object and she may lose her nurses license. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she should speak with Chief Wong who was present at this time. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. John Ryan, 816 Old Genoa, Houston, Texas 77034 (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Charles Ingram, 5503 Mountwood, Houston, Texas 77091 (713-681-4206) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Thomas Birmingham, 384 Litchfield, Houston, Texas 77024 (713-465-7415) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Joe Garza, Jr., 9274 Theysen, Houston, Texas 77080 (713-923-3926) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Debora Hamilton, 4003 Curtis, Houston, Texas 77020 (7130671-9775) appeared and stated that in 2001, 2002 and 2003 she called 713-868-8400, Ms. Garcia's number, and never received a call until she saw her name on the speakers list; that an inspector came and said problems needed to be repaired, but the home repair program was on hold and she wanted to know if she was on the list or how to get on the list. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she understood there were issues of eligibility for the program and she would ask her to speak with the Citizen's Assistance Office at this time. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Isiah Montgomery, 362 Red Ripple Road, Houston, Texas 77091 (713-694-6481) had

reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Doris M. Davis, 4420 Stassen, Houston, Texas 77051 (713-733-4822) appeared and stated that her issue was trash pickup; that she placed hers out and it was not picked up; that she called 311 to report and was told it would be picked up Monday and still it was not; that it finally sat out a week before pickup and it was not the first time. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she would ask her to speak with Ms. Valenzuela with Solid Waste who was present at this time. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Brandt Mannchen, 5431 Carew, Houston, Texas 77096 (713-640-4313) appeared, presented information and stated that he was a city employee almost 29 years with the Bureau of Air Quality and was retiring Friday and what he submitted was recommendations on how to improve that bureau. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan moved that the rules be suspended for the purpose of extending time for Mr. Mannchen to speak, seconded by Council Member Green. No vote was recorded as a quorum was not present, but Mr. Mannchen was allowed to continue by consensus of those present. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Mannchen further stated that more investigators should be in the field investigating instead of behind computers and the contract with Texas Commission on Environmental Quality and some things were good but some kept the city from doing things to benefit the citizens and maybe it should be adjusted appropriately. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated that it was unfortunate he was resigning as they needed people such as him; that he would like to visit with him after he reviewed his documents; that to him it was a very important issue and the City of Houston should pay proper attention to the problem. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Brian Stevens, 7543 Teal Run Drive, Houston, Texas 77071 (713-515-0084) appeared, presented information and stated that he was present representing the Houston IT Empowerment Consortium, also known as HITEC, it was a collaboration of non-profit, government, educational and corporate organizations dedicated to community technology centers and programs having a bigger impact on underserved communities; that they were one of two organizations funded by the Ford Foundation on the issue; that they would award five to six grants in the amount of \$10,000 to \$15,000 each for non-profit organizations with innovative and creative ideas on how to address community problems and issues ranging from health to education. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Green moved that the rules be suspended for the purpose of extending time for Mr. Brian Stevens to speak, seconded by Council Member Khan. No vote was recorded as a quorum was not present, but Mr. Stevens was allowed to continue by consensus of those present. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Stevens further stated more information was available at [www.hiteconline.org](http://www.hiteconline.org) and he presented information to the Mayor and Council in case they wanted to apply for the grant with a deadline of May 10, 2004. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Lionel Alexander, 7931 Booker, Houston, Texas 77028 (713-673-4765) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Ruby Mosley, 862 S. Victory, Houston, Texas 77088 (281-447-6095) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Robert Downs, 124 W. 8th, Houston, Texas 77007 (713-862-4684) appeared and stated that he was in the Real Estate business and represented clients in the Downtown, Midtown and Main Street areas and there was concern that changes proposed by the Transportation Committee may adversely affect their business, particularly the parking meters; that they would like Council to appoint a committee with Council Members, members of the community and restaurant owners to discuss this. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she shared his thoughts exactly and there would be a meeting next week with the Office of Mobility and they were inviting Downtown/Midtown stakeholders and someone would bring him that information at this time. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) appeared and stated that a homosexual individual downstairs wanted to harass him and said there was no meeting today; and continued asking questions of Mayor Pro Tem Alvarado and Mr. Bibler of the Legal Department until his time expired. The City Secretary explained it was not a time to question but to speak and that they were not answering any questions at the present time. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Lonn Vasquez, 1704 Webber, Houston, Texas 77007 appeared and stated that he had something to present to Mayor White and Council Member Green and was present regarding an ice rink; that it would provide a lot of good things for Houston and children was the main goal. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) appeared and stated that he again was requesting emergency protection and continued expressing his personal opinions until his time expired. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry

absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Arlean Carter, 121 E. 43rd, Houston, Texas 77018 (713-694-7097) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. William E. Beal 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared, sang and stated that he believed he was the world's fastest man and continued expressing his personal opinions until his time expired. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 2820 Palm 2B, Huston, Texas 77004 (713-523-4011) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Jeanett Rash, 2104 Lyons, Houston, Texas 77020 (713-228-8872) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Gracie Yerena, 6619 Alfano, Houston, Texas 77076 (713-298-7591) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Ray Rawlins, 8181 El Mundo #2603, Houston, Texas 77054 (832-721-8804) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Patsy Shears, 406 E. Camino, Houston, Texas 77037 (832-473-1809) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Suzanne Poole, P. O. Box 1035, Missouri City, Texas 77489 (281-438-5427) appeared, presented information to the Council Members and stated that she was present representing the Houston Professional Towing Association and Council had asked them to present a proposal which was what was being passed out; that basically there were three ways to be included in the program depending on what the city would select as a final program and the third would probably give most people a chance to participate; that they believed there was a problem with four trucks on the scene, they were getting complaints from officers who did not have enough protection on a major and they would like to change that to six; that they felt six would also keep speeding down and give more range for competition; that those who were paying the extra \$500 a year would be participating in the "Clear It and Steer Program". Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated that earlier in the meeting Council Member Berry made a comment on the issue; that in tomorrow's meeting Council Members would request for an extension and he understood that their group had a meeting with Mr. Saperstein on May 3rd and he would suggest that she make sure Mr. Saperstein also gets a copy of the information; and Ms. Poole stated that their formal position was they did not need this to handle freeways, but if they were faced with having to make a proposal this would be it. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Alvarado, Ms. Poole stated that she understood the proposal was faxed to Council Members offices earlier this morning; that she was not sure about the Administration, but it came through their attorneys earlier today. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Tom Valle, 305 Clifton, Houston, Texas 77011 (832-473-0944) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Patricia Gonzales, 920 E. Houston #1308, Pasadena, Texas 77502 (713-477-0359) appeared and stated that she had seen the proposal that came across their table and felt it needed to be demolished; that the system in place worked and if areas needed to be changed then maybe it just needed to be tweaked, but it was not a matter of coming up with a proposal which would trickle down and hit citizens and their economy; that 632 permits were in operation and 844 were drivers with the IDs and 30% belonged to ten big companies and 70% were those with one truck and two at most; that if this passed they would come with petitions; that they were willing to work with them, but what was working was the system now; that no laws should be broken from local, state and federal nor from Civil Rights or violation of the Constitution; that she felt she should have the right to say who would tow her vehicle. Mayor White, Council Members Galloway, Goldberg, Edwards, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Green stated that he would like Ms. Gonzales to continue and with a consensus of Council Members present Ms. Gonzales further stated that the State foresaw the City's laws and if there was anywhere that said the City could override the State she would like to see it; that now requirement of insurance was \$300,000 per truck and to ask them to have more than that was ludicrous. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that as a citizen she should appreciate that Council had to regulate industries; that the Constitution did not allow for her to pick and choose who serviced her, but allowed her to pick representatives who would address the issues; that if it was not regulated they would not know who was reputable; and Ms. Gonzales stated that she understood, but the point was the area it mainly would affect was Zone Four; that the public was not aware if the driver charged one amount and by the time it got down the channel they did not know how much it cost and the storage lot would charge outrageous rates. Council Member Edwards stated that she agreed on that but it was a different issue. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Isa "Nicky" Skafi, 211 W. 23rd, Houston, Texas 77008 (832-347-8346) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 5:07 p.m. City Council recessed until 9:00 a.m., Wednesday, April 28, 2004. Council Member Quan out of the city on city business. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, April 28, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, April 28, 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; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Mr. Edward Soto, Deputy Agenda Director present.

At 8:20 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:17 Mayor White reconvened the meeting of the City Council and stated that the first order of business was a public hearing. Council Members Goldberg and Berry absent.

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

1. City Council will conduct a review hearing under Section 370.002 of the Texas Local Government Code regarding the Juvenile Curfew Ordinance (Ch. 28, Art. V, City of Houston Code of Ordinances) to determine whether the Curfew Ordinance should be abolished, continued or modified. Copies of the Curfew Ordinance, applicable State Law and data provided by the Houston Police Department are available for inspection in the Office of the City Secretary – was called.

The City Secretary stated that it was a hearing that was called regarding the Juvenile Curfew Ordinance and they did post on the agenda Item 1a, which was an ordinance and it had been pulled from the agenda at this time and no one had reserved time to speak today. Council Member Berry absent.

- 1a. ORDINANCE continuing the City's Juvenile Curfew Ordinance; containing finding and other provisions relating to the foregoing subject; providing for severability – had been pulled from the Agenda by the Administration, and was not considered. Council Member Berry absent.

Council Member Garcia moved to continue Item No. 1 until 9:00 a.m. on May 5, 2004, seconded by Council Member Quan. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0429 ADOPTED.

#### **MAYOR'S REPORT**

#### **CONSENT AGENDA NUMBERS 2 through 53**

#### **MISCELLANEOUS** - NUMBERS 2 through 6

2. REQUEST from Mayor for confirmation of the appointment of the following to the **CITY OF HOUSTON SMALL BUSINESS DEVELOPMENT CORPORATION'S BOARD OF DIRECTORS**, for terms to expire three years from the date of appointment:

Position One - **MS. KAREN BECERRA**

Position Thirteen - **MS. MEERA KAPUR**

- was presented, moved by Council Member Quan, seconded by Council Member Green. All

voting aye. Nays none. Council Member Berry absent. MOTION 2004-0430 ADOPTED.

Mayor White and Council Members congratulated both Ms. Becerra and Ms. Kapur on their appointments and asked that they stand and be recognized. Council Member Berry absent.

3. RECOMMENDATION from Acting Director Department of Public Health to confirm appointment of DAVID E. PERSSE, M.D. as Health Authority for the City of Houston - was presented, moved by Council Member Quan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0431 ADOPTED.

Mayor White and Council Members congratulated Dr. Persse on his appointment and asked that he stand and be recognized. Council Member Berry absent.

4. RECOMMENDATION from City Attorney for additional funding for Election Services provided by Fort Bend County in connection with November 2003 General Election and December 2003 Runoff Election - \$26,715.65 - General Fund - was presented, moved by Council Member Quan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0432 ADOPTED.

5. RECOMMENDATION from Director Houston Airport System for expenditure for specialized training to be conducted by **TEXAS A&M UNIVERSITY** for Aircraft Rescue and Fire Fighting at George Bush Intercontinental and William P. Hobby Airports as required for FAA FAR 139 Airport certification - \$39,175.00 - Enterprise Fund - was presented, moved by Council Member Quan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0433 ADOPTED.

6. RECOMMENDATION from Director Human Resources to approve an twelfth 90 day period for pay differential for employees called to active duty status during a time of war or state of emergency - was presented, moved by Council Member Quan, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0434 ADOPTED.

**ACCEPT WORK** - NUMBERS 7 through 12

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,172,457.99 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of Frostwood East Drainage Improvements, GFS M-1001-02-3 (SM5008-01) - 06.06% under the original contract amount - **DISTRICT G - HOLM** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0435 ADOPTED.

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,213,444.84 and acceptance of work on contract with **PM CONSTRUCTION AND REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-10-3 (4257-26) - 0.14% over the original contract amount **DISTRICTS B - GALLOWAY; D - EDWARDS; E - WISEMAN; H - GARCIA and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0436 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,473,612.53 and acceptance of work of **FIDELITY AND GUARANTY INSURANCE UNDERWRITERS, INC** on contract awarded to **PATE & PATE ENTERPRISES, INC** for Sludge Force Main Enlargement from WCID #47 to

Howard Drive Lift Station, GFS R-0523-02-3 (4718-2) - 18.43% under the original contract amount - **DISTRICT E - WISEMAN** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0437 ADOPTED.

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,662,496.01 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Neighborhood Sewer Rehabilitation in Sims Bayou Service Area, Package II; GFS R-2011-26-3 (4764-2) - 17.78% under the original contract amount - **DISTRICTS D - EDWARDS and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0438 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,092,931.32 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.** for East Water Purification Plant III Administration Building Renovations, GFS S-0056-Y8-3 (10536-4) - 10.91% over the original contract amount - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0439 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 14 through 16

14. **DUPONT QUALICON** for One Pathogen Detection System for Health & Human Services Department - \$40,814.00 - Grant Fund - was presented, moved by Council Member Sekula-Gibbs, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0440 ADOPTED.
15. **AAR INCORPORATED** for Asbestos Abatement, Demolition and Site Clean-Up Services for Planning & Development Department - \$35,000.00 and contingencies for a total amount not to exceed \$36,750.00 - Dangerous Building Consolidated Fund - was presented, moved by Council Member Sekula-Gibbs, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0441 ADOPTED.
16. **AMEND MOTION #2000-700, 5/31/00, as amended by #2003-373, 4/16/03, TO EXTEND** expiration date from June 15, 2004 to June 14, 2005, for Wire Rope and Fittings for Public Works & Engineering and Solid Waste Management Departments, awarded to **SOUTHWEST WIRE ROPE, INC** - was presented, moved by Council Member Sekula-Gibbs, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0442 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES** - NUMBERS 17 through 53

17. RESOLUTION designating certain property located at 407 Heights Boulevard (Samuel H. Webber House) in the City of Houston as a historic landmark - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Berry absent. RESOLUTION 2004-0007 ADOPTED.
18. ORDINANCE approving and authorizing the Mayor to execute and the City Secretary to attest a lease agreement between the **BROWN FOUNDATION, INC**, as landlord, and the City of Houston, Texas, as tenant, for land out of Humble Road Gardens Addition, Houston, Harris County, Texas for use as the Site of the Patrick Milton Park - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0343 ADOPTED.

19. ORDINANCE approving and authorizing the Mayor to execute and the City Secretary to attest a lease agreement between the **BROWN FOUNDATION, INC**, as landlord, and the City of Houston, Texas, as tenant, for land out of Block 87, W. R. Baker Addition, South Side of Buffalo Bayou, Houston, Harris County, Texas for use as the Site of the James M. Wiley Park **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0344 ADOPTED.
22. ORDINANCE approving and authorizing contract between the City and **THE INSTITUTE FOR REHABILITATION AND RESEARCH FOUNDATION** for Aquatic Services for the Elderly; providing a maximum contract amount - Through September 30, 2004 with 3 one year renewal terms - \$400,050.00 - Grant Fund - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0345 ADOPTED.
23. ORDINANCE approving and authorizing contract between the City of Houston and **ARTS COUNCIL OF THE HOUSTON/HARRIS COUNTY REGION**, to provide \$43,000.00 in Community Development Block Grant Funds to facilitate the selection, design and placement of an Art Project at the Acres Homes Multi-Service Center located at 6119 West Montgomery Road **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0346 ADOPTED.
24. ORDINANCE approving and authorizing fifth amendment to contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to extend the term and provide up to an additional \$121,000.00 of Community Development Block Grant Funds for the Operation of a Homeless Services Database and provision of other homeless related information services, which amount includes a limitation on additional funding in the amount of \$101,942.00 - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0347 ADOPTED.
25. ORDINANCE establishing the north and south sides of the 2500 block of White Oak Drive and the north side of the 1000 block of Usener Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0348 ADOPTED.
26. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 404** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0349 ADOPTED.
27. ORDINANCE consenting to the addition of 58.56 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 355**; for inclusion in its district - **DISTRICT G - HOLM** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0350 ADOPTED.
28. ORDINANCE consenting to the addition of 10.202 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 355**; for inclusion in its district - **DISTRICT G - HOLM** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0351 ADOPTED.
29. ORDINANCE approving and authorizing second amendment to the Utility Functions and Services Allocation Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 355 - DISTRICT G - HOLM** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0352 ADOPTED.
30. Ordinance calling public hearings at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston and **KINGSBRIDGE MUNICIPAL**

**UTILITY DISTRICT** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes certain territory within **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of **KINGSBRIDGE MUNICIPAL UTILITY DISTRICT**, in Harris County and Fort Bend County, Texas; providing for the publication of notice of such hearings; containing other provisions relating to the foregoing subject; providing for severability; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0353 ADOPTED.

31. ORDINANCE making certain findings and approving the permanent use by the Harris County Flood Control District of 111.8969 acres of land out of Keith-Wiess Park for Flood Control and Mitigation purposes and approving the permanent use of two parcels of land totaling 4.3357 acres out of Keith-Wiess Park for temporary construction access, converting to permanent park access and parking facilities; said findings made after a public hearing held at 9:00 a.m. on Wednesday, February 18, 2004, in the City Council Chambers, Second Floor of City Hall, Houston, Texas, pursuant to the provisions of Chapter 26, Texas Parks and Wildlife Code; making other findings and stating other matters generally relating thereto - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0354 ADOPTED.
34. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Click-It or Ticket Selective Traffic Enforcement Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0355 ADOPTED.
35. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for the Impaired Driving Mobilization Selective Traffic Enforcement Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0356 ADOPTED.
36. ORDINANCE approving and authorizing the submission of an application for grant assistance to the **TEXAS AUTOMOBILE THEFT PREVENTION AUTHORITY ("ATPA")** for the Major Accessory Shop Enforcement/13 Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process; authorizing the Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0357 ADOPTED.
40. ORDINANCE approving and authorizing lease agreement between the City of Houston and **CENTRAL HELICOPTER SERVICE, INC** for certain premises at William P. Hobby Airport Revenue - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0358 ADOPTED.
43. ORDINANCE approving and authorizing pipeline easement agreement allowing **NEW CENTURY EXPLORATION, INC**, to construct, maintain and operate a natural gas pipeline within City of Houston property across, along, under and upon that certain 154.4 tract of

land, situated in the Talcott Patching Survey, Abstract No. 619, Harris County, Texas - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0359 ADOPTED.

44. ORDINANCE appropriating \$257,395.88 out of Police Consolidated Construction Fund as an additional appropriation for professional engineering consulting services, CIP G-0071-05-2; under professional engineering consulting services contract with **J. F. THOMPSON, INC** for Tropical Storm Allison Flood Damage Repairs and Mitigation 61 and 62 Riesner Street (approved by Ordinance No. 03-0638); providing funding for contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0360 ADOPTED.
45. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **CLEAR CREEK INDEPENDENT SCHOOL DISTRICT** for Improvements along El Dorado Boulevard, CIP M-0712-01-2 (SB9170-01) - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0361 ADOPTED.
46. ORDINANCE appropriating \$394,271.41 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing two Utility Funding Agreements between **HARRIS COUNTY** and the City of Houston for construction of Underground Utilities for Phase 1A and Phase 1B of the Orem Drive Project (approved by Ordinance No. 92-1120), CIP S-0521-12-3, S-0521-14-3 and R-0521-12-3 (SB9145-01 and SB9145-02); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0362 ADOPTED.
47. ORDINANCE approving and authorizing a Sanitary Sewer Service contract between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 182** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0363 ADOPTED.
48. ORDINANCE appropriating \$109,786.00 out of Water & Sewer System Consolidated Construction Fund and \$189,556.00 out of the Tax Increment Reinvestment Zone Affordable Housing Uptown Fund, and approving and authorizing developer participation contract between the City of Houston and **K B HOME LONE STAR, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Sky View Subdivision, CIP S-0800-D3-03 and R-0800-D3-03 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0364 ADOPTED.
50. ORDINANCE appropriating \$51,498.00 out of Series E Commercial Paper Metro Projects Fund and approving and authorizing professional construction management and Inspection Services Contract between the City and **TSC ENGINEERING COMPANY**, CIP N-0644G-01-3 (SB9009-02) **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0365 ADOPTED.
51. ORDINANCE appropriating \$55,629.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for professional engineering services under contract with **BOVAY ENGINEERS, INC**, CIP N-0618-01-2 (SB9084), (approved by Ordinance No. 02-0254); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0366 ADOPTED.

53. ORDINANCE appropriating \$994,524.98 out of Series E Commercial Paper Metro Projects Fund, awarding contract to **TJ&T ENTERPRISES, INC** for Kingwood Drive Paving from Willow Terrace Drive to Hidden Lakes Drive, GFS N-0644G-01-3 (SB9009-02); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund - **DISTRICT E – WISEMAN** - **NOTE: This Item is posted as an alternate for Item 55 listed under Matters Held** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0367 ADOPTED.

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

**ACCEPT WORK**

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,870,741.53 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Neighborhood Street Reconstruction No. 440, GFS N-0373-01-3 (N-0373-01) - 11.13% under the original contract amount - **DISTRICT C – GOLDBERG** – was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs, and tagged by Council Member Goldberg. Council Member Berry absent.
13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,110,726.27 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of 54-inch Water Main along Westview from Moritz to Campbell, Contract 47A-2, GFS S-0900-45-3 (WA10601) - 09.00% under the original contract amount - **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Alvarado, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0443 ADOPTED.

**RESOLUTIONS AND ORDINANCES**

20. ORDINANCE supplementing City of Houston Ordinance No. 2004-299 authorizing issuance of City of Houston, Texas, Combined Utility System Commercial Paper Notes, Series A, in an aggregate principal amount not to exceed \$900,000,000; prescribing the terms and conditions thereof; providing for the payment thereof; approving and authorizing certain authorized officers and employees to act on behalf of the city in the selling and delivery of such Commercial Paper Notes, within the limitations and procedures specified herein; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, security and delivery of such Commercial Paper Notes, including the approval of an Issuing and Paying Agency Agreement, Revolving Credit Agreement and Dealer Agreement; approving the use of an Offering Memorandum in connection with said sale; making other provisions regarding such Commercial Paper Notes and matters incident thereto; authorizing a Co-Bond Counsel Agreement; and declaring an emergency – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent. ORDINANCE 2004-0368 ADOPTED.
21. ORDINANCE adopting an additional twenty percent (20%) penalty for all property taxes that remain delinquent on July 1, 2004 pursuant to Section 33.07 of the Texas Property Tax Code and for all property taxes that become delinquent on or after June 1, 2004 pursuant to Section 33.08 of the Texas Property Tax Code; directing the provision of notice thereof; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0369 ADOPTED.

32. ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and voting precincts for the City of Houston Special Election to be held on May 15, 2004; prescribing the maximum number of election clerks for each voting precinct - was presented. Council Member Berry absent.

Council Member Edwards stated that she was concerned as to how communities were going to be notified as to precinct changes for the election coming up and understood that a lot of precincts were going to be doubled up and moved around, that she knew they were going to do the usual Houston Chronicle and so forth but she would like to suggest that take a special effort so that all of the City employees knew where they were going to be voting, and Mr. Michel stated that he would talk to the Division Chief concerning elections and would get back with her. Council Member Berry absent.

Council Member Lawrence stated that she too would like to get a list of the voting places in District A so she could post them on her website, and Mayor White stated that they should get the information for all the Members or Council.

A vote was called on Item No. 32. All voting aye. Nays none. ORDINANCE 2004-0370 ADOPTED.

33. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HOUSTON AUTO AUCTION, INC** for Auctioneering Services on Surplus Vehicles for the Finance & Administration Department (as approved by Ordinance No. 99-770) - Revenue - was presented. All voting aye. Nays none. ORDINANCE 2004-0371 ADOPTED.
37. ORDINANCE approving and authorizing contract between the City of Houston and **FRANKLIN & WILSON AIRPORT CONCESSIONS, INC** for Specialty Retail Concession at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - GALLOWAY** - was presented, and tagged by Council Member Quan.
38. ORDINANCE approving and authorizing contract between the City of Houston and **AIRPORT CONCESSIONS, INC** for Specialty Retail Concession at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - GALLOWAY** - was presented, and tagged by Council Member Quan.
39. ORDINANCE approving and authorizing contract between the City of Houston and **CBR INCORPORATED** for Specialty Retail Concession at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - GALLOWAY** - was presented, and tagged by Council Member Quan.
41. ORDINANCE appropriating \$335,500.00 out of Airport System 2000 AMT Consolidated Construction Fund; authorizing the 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-0476-28.1; approving purchase and sale agreements with the owners of the land (Thomas Lee Allen; Sherry Bienek; and Ronald Martin Camp and Larita Ann Camp) - **DISTRICT B - GALLOWAY** - was presented.

Council Member Goldberg stated that on Item No. 41 apparently the Aviation Department was purchasing some affected by the noise, and on Item No. 42 they had engineering and design for new runways and was wondering if when they were deciding how to design the new runways if they were taking into consideration that they may have to buy more homes like they were doing in Item No. 41 and wondered if someone could answer that for him.

Mayor White asked Mr. Hall to respond to Council Member Goldberg's question, and Mr. Hall stated that there was a required federal process and part of that process was the conduct of what they called a noise study that produced noise conduits and as he recollected 65 decibels or 70 decibels was the threshold for that study, if in fact the noise conduit suggested that there were properties that fell within whatever that standard was then there had to be a mitigation plan associated with that.

Council Member Ellis moved to suspend the rules to hear from Mr. Eric Potts, Aviation Department, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0444 ADOPTED.

Upon questions by Council Members, Mr. Potts stated that it was an anticipated purchase and they passed it back on March 26, 2003 and now they were coming back to actually purchase the properties, that it was an extension of an existing old runway, that due notice had been given and there was no contention with any area residents that they were aware of, that the federal government paid for the buyouts, that they had a committee that reviewed all of the homes that they were taking, that it was all part of the federal guidelines that they had to follow to make sure that everyone was coordinated with and talked to, that these homes had gone through the process and the homeowners were aware and they had worked an agreement on the price. Council Member Garcia absent.

After further discussion a vote was called on Item No. 41. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2004-0372 ADOPTED.

42. ORDINANCE appropriating \$10,300,000.00 out of Houston Airport System Consolidated 2004 AMT Construction Fund as an additional appropriation for professional services contract between the City of Houston and **PARSONS BRINCKERHOFF CONSTRUCTION SERVICES, INC** for professional architectural, engineering, construction management and program management services in connection with the International Services Expansion Program at George Bush Intercontinental Airport/Houston (IAH) (Project No. 500A); CIP A-0203 and A-0422; originally approved and authorized under City of Houston Ordinance No. 99-1267 as amended by City of Houston Ordinance No. 2000-1063 - \$1,100,000.00 - Airports Improvement Fund - was presented.

Council Member Khan stated that the project was started in December 1999 and started as a \$25 million project, now it was a \$94.3 million project and wanted to know what was going on.

Mr. Potts stated that it was a continuing process that they had been going through and they incrementally funded the project, it had gone through two significant issues that came up, that it was the FIS Facility (Federal Inspection Facility) and was the last increment that they hoped to have to get that building completed, the substantial completion date was scheduled for November 2004 and opening January 15, 2005, that they knew they were going to have to come back to Council periodically because of the size and magnitude of the building, they did have to make some changes based on the TSA after 9/11 which caused them a redesign effort and then they had a de-ordering issue that they had to address as they were building the tunnel and the infrastructure slab for the FIS Facility, and Council Member Khan stated that the project had an MWBE goal of 30% and asked why they were only achieving 25.6% after four years of working on the project when there were almost 50 small businesses listed as potential firms who could do the job, and Mr. Potts stated that there were 90 some firms subcontracted to the project and the potential goal was 30% and to this day there was still more work to do between now and November to get the project completed, they were now inside the building where special skills where some of these may catch up with, but overall from the project they had been honoring their MWBE goal objectives and trying to get those met.

Mayor White stated that the compliance issue was a concern of his and must be made a concern of many in the administration, it was no excuse and would assure them that he, along with his colleagues, would be an ally especially after he had been able to get past figuring out the budget issues; that he wanted to tell Mr. Potts something that he heard and maybe he could comment on it, that there was somebody who said they were aware that there was a minority contractor who was billing hours for \$30 per hour as a sub which were being marked up to \$60 per hour by someone who was billing more direct bill with the Aviation Department and his reaction was that it was something he heard last year, that it was something very specific, that he was not being critical and it was not an allegation, it was just something that he heard and asked Mr. Potts to shed some light on whether it was possible that it happened or if it was wrong.

Mr. Potts stated that number one, they monitored all of the contracts, and number two, it sounded like, when he was talking markup, that it might be a professional services contract as opposed to a construction contract, and so within the contractor stipulations of how those markups were applied to from the prime to their subs, and Mayor White asked if they could double it.

Mr. Hall stated that Mr. Potts had asked him to answer it, that it was conceivable that it could happen because they would negotiate with the general contractor, generally a professional services contract of some sort, for an hourly fee for a specific task, and if they could in fact secure that on the open market for something cheaper than they had contracted them for, conceivably that could happen because they would not regulate what the price was for the subcontractor if they could get it cheaper, they would not necessarily know how they procured that service if they had the general contract with the City, and Mayor White stated that if it had occurred to any substantial extent it did not sound like something they ought to be encouraging or permitting.

After further discussion, Council Members Khan and Quan stated that they would tag Item No. 42, and Council Member Quan stated that he would like to meet with Mr. Potts regarding the item. Council Member Alvarado absent.

49. ORDINANCE awarding construction contract to **RAY SMITH CONSTRUCTION, INC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section Two of the Dominion Estates Subdivision; approving and authorizing an assignment of the construction contract to **DOMINION COMMUNITY DEVELOPMENT CORPORATION**, CIP S-0800-81-03 and R-0800-81-03 (DPC-34) - **DISTRICT A - LAWRENCE** - was presented, and tagged by Council Member Lawrence.
  
52. ORDINANCE appropriating \$3,425,750.00 out of Storm Sewer Consolidated Construction Fund and \$10,277,250.00 from Series E Commercial Paper Metro Projects Fund, awarding contract to **OSCAR RENDA CONTRACTING, INC** for North MacGregor Storm Sewer Relief Project between Brays Bayou and Fannin Street, GFS M-0260-04-3 (SM5043-04); providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund and from Series E Commercial Paper Metro Projects Fund - **DISTRICT D - EDWARDS** - was presented.

Council Member Quan stated that last year when they were looking at ways to save money one of the things that former Council Member Keller had talked about was qualifying contractors and understood the department was beginning the process now and wanted to ask for a report on it because there were some contractors names he was not familiar with and wanted to make sure they had gone through that process, and Mayor White stated that they would get a briefing from Public Works on that.

A vote was called on Item No. 52. All voting aye. Nays none. ORDINANCE 2004-0373

ADOPTED.

**NON CONSENT AGENDA** - NUMBER 54

**PROPERTY**

54. RECOMMENDATION from Director Department of Public Works & Engineering, **TO AMEND MOTION #2004-95, 1/28/04**, which authorized abandonment and sale of Cedar Post Lane from Blalock Drive to its dead end at the Harris County Flood District drainage easement, in exchange for the conveyance to the City of a full-width utility easement, all located within Blalock Woods Apartments Replat No. 1 and Cedar Post Lane, Parcels SY4-003 and VY4-005, **TO APPOINT** one replacement independent real estate appraiser for said parcels - **APPRAISER - DISTRICT A - LAWRENCE** - was presented.

Council Member Lawrence named Mr. Michael Brubaker as the replacement appraiser and moved approval of the recommendation, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0445 ADOPTED.

**MATTERS HELD** - NUMBERS 55 through 73

**NOTE: The following item may be moot upon passage of Item 53**

55. ORDINANCE appropriating \$964,524.98 out of Series E Commercial Paper Metro Projects Fund, awarding contract to **TJ&T ENTERPRISES, INC** for Kingwood Drive Paving from Willow Terrace Drive to Hidden Lakes Drive, GFS N-0644G-01-3 (SB9009-02); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund - **DISTRICT E - WISEMAN** - **(This was Item 44 on Agenda of April 14, 2004, POSTPONED BY MOTION #2004-386)** - was presented.

Council Member Wiseman moved to refer Item No. 55 back to the administration, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0446 ADOPTED.

56. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$7,023,531.81 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of 54-inch Water Main along Victory, West Little York, Langfield, and West Tidwell from Antoine to Hollister - Contract 54B-1, GFS S-0900-61-3 (WA10634) - 03.79% over the original contract amount - **DISTRICT A - LAWRENCE** - **(This was Item 37 on Agenda of April 14, 2004, POSTPONED BY MOTION #2004-384)** - was presented, moved by Council Member Alvarado, seconded by Council Member Holm. All voting aye. Nays none. MOTION 2004-0447 ADOPTED.
57. MOTION by Council Member Green/Seconded by Council Member Sekula-Gibbs to adopt recommendation from City Attorney for settlement of lawsuit styled **WILLIAM G. STANLEY** vs. City of Houston, et al.; in the 295th Judicial District Court of Harris County, Texas; Cause No. 2003-16068 - \$45,000.00 - Property and Casualty Fund - **(This was Item 6 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. MOTION 2004-0448 ADOPTED.
58. ORDINANCE appropriating \$1,100,000.00 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for spending authority to address the Emergency Repair of the 72-inch Sanitary Sewer Line at N. Braeswood and the Bintliff Ditch for the Public Works & Engineering Department - **DISTRICT C - GOLDBERG** - **(This was Item 9 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented.

Council Member Goldberg moved to postpone Item Numbers 58 and 58a for one week, seconded by Council Member Ellis. Council Member Goldberg stated that they were still having problems on the construction, mostly with the odor and apparently something was wrong, that he notified Public Works about three months ago and they said it would be taken care of in six weeks and it still had not been taken care, that he would like to meet with them on it.

A vote was called on Council Member Goldberg's motion to postpone Item Numbers 58 and 58a. All voting aye. Nays none. MOTION 2004-0449 ADOPTED.

- 58a. **INSITUFORM TECHNOLOGIES, INC** for Emergency Repair of the 72-inch Sanitary Sewer Line at N. Braeswood and the Bintliff Ditch for the Public Works & Engineering Department - **(This was Item 9a on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented, and was postponed for one week by MOTION 2004-0449.
59. ORDINANCE appropriating \$1,050,000.00 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for spending authority to address the Emergency Repair of the 66-inch Sanitary Sewer Line at 655 Maxey Road for the Public Works & Engineering Department **DISTRICT I - ALVARADO - (This was Item 10 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0374 ADOPTED.
- 59a. **INSITUFORM TECHNOLOGIES, INC** for Emergency Repair of the 66-inch Sanitary Sewer Line at 655 Maxey Road for the Public Works & Engineering Department - **(This was Item 10a on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented, moved by Council Member Alvarado, seconded by Council Member Quan. MOTION 2004-0450 ADOPTED.
60. ORDINANCE appropriating \$950,000.00 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for spending authority to address the Emergency Repair of the 48-inch Sanitary Sewer Line at N. Braeswood and Loop 610 for the Public Works & Engineering Department - **DISTRICT C - GOLDBERG - (This was Item 11 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS GALLOWAY and GOLDBERG)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0375 ADOPTED.
- 60a. **INSITUFORM TECHNOLOGIES, INC** for Emergency Repair of the 48-inch Sanitary Sewer Line at N. Braeswood and Loop 610 for the Public Works & Engineering Department - **(This was Item 11a on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS GALLOWAY and GOLDBERG)** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. MOTION 2004-0451 ADOPTED.
61. DECLARE **L & N UNIFORM SUPPLY CO.** in default and hold them non-responsible for one year due to failure to deliver complete shipments on award for Apparel Uniforms for Various Departments - **(This was Item 13 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented.

Council Member Wiseman stated that she was supporting the item, that they were terminating a contract on the uniform services where the contractor was unable to provide the services per the contract, that she had expressed concerns in the past with respect to City uniform purchases, that it was her hope that the administration, as they moved forward, would consider looking at the next year budget cycle, in looking at uniform purchases on a standardized approach citywide that would save them additional money, and Mayor White asked her to give an example of a standardized procurement and her understanding of the way they were doing it today, and Council Member Wiseman stated that today the purchasing agents within the departments would go through the process of putting together their bid

package and then having to deal with different companies and if they had just one contract and if the departments were able to deal with one catalog, so to speak, they could actually get a better price, that way they were talking about purchasing on a larger scale at a greater quantity thus reducing their costs.

Council Member Alvarado moved to adopt Item No. 61, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. MOTION 2004-0452 ADOPTED.

62. RESOLUTION relating to the Development of a Plan to end Homelessness - **(This was Item 14 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented.

Council Member Wiseman stated that she tagged the item last week and would like to extend her appreciation to her colleagues for their understanding of her desire to tag the item, that she was in support of the item and wanted to thank Council Member Quan for all of the work that he had done in the area and wanted to thank Mr. Richard Lapin for his work and effort in it as well as Ms. Sally Shipman, the Regional Coordinator for the Southwestern States for the US Interagency Council on Homelessness, that she had the opportunity to review the participation involving the Blue Panel Group and the provider groups, that at the federal level one of the areas of concern was that of homelessness within the veterans community, that it was a request that she had and understood that the administration agreed, that they include in the provider list an organization that would be representative of veterans and also an organization that would be representative of children's interest; that the Disabled American Veterans San Jacinto Chapter was interested in participating as was Children At Risk.

Council Member Quan stated that he appreciated Council Member Wiseman's interest in the item and they certainly wanted to be as inclusive as possible of all groups, that the resolution sought to put Houston on record that they wanted to take a strong position on ending chronic homelessness in Houston and they planned to engage as many organizations in the Houston area who would join in the cause, that he wanted to thank Council Member Wiseman for bringing those two groups to their attention, certainly they would be included, that he also wanted to thank the members of the committee who heard the item before from United Way and for all their input as well.

Council Member Alvarado stated that she wanted to commend Council Member Quan and his committee because the item had been discussed for several years and finally they were moving somewhere, that if they as a City were to come up with any kind of comprehensive plan on how to address homelessness they needed to have accurate and up to date information and that was exactly what the item was going to do, go out and actually survey the homeless community and then they could partner with many of the organizations, but at last they had arrived to at least starting the process.

A vote was called on Item No. 62. All voting aye. Nays none. RESOLUTION 2004-0009 ADOPTED.

63. ORDINANCE AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to flood prone areas - **(This was Item 15 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented.

Council Member Green moved to postpone Item No. 63 until the end of the agenda. All voting aye. Nays none. MOTION 2004-0453 ADOPTED.

64. ORDINANCE authorizing issuance of City of Houston, Texas, Public Improvement Refunding Bonds, Series 2004A; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale of the bonds and authorizing execution of a purchase contract; authorizing the Mayor and City Controller to

approve the amounts, interest rates, prices and terms of such bonds, the bonds to be refunded thereby and certain other matters related thereto; authorizing the purchase of a policy of Municipal Bond Insurance; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an official statement to be used in connection with the sale of the bonds; authorizing the defeasance of certain outstanding bonds, the execution and delivery of an Escrow Agreement, the purchase of and subscription for certain securities and the use of certain funds related to the bonds to be defeased; authorizing escrow verification; making other provisions regarding such bonds and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement; a Co-Bond Counsel Agreement and Special Disclosure Co-counsel Agreement; and declaring an emergency - **(This was Item 16 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0376 ADOPTED.

65. ORDINANCE changing the name of Old Westheimer Road to West Houston Center Boulevard between Westheimer Road and Alief Clodine Road - **DISTRICT G - HOLM - (This was Item 25 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0377 ADOPTED.

66. ORDINANCE approving and authorizing contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, PC** for Legal Services related to Centerpoint Energy's 2004 Stranded Costs True-up to be considered by the Public Utility Commission of Texas and other matters relating to the Electric Utility Rates of Centerpoint - \$1,500,000.00 Maximum contract - General Fund - **(This was Item 27 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS ELLIS and WISEMAN)** - was presented. Council Member Sekula-Gibbs absent.

Council Member Ellis stated that he had an opportunity to meet with the City Attorney and the law firm on the item, that while he was going to vote for it he was going to request that every time they got to a \$500,000 point that the City Attorney along with the representative from the law firm to come to a Fiscal Affairs Committee meeting and tell them where and how they spend the money, who the consultants were that they hired and what they were doing on the issue, and Mr. Michel stated that they would do that. Council Members Khan and Sekula-Gibbs absent.

Mayor White stated that he wanted to thank Council Member Ellis, that he had given some instructions to the Legal Department that were pretty parallel with respect to the Mayor's office. Council Members Khan and Sekula-Gibbs absent.

A vote was called on Item No. 66. All voting aye. Nays none. Council Members Khan and Sekula-Gibbs absent. ORDINANCE 2004-0378 ADOPTED.

67. ORDINANCE amending Ordinance No. 99-521 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City of Houston and **CENTRAL LANDSCAPE MAINTENANCE** for Grounds Maintenance Services for the Health & Human Services Department - \$147,679.69 - General Fund - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; E - WISEMAN; F - KHAN; H - GARCIA and I - ALVARADO - (This was Item 28 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. Council Member Khan absent.

Council Member Holm stated that she had several questions on the item and one was why did they chose to not go through the bid process.

Council Member Wiseman moved to suspend the rules to hear from Mr. Calvin Wells,

Purchasing Agent, seconded by Council Member Alvarado. All voting aye. Nays none.  
MOTION 2004-0454 ADOPTED.

Upon questions by Council Member Holm, Mr. Wells stated that when they got ready to do a solicitation they looked at what authority was left on the contract, then they did a market survey to determine whether or not they had the best in place at a given time, they did the solicitation back in 1998 and they had two contractors who bid it at that time and it was much higher than the one they had in place, they compared those two prices and determined that they were saving about 40% by just holding the contract in place for another year, and Mr. Hall stated that when they had long term contracts often the contract term that was bid for the end of the contract term was a price that they had committed to that was lower than they could buy for today, that was the situation in Item No. 67 and was why they did the survey; and Council Member Holm stated that she had another question and asked how many contracts did they have and for how much money and to how many people and how many different departments to do the same thing, and Mr. Well stated that as to consolidation, that they had reduced the number of contracts that they had in place from 1,200 down to 820 in the last three years by consolidation and leverage in the business, that he encouraged Council Members to continue to work with him in doing this. Council Member Green absent.

Council Member Wiseman stated with respect to Item No. 67, extending it versus going out for new bid, the market survey that they did gave them the opportunity to have an idea of what they were going to be looking at in bids while they still had that option to extend that current contract at the current price, if they had gone to bid than whatever was the low bid, was the low bid, even if it was more than the contract in Item No. 67 so it gave them a change to take a peek at what they were looking at dollar wise and then they were able to realize a greater savings, that on the issue of consolidation she wholeheartedly agreed. Council Member Green absent.

Council Member Edwards asked Mr. Wells if he had the approximation of how much money the City had saved with the extension of contracts, and Mr. Wells stated that he had been looking at some preliminary reports and they were talking about between \$18 million and \$24 million that they would save the City through cost of orders, avoiding costs at this particular time, that they would have a report to the Council Members within the next week, that those savings have not circumvented quality because they would not renew a contract, even for free, if the performance was poor, that performance was the first order of business.

A vote was called on Item No. 67. All voting aye. Nays none. ORDINANCE 2004-0379 ADOPTED.

68. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **J E SPECIALTIES, INC dba J & E ASSOCIATES** for Cleaning & Janitorial Services for the Health & Human Services Department (as approved by Ordinance No. 00-49) - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO - (This was Item 29 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0380 ADOPTED.
69. ORDINANCE approving and authorizing contract between the City and **NOVUS WOOD GROUP, L.P.** for Residential Wood Waste Recycling; providing a maximum contract amount - 1 Year with four one-year renewals - \$250,000.00 - General Fund - (**This was Item 30 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS QUAN and SEKULA-GIBBS**) - was presented.

Council Member Sekula-Gibbs stated that she had a conversation with Mr. Buck Buchanan, Director of Solid Waste, and the contract would save the City money for recycling of their wood products and would be closer for them and save them time and in picking up of

garbage time was money for the staff so Mr. Buchanan believed it would be a time saver, that the reason she tagged the item initially was to give them a chance to explore the process of cold mulching, the idea that they would use their own wood products generated within the City, which were of great volume, to utilize in the parks for composting and somehow bring in the sludge that would enrich and make it a very valuable compost, that they wanted to invite Mr. Vanden Bosch to participate in it, that there had been some advances in technology that had been made in that area, that she and Council Member Quan invite those two departments to come to the Neighborhood Redevelopment Committee and they would be addressing it there. Council Member Goldberg absent.

Council Member Quan stated that he and Council Member Sekula-Gibbs had talked about the matter and felt there were great opportunities and would like to include it on the next agenda of the Neighborhood Housing and Redevelopment Committee to see how they could utilize those byproducts for a worthwhile good for the City. Council Member Goldberg absent.

A vote was called on Item No. 69. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0381 ADOPTED.

70. ORDINANCE appropriating \$234,000.00 out of Solid Waste Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **EPSILON ENGINEERING, INC** for Two Neighborhood Depositories for Solid Waste Management, CIP L-0043-01-2; providing funding for contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; H - GARCIA and I - ALVARADO - (This was Item 34 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS HOLM and KHAN)** - was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0382 ADOPTED.

71. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Towing of Vehicles and the Operation of Auto Wreckers; authorizing the Chief of Police to enter into agreements for Police authorized Major Freeway Vehicle Tows, providing for procedures, fees, and other requirements for certain vehicle tows and containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful; providing for severability – **(This was Item 59 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS HOLM, GARCIA, ALVARADO, WISEMAN, GALLOWAY, SEKULA-GIBBS, KHAN, QUAN, EDWARDS and GREEN)** - was presented.

Council Member Berry moved to refer Item No. 71 back to the administration with a request to bring it back to Council in two weeks, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2004-0455 ADOPTED.

72. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Truck Loading Zones; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 61 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS ALVARADO, GALLOWAY, QUAN, KHAN and SEKULA-GIBBS)** - was presented.

Council Member Alvarado moved to refer Item No. 72 back to the administration with a request to bring it back to Council in two weeks, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2004-0456 ADOPTED.

73. ORDINANCE relating to Impairments and Obstructions of Roadways and Sidewalks; **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, and containing findings and other provisions relating to the foregoing subject; containing a repealer; providing for

severability – **(This was Item 62 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBERS GARCIA and GALLOWAY)** - was presented.

Council Member Khan moved to refer Item No. 73 back to the administration with a request to bring it back to Council in two weeks, seconded by Council Member Alvarado. Council Members Goldberg and Wiseman absent.

Council Member Khan stated that he thought the delay would help a great deal in getting more involvement from the people who felt, right or wrong, that they were not part of the discussion and would also help them get to the best solution. Council Member Wiseman absent.

Council Member Garcia stated that there were a lot of other discussions in relation to the roles of law enforcement agencies, that he had a proposal before the Mayor and would appreciate his consideration of it. Council Member Wiseman absent.

A vote was called on the motion to refer Item No. 73 back to the administration. All voting aye. Nays none. Council Member Wiseman absent. MOTION 2004-0457 ADOPTED.

63. **ORDINANCE AMENDING CHAPTER 19 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to flood prone areas - **(This was Item 15 on Agenda of April 21, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** - was again before Council. Council Member Wiseman absent.

Council Member Green stated that although he was not going to ask for a delay he wanted to make it clear that he had some questions as it related to the affordability of the homes for the disabled, that he fully supported the amendments but was concerned about how much it raised the price of a home for the disabled and would like for someone to dig a little deeper in that, that if any of their LARA properties were in the flood plane that would affect how affordable that house would eventually be, and Mayor White stated that would be done and it was an important issue that Council Member Green had raised.

Council Member Quan stated that last year they looked into the issue of visitability to make sure the homes were accessible and the City allocated \$200,000 for builders who built features that allowed for visitability, wheelchair entrance and things of that nature, there was a reimbursement the City had available so they were cognizant of those concerns and a program was in place by the City to address that, that the \$200,000 was \$400 per home, that they did an estimate and did studies with the Greater Houston Home Builders Association of how much it would cost and they had homes built and they estimated those and they arrived at what they thought was a fair compromise and the home builders were pleased with that because it covered their costs, that it was a beginning pilot and they would see where it went from there.

A vote was called on Item No. 63. All voting aye. Nays none. ORDINANCE 2004-0383 ADOPTED.

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

Council Member Khan stated that as everybody knew there was a referendum coming up on May 15, 2004 and they had scheduled a townhall meeting on May 3, 2004 at Strake Jesuit Preparatory College at 8900 Bellaire Blvd. from 5:30 p.m. to 7:00 p.m., that he wanted to thank Mayor White, Controller Annise Parker and Council Members Ellis, Quan, Green and Alvarado who had all agreed to be part of the townhall meeting, along with Mr. Jim Kholer of the Greater Houston Partnership, that they invited everyone to come out. Council Members Lawrence and Holm absent.

Council Member Khan stated that he wanted to thank the University of Houston who sent

a student as an intern to their office, Mr. Kenny Makulow, who would end his internship on Friday and who had done a remarkable job, that he was a senior at the University of Houston Central Campus and was a double major in Political Science and Public Relations and was scheduled to graduate this fall, that they wished him all the best in his future endeavors. Council Members Lawrence and Holm absent.

Council Member Khan stated that he wanted to congratulate Mayor White on his commitment to do something about vacant homes and the danger they presented to the public, that last week his office received a complaint from Mr. Bill Jurica, a constituent who lived on Corona Lane who complained about a vacant home located at 12107 Cella Lane, that in the back of the home was a swimming pool which had not been drained and the backyard gates remained open to the public, potentially luring small children, that obviously there were other dangers to the health and safety of the children and public at large with the vacant home, that the City went out and issued a citation and were scheduled to go back and inspect the premises on May 8, 2004, that it was scheduled for a hearing in the Planning and Development Department however with such risk to the lives of the children they really needed to get more vigilant with vacant homes. Council Members Lawrence and Holm absent.

Council Member Khan stated that last week he discussed a claim that one of his constituents, Ms. Sharon Turner, made against the City regarding a water meter that was incorrectly installed thus causing damage to her property and an increase in her water bill, that the City had had asserted government immunity and denied her claim, that he wanted to thank the City Attorney's office and Attorney Harlan Heilman, who briefed him on the matter and provided some guidance on how they could obtain an adjustment of Ms. Turner's water bill. Council Members Lawrence and Holm absent.

Council Member Sekula-Gibbs stated that she would host a townhall meeting along with Council Member Garcia on health and access to health care services in the Second Ward and Denver Harbor area, that they would be passing around a flyer on it, that they were all invited to attend on Thursday, April 29, 2004 from 6:30 p.m. to 8:00 p.m. at La Roca Penecostal Church, 402 Halo, that they could call her office for more details, 713-247-2005. Council Member Alvarado absent.

Council Member Quan stated that before their Neighborhood Housing and Redevelopment Committee came several issues, one had been home emergency repairs, that as they knew they had now gotten that program approved with HUD and there had been a lot of questions amongst the community, that on Monday afternoon from 2:30 p.m. to 4:00 p.m. they would be hosting a subcommittee meeting to work with the public to explain how the program works and to get their input as they entered into Phase II on that program, that also on Wednesday May 5, 2004, from 3:00 p.m. to 4:30 p.m. they would be having a meeting on the contracts for deed and wanted to thank City Attorney Michel for his input, they would be talking on what the City could do on the issue of contract for deed, that Council Members Green and Khan were also on the subcommittee on the issue, that he wanted to invite anyone who had an interest in those areas to come to those meetings. Council Members Alvarado and Sekula-Gibbs absent.

Council Member Quan stated that he was pleased they took a two week continuance or delay on the issue of the towing, that his son-in-law recently had an accident on the Katy Freeway and the Safe and Clear Program was in place there and a police officer came and he was advised that to tow his car would be \$165, which he thought was pretty expensive considering the Council only approved \$115 as a maximum, that he then said that he talked to his Council Member and understood the tow was only \$115 and they took his car keys away from him and towed the car and then they lost the keys and totally had to rekey it for another \$50, so when he wanted to complain they tried to contract Lieutenant Durden who said they did not cover Safe and Clear anymore, that it was in the Mayor's Office on Mobility so they called 311 to try and get that number but they did not have a number for the Mayor's Office on Mobility, that he thought they had some good ideas it was just a matter of getting things in place

and working the communications with the public to make sure that it happened, that he was kind of disturbed because the wrecker services that worked that route of the freeway were supposed to be the best wrecker services and yet he did not know what happened, that it seemed there was a certain disparity on the cost and they were trying to get that rectified today but he was really disturbed by the episode. Council Member Sekula-Gibbs absent.

Mayor White stated that he appreciated Council Member Quan giving him a report on that and had a report emailed to him yesterday from Council Member Berry and a report up through Lieutenant Durden and he really welcomed feedback and complaints so they could be investigated. Council Member Sekula-Gibbs absent.

Council Member Quan stated that on Saturday they would be having the Fourth Annual Dragon Festival and knew that City Council had a team on that, that it would be at Allen's Landing. Council Member Sekula-Gibbs absent.

Council Member Quan stated that he wanted to recognize a person who had been a great help to the Council for the past several years, Mr. Paul Bibler, Assistant City Attorney, that today was Mr. Bibler's last day at Council, that he would retire officially on Friday and wanted to take the time to thank him for all of his fine public service and guidance to each of them on Council and his hard work on behalf of the citizens of Houston. Council Member Sekula-Gibbs absent.

Council Member Berry stated that yesterday on the steps of City Hall, Ms. Zina Garrison and the American Tennis Association, along with his colleagues Council Members Khan and Green celebrated the fact that the ATA, for the first time in 88 years of its existence was going to hold its national tournament in Houston. Council Member Sekula-Gibbs absent.

Council Member Berry stated that he wanted to commend Chief Hurtt on the HPD promotions and changes that were made yesterday, that they were merit based appointments and thought they were going to be very good changes and improvements for the department. Council Member Sekula-Gibbs absent.

Council Member Berry stated that he wanted to make note on what Council Member Quan said on towing, he had followed that very closely and would like to be involved in the resolution of that, that he wanted to make sure it got resolved and that it was not occurring. Council Member Sekula-Gibbs absent.

Council Member Berry stated that he wanted to ask for some guidance from Mayor White with regard as to how they proceed with the Tow Ordinance in the two weeks, that he thought they heard from the tow drivers in a public setting and did not know that anything else was to be gained from a further public meeting in that format, that he knew one had been discussed and he was certainly glad to be part of one, but at this point he would like some guidance before they brought it back. Council Member Sekula-Gibbs absent.

Mayor White stated that he thought between Council Member Berry and Mr. David Saperstein and Chief Joe Breshears, who was on phase down at no cost to the City, and Mr. Richard Lewis, who had been involved in some of the projects that involved finances, there were several common themes, that one common theme which he thought could be readily clarified, was people feeling that they wanted to know what the rules to the game were well in advance so that they could make some plans to participate, that was what they heard on the Safe Clear Program, that fair issue, transparency and enough time to prepare, that the second issue was that they had to satisfy themselves that they were structuring something in a way so that there could be groups of firms, multiples of firms or coalitions of firms which bid so they got the most competitive results that were possible, that it was worth thinking about and thinking through what the alternatives were and getting input from other Council Members around the table who had taken an interest in it, and third, there was an issue of a minimum bid requirement and he thought there were some ideas that they had talked to the small business

commission and others about what could they do to make sure that it was something that provided access to credit and make sure that they were checking the models to make sure they were credit worthy, that if people decided the minimum amount or whatever needed to be lowered to make a recommendation about that, that they would not get into where people were lobbying and using politics in order to get themselves into particular franchises or concessions, that they would not go there, so they would need some kind of objective criteria that they would have to use and some kind of bidding type process was one that satisfied that but there may be other transparent processes, that those were some of the issues, and then finally the issue that it had never been 100% clarified he thought people needed to keep an open mind, that they were changing the rules of the game when they said that the first one that shows up gets the tow as opposed to eight people converging and negotiating with the driver, negotiating among themselves while everyone was rubber necking and waiting for people to pile up, that he did not think the public liked the system that they had now, as they had observed, but people had made investments and reliance on the old system, that whenever they had a change of the rules of the game that was the market system, but they had to understand that people may have made investments and why could people not get by off of the highway, that he wanted people to report back to them because he thought Council Members were concerned with it, a hundred people put out of business by it, why was that, so those were some issues that he thought if they would consider and be prepared to address with him and the City Council. Council Member Sekula-Gibbs absent.

Council Member Khan stated that with the proposed system the freeways would be divided into 21 segments and it would result in small single tow truck businesses not to participate in it, that the rest of the City was open to everybody, that there may be a way that the small companies could participate in the program. Council Member Lawrence, Galloway, Garcia and Sekula-Gibbs absent.

Mayor White stated that he understood what Council Member Khan was saying but to say that only large companies could participate he had asked Council Member Berry and they had given some specific ideas that could address the issue. Council Member Galloway, Garcia and Sekula-Gibbs absent.

Council Member Ellis stated that he heard Mayor White say that Chief Breshears was in phase down now at no cost to the City and asked if that was to say that Chief Breshears could have gone in phase down and gone and done something else but was really contributing back to the community, that he understood phase down but he did not have to take another position with the City so he was actually donating his time back to the community and the City, that it was a compliment to Chief Breshears and to his commitment to the City and service to the City, and Mayor White stated that he believed, and may need some clarification, that somebody could be directed by Chief Hurtt, while they were in phase down, to do xyz, but he was not sure as a matter of the bargaining agreement but would tell them that it was an idea that they conceived of because of the very issues that were raised at the Council table, that Chief Breshears was a can do person who fit a criteria, that they asked Chief Hurtt and Chief Breshears whether it was something that was acceptable and Chief Breshears was out there and ready to get started, that why he hesitated on it was that he did not know what the legal issue was when someone was in phase down and if Chief Hurtt directed them to do xyz they may not have that many options to say no, but he was not sure on that. Council Member Galloway, Garcia and Sekula-Gibbs absent.

Council Member Goldberg stated that he wanted to bring to their attention something alarming going on in the TIRZ's, that an administrator for a majority of the TIRZ's were asking the TIRZ boards, redevelopment authorities, to give money out of the TIRZ fund for lobbying, that he heard the figure of \$10,000 in one TIRZ, that he did not understand why they wanted to spend TIRZ money on lobbying, that he wanted to make sure it did not happen, that it was coming up for a vote in some of the board meetings and they had to make sure that the TIRZ's were not spending separate money on lobbying, and Mayor White stated that as he understood

the language of the TIRZ under the term of the TIRZ agreements Council must approve contracts over some value, that he thought the issue required some clarification, that he would do some investigation. Council Member Galloway, Garcia and Sekula-Gibbs absent.

Council Member Goldberg stated that he wanted to thank Mr. Dan Kruger and Mr. Harish Jajoo from Public Works regarding an issue in Knollwood Village, along with the design team for Knollwood Village, it was Brown and Gay, that he had met with Mr. Dave Stoller and Mr. Ronnie Mulnecks and they had agreed they were going to change City policy regarding how they did some of the neighborhood street reconstructions because Knollwood Village was a very poorly designed project. Council Member Galloway, Garcia and Sekula-Gibbs absent.

Council Member Goldberg stated that he wanted to ask Mr. Bibler to pass on his talent for brevity in one word answers, that he thought all of them could use it around the Council table. Council Member Galloway, Garcia and Sekula-Gibbs absent.

Council Member Wiseman stated that she was having passed out copies of correspondence she received from two constituents in Kingwood on two different property issues, that one was an abandoned home and she had photos to share to show that they experienced it as much as any other district, that she had a photo of a home that had been abandoned for 10 years and had overgrown grass and weeds, there were holes in the roof and they had rodents and snakes as a result of all of it, that the constituents were asking for assistance in addressing the problem, that they also had illegal dumping up there along roadsides, open ditches in the Kingwood area, illegal dumping of tires, bed mattresses, couches and refrigerators, that they truly needed assistance in having that cleaned out, that all of the debris in the ditches were impeding drainage so it was imperative that they assist the community in addressing that. Council Member Galloway, Goldberg, Holm, Quan, Ellis, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that she wanted to commend the newly formed Kingwood Chamber of Commerce, that it was formed just a few months ago and were already exceeding 200 members, that the past weekend they had close to 200 volunteers in an effort to clean the community, Clean to the Green, their first community wide project, that it was a tremendous success and she would like to thank Mr. Robert Fiederlein, Public Works, for his assistance in insuring that a particular area of right-of-way was mowed so that people could get to the debris very easily. Council Member Galloway, Goldberg, Holm, Quan, Ellis, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that she would be joining a grassroots organization in Washington, D.C. next week to lobby on behalf of Ellington Field and the 147<sup>th</sup> Fighter Wing so that they could retain it, that they would also be lobbying as a part of group, Citizens for Space Exploration, to insure continued funding for their NASA Program, that she was looking forward to taking part in all that they could do to protect their assets there. Council Member Galloway, Goldberg, Holm, Quan, Ellis, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that she wanted to bring up the issue of the reopening of Fire Station 161 in her district, that she was pleased that it happened and the community was very excited anticipating its reopening, that there was a ceremony for it on April 15, 2004, that she very much wanted to be a part of that and would have been if she had been told that there was a ceremony taking place, that everyone from the department and other City offices were informed and were there, that she did not find out about it until she got a call from a citizen the afternoon before, that she wanted her constituents to know that she was very excited about the reopening and stood with them in support of that. Council Member Galloway, Goldberg, Holm, Quan, Ellis, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that she was always amazed at the way the members of the Houston Fire Department stuck together and helped not only one another but firefighters

that they referred to as brothers and sisters throughout the Country, that since December they had in Houston, Captain Theo Adams from the Las Vegas Fire Department, he had been in the Med Center at the Institute for Rehabilitation and Research having to go through extensive rehabilitation after an accident he sustained while responding to a call on Halloween night in Las Vegas, with the events that transpired Captain Adams was now a quadriplegic and had no ability to assist for himself and the institute was doing a wonderful job of working towards his rehabilitation, that his firefighter brothers and sisters in Houston decided to get together and bring Captain Adams crew from Las Vegas all together at one time to pay him a visit, they had not seen him since December, that they helped coordinate the trip and asked her if she would assist in requesting from the Mayor's office a proclamation for Captain Adams, which she was pleased to do and thanked the Mayor for providing that, that they decided to have a barbeque for him and presented the proclamation there, that was when she had the opportunity to meet his colleagues from Las Vegas and she decided to invite them to Huntsville for a crawfish festival so that they could get a taste of an east Texas tradition, that they did attend and it was a wonderful experience for them, that she wanted to thank the Walker County Go Texan Committee and Ms. Congeniality, Erin Thompson, who helped to give them their first two step instruction. Council Member Galloway, Goldberg, Holm, Quan, Ellis, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that it was with great sadness that she share the passing of one of her former colleagues, a local comedian, Mr. Jim Patterson, whose humor was unmatched, that she wanted to thank Mr. Louis Parks of the Houston Chronicle for doing a wonderful job on the obituary that he wrote for Mr. Patterson and asked for a moment of silence for Mr. Patterson. Council Member Galloway, Goldberg, Holm, Alvarado, Quan, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Green stated that last Saturday he held an event called the Nuts and Bolts of Community Development at the George R. Brown and wanted to thank the Mayor, Chief Hurtt, City Attorney Michel and Council Member Quan for attending the event, that they had a huge turnout, almost 250 people came out to find out some information about how to help redevelop their own neighborhoods and were quite impressed with the seminar, that they thanked the Mayor and City Attorney for coming out and sharing some words with them on how to really take their own neighborhood into their hands and do a good deed and revitalize in their own neighborhoods. Council Member Galloway, Goldberg, Holm, Khan, Quan, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Green stated that this weekend the University of Houston Black Alumni Association would host its Spring Fling, that on Friday there would be a comedy concert, on Saturday a casino night and on Sunday there was a family picnic, for those wishing information on that they could call the University of Houston Black Alumni Association at 713-743-9550 and speak with Ms. Amy Bailey. Council Member Lawrence, Galloway, Goldberg, Holm, Khan, Quan, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Green stated that there was an issue on the news last week that dealt with a young woman who received a traffic citation from a Houston Police Officer and signed the ticket and after she arrived at court she found out that the officer had added another violation to the ticket, that he thought they needed to launch a full investigation into that issue because it was fraud, that the citizen was quite upset about it and rightly so, but to compound her issues she said that the Municipal Courts were not understanding and that the judge at the court was quite rude to her, so he thought that it further highlighted a project he was working on, the Municipal Court overhaul and thought they needed to get some sort of an investigation done from the Municipal Court side of it, that he would ask for an investigation of the Police Department as well as the Municipal Courts so they could bring some sort of resolution to the citizens complaint about having an additional violation added to her ticket after she signed for it, that he did not know if the Mayor was aware of it. Council Member Lawrence, Galloway, Goldberg, Holm, Khan, Quan, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that they could look into that, that he got an excellent briefing from a citizen who was somewhat of a legal genius in the management of complex systems that tens of thousands were involved in, Mr. Moriarity, and thought that he had privately commissioned a study survey by Mr. Kleinberg on customer satisfaction with the Municipal Court System, which he thought would be interesting, that everyday thousands of taxpayers went through there and the question was were they every time treated with dignity and respect, that they wanted to enforce, they did not want to condone traffic violations, that these were not citizens deserving to be demoralized or treated rudely, same as witnesses or law enforcement officers, that one of the issues was changing the culture of the system. Council Member Lawrence, Galloway, Goldberg, Holm, Khan, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to say goodbye to Mr. Bibler and had been for their office one of the most supportive people in City Council in the services they had since they had been at Council, that she wanted to wish him and his family well. Council Member Lawrence, Galloway, Goldberg, Holm, Khan, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to congratulate Chief Hurtt on his appointments and wanted to especially congratulate Assistant Chief Dorothy Edwards, who was the first African American Female to rise to that level. Council Member Lawrence, Galloway, Goldberg, Holm, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Mr. Dan Krueger and her staff and the North Montrose Civic Association, they had a civic club meeting last night regarding the West Gray Sewer Project, which was a new project for the City and the City would be entering into a new type of partnership with the community, that they wanted to thank the Public Works Department and CLR, the management group and the citizens of North Montrose, that she thought it would be a new model for how they could work with the citizens. Council Member Lawrence, Galloway, Goldberg, Holm, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she had a serious concern with LARA, that she thought they created LARA with the thought they were doing something mindful but thought they created a system that had no authority to do what they were trying to mandate that they do, she was concerned how the process would not change even during a pilot program and did not know what kind of properties LARA was going to be able to administer, they went to Dallas, her staff and some folks from the community because they were concerned as to how Dallas did what they do and they found out that Dallas had a State law that was written for Dallas that allowed them to take tax delinquent properties and give first refusal to the City before it went into the hopper and she would like to encourage them to be aggressive, she did not now if they could do it in the special Legislature session or at least in the upcoming session, that they had community partners that had been working trying to build programs and so forth to deal with affordable housing and all of those issues and as she understand it, it was not going to work if they had to wait until it went through the regular process, that she would encourage the administration to look at the House Bill that was passed for Dallas to see how they could either get a bill for Houston or how they could modify that bill so it could include Houston. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she had concerns on how they were moving forward in the City Council meetings, that they had a process and they either needed to follow the process or not follow the process and not pick and chose which people they wanted to follow the process with, that she felt very uncomfortable when they picked and chose which person they would give extended time to, that she thought they needed to be equitable and fair and it

should not be whether they knew a Council Member who could get them to move up or give them more time. Council Member Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that they worked a lot through committees and did a lot of information fact finding through committees and would suggest if Council Members could not attend committee meetings that they send people to those committee meetings and that they take notes and so forth and refer that information back to the Council Member. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she had been very disturbed about the issue regarding the question about reparations and was not trying to challenge their vote, that today there were three articles in the newspapers about immigrant labor force in this Country, that she thought they were setting themselves up, she thought, in the next thirty years to have the same discussion from descendents of the immigrant workers to talk about reparations because they had a work force, illegal influx from Mexico, as a source to meet labor needs, that they were bringing in people to do labor and those people were not being afforded the benefits of their labor through social services, that if they were bringing people here to do labor then they needed to pay them decent wages, that it was slave labor, that she thought they had the responsibility to be good shepard's, that they needed to take a position, that it probably would not be a resolution, but they needed to address it somehow, that they tried to address it through day labor situations but it was just getting to be outrageous. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she shared her sentiments on the issues related to immigrants and it seemed like in the last couple of months there had been a lot of stories that had highlighted some of the issues that had really come down heavy on the immigrant community, that their office held a meeting with Congressman Green earlier in the week on the rumored raids, which was disturbing the commerce, kids were not going to school and families were being disrupted because they were terribly afraid that raids were occurring and while yes it was not a City Council issue it did have an impact on the City as a whole, they also had developers who were encouraging immigrant families to get into these lease to purchase homes which was a total rip off, that she thought Council Member Edwards was right they all needed to do their part to be more engaged in that, they were going to continue to work with their congressional representatives since they had direct jurisdiction but also continue to work with the Mayor's Office on Immigrant and Refugee Affairs. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Quan stated that they had a meeting of that committee this afternoon, the Mayor's Office of Immigrant and Refugee Affairs at 3:00 p.m. and all Council Members were welcomed to attend and add their input. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that Council Member Edwards, in these sessions, always tended to address very tough issues in a forthright manner and he really appreciated it, that on LARA he would support legislation that gave them the same powers and prerogatives that Dallas did. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to acknowledge that they lost Ms. Laverne Hogan last week and asked for a moment of silence, that to her family at 911 their prayers and condolences were with them, that Ms. Hogan was the first director of the Houston Harris County 911 System and was currently serving as the Executive Director. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

PRESENT)

Council Member Garcia stated that he wanted to acknowledge the Office of Disabilities, Ms. Kym King, Ms. Kimberly Fillon and Mr. Rick Stagle, with traffic engineers, that when he first took office he talked about a wheel chair ramp at the intersection of Heights and West 20<sup>th</sup>, that folks were literally tipping over, falling over or flipping backwards on their motorized devices because that ramp was so badly constructed, that he spoke with Ms. King and they started working on it and took photographs, that they met with the residents and let them know that the project was now under way to repair that and make it a more feasible system for the folks most likely to use that intersection which were folks who sometimes had to depend on walkers and crutches and those type of devices, plus they were able to get some extra seconds on those crossing lights and the bell was working for folks who were blind to assist them in crossing the street. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to acknowledge some Public Works employees, Mr. Tim Lincoln and Mr. Jeff Chuckwoo for their work on the Morrison Street project which had been underway for about three years and it looked like it had finally been completed but more specifically they really took the work an extra mile to address the residents concerns in terms of the street flooding which had been occurring, that he wanted to thank them for their professionalism in the project. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to invite everyone, that on Saturday at 1:00 p.m. they would be having the 113 year anniversary of the Heights Historical marker across the street from the Heights Library at 1000 block of Heights Boulevard. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that Mr. Bibler's commitment and professionalism and his embracing of the legal system and codes indicated how responsive and committed he was to making sure they got good advice and that the City had been able to move forward as much as it had with folks like him, and thanked him for his service. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that this evening their Sister City Tampico would be holding an event titled, "The Magnificent Bio Diversity of Mexico", which talked about how the oil industry developed and had moved forward in Tampico, Mexico so he would encourage folks to attend that. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that last weekend the North Lindale Civic Association got rained out on their barbeque event and they may get rained out again this weekend but they were going to give it another shot so he encouraged them to come by and support the folks out there and buy a barbeque plate. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to commend Chief Hurtt on the folks that he had identified, Captain Lumpkin, Lieutenant Edwards, Lieutenant Danny Perales, Captain George Buenik and Captain Vicki King were the folks that he had personally worked with and Danny was out of his academy class, that these were progressive thinking individuals and were people who had time and time again proven their commitment to their department and a commitment to an exemplary public safety way of doing business, that they were all folks that they should all be very proud of and support in that regard and wanted to commend Chief Hurtt for really looking and identifying folks that were going to take the Police Department to the next

level, that he was excited to see these folks take their command and looked forward to working with them, that he was excited about seeing Chief Montalvo move up to an executive level because it gave the Hispanic Community a voice near the top of the Police Department, that he wanted to thank Lieutenant Victor Rodriguez with Auto Theft Division for the work he had done and Captain Holland with the Homicide Division for the work he had done, that there was a huge amount of talent pool that they had and there had to be other ways to embrace those individuals and help them to help Houston move forward. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he consulted with Chief Hurtt all the way but the decisions were his, that he was impressed by a process which was getting input from the bottom up of the Police Department, from rank and file about who were respected, that they did see people coming from different ranks. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he misspoke in connection with one of the consequences of some of the announcements recently, that Chief Breshears and Chief Storemski were in the Phase Down Program, which was their legal right, but was just another way to get the pay, not extra pay, just the pay that had been accrued, so they did not penalize people for not taking their number of vacation days, that he thought it meant imminent good sense, but in addition to that they would have some salary which would be borne by the Police Department for the period of time in which they had their assignment, so he wanted to clarify that matter, but it would be less than they would be paid if they had kept their positions as assistant chiefs. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that she wanted to add some comments to Council Member Edwards comments in relationship to the process in the meetings and encouraging if they had a committee process that maybe they should handle some of the issues in looking for remedies and for suggestions more through that process, that she found they were not having particularly good attendance at committee meetings and therefore they were finding that through public session rather than just listening and asking pertinent questions to their public speakers they were trying to seek some remedies there, that on behalf of all the public and the people who it was really to benefit, if they would utilize their time at public session for the purpose of letting people speak their minds as opposed to seeking remedies at that time. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that on Wednesdays sometimes they brought agenda items forward, that she wondered if it would be possible before they brought individual items to complete all the consent agenda, because what happened was that a lot of employees and staff that were on the consent agenda ended up sitting through the Council meeting for several hours when they could be back at their office working, that it was something to consider, and Mayor White asked if there was any reason not to do that and Ms. Stein stated no, and Mayor White stated that he could not deny a persons right to make a motion but if she could just remind them. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that Captain Bounds who was at the Westside Command Station was an incredible facilitator and part of their community, that he had been so helpful to their office and so responsive to the community, and Captain Walterbach, who was injured during the fire, was home and she would like for them to keep him in their prayers as he was in recovery. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that she wanted to thank Mr. Bilber, that she would miss

him, that they had worked with Paul both as a community person and then on Council. Council Member Lawrence, Galloway, Goldberg, Khan, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she wanted to join her colleagues in commending Chief Hurtt in his selection of Assistant Chief, especially Captain Buenik and Captain King who were in their district, that she hated to lose them because they were such good representatives of the department, that she believed that Executive Assistant Chief Montalvo was the first Hispanic female to hold that position. Council Member Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she wanted to thank Chief Hurtt and City Attorney Arturo Michel for attending some community meetings last week and this week with some of their constituents. Council Member Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she wanted to welcome the public to the Cinco de Mayo Parade on Saturday which was hosted by LULAC, that it would be at 10:00 a.m. and start at Minute Maid Park and would go on for about an hour and a half. Council Member Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:44 a.m. upon MOTION by Council Member Alvarado, seconded by Council Member Wiseman. Council Member Lawrence, Galloway, Goldberg, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary

Russell, City Secretary