

City Council Chamber, City Hall, Tuesday, May 17, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 17, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Carol Alvarado, Mark Ellis, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director present. Council Members Carol M. Galloway and Adrian Garcia absent on city business. Council Member Gordon Quan out of the city on city business.

At 1:59 p.m. Mayor Pro Tem Alvarado stated that Council Member Sekula-Gibbs would begin the presentations; and Council Member Sekula-Gibbs stated that this week was honoring national emergency medical services which also honored the Houston medical team; that recently a situation occurred where the Potter family was delivering a child at home by breech birth and 911 responded. Council Member Sekula-Gibbs invited Dr. David Persse, HFD Chief Boreski and EMS Chief Jimmy Gill along with the EMS team who responded and the Potter family to the podium; that in recognition and appreciation of the vital contributions the EMS gave to the City of Houston and presented them a Proclamation commending them and proclaimed the week of May 15 – 21, 2005 as "National Emergency Medical Services Week"; and Mr. Potter stated that the EMS team responded, resuscitated his daughter and got her to the hospital and without them she would not be here today and he thanked them. Council Members Khan, Holm and Berry absent.

Council Member Goldberg stated that he had a Proclamation for St. Thomas Episcopal School who was celebrating their 5th anniversary and who also had won four times the World Championship for Bagpipe and Drum Band in Glasgow, Scotland; and invited the band, dancers and Mr. Jeremy Freeman their instructor to the podium; Council Member Goldberg further stated that they had won four of six competitions in Glasgow and they were the only American pipe band to have ever won; that they had a list of honors doing the City of Houston proud; and Council Member Sekula-Gibbs presented the Proclamation to them commending them as the four time world champions and proclaimed May 17, 2005, as "St. Thomas Episcopal School Scottish Arts Program Day" in Houston, Texas; and the band demonstrated their talent and played for all. Council Members Khan, Holm and Berry absent.

Council Member Green stated that he had a presentation to make for Council Member Galloway and invited Pastor Paul D. Jones to the podium. Council Member Green further stated that the North Wayside Church of Christ was blessed with many members and had remained dedicated to their spiritual needs; and presented Pastor Jones a Proclamation for 35 years of ministerial excellence and outstanding community services and proclaimed May 17, 2005 as "Pastor Paul D. Jones Day" in Houston, Texas.

Council Member Edwards invited those present with Bunker Hill Elementary to the podium and stated that for the last nine years they had raised money for maintenance of the Sam Houston monument, totaling \$34,000.00. Council Member Edwards invited Ms. Pam Ingersol to introduce those present; and Ms. Ingersol introduced Ms. Sally Reynolds who was chairman of the Municipal Art Commission; Ms. Artie Lee Hines was commissioner with the Municipal Art Commission and the Bunker Hill Elementary Statue Committee with Ms. Crystal Blackburn their principal; and Ms. Blackburn stated that she had been at Bunker Hill for 13 years and principal for 3 years; that the program taught how to give back to the community and their fifth grade teacher Ms. Rawlins organized the group yearly; a student explained how they became on the committee and how they raised the money.

Council Members commended the students and stated that they were an inspiration and leaders of tomorrow; Council Member Edwards presented a certificate to the group from District D for their annual commitment to the restoration of the Sam Houston monument; and Mayor

White thanked them for taking things into their own hands and making a difference and stated that Ms. Hines legacy would be well represented in this group.

At 2:20 p.m. Mayor White called the meeting to order and called on Council Member Ellis who led all in prayer and the pledge.

At 2:30 p.m. the City Secretary called the roll. Council Members Galloway and Garcia absent on city business. Council Member Quan out of the city on city business.

Council Members Khan and Holm moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Galloway and Garcia absent on city business. Council Member Quan out of the city on city business. MOTION ADOPTED.

Council Member Lawrence moved that the rules be suspended for the purpose of adding Mr. Craig Tiras to the Speakers List; and Mayor White stated that if there was no objection it would be done by consent

Ms. Kathryn Barchfeld, 2108 Peppermill Road, Houston, Texas 77080 (713-683-1238) appeared and stated that she was present regarding Agenda Item 20 and on behalf of the Spring Branch Super Neighborhood; and they wanted Council's assistance in revitalizing their community and getting rid of the Hilton Town Apartments; that their demolition would be deeply appreciated.

Mr. Mike Falick, 13106 Hermitage, Houston, Texas 77079 (713-647-8080) had reserved time to speak but was not present when his name was called.

Ms. Jennifer Parker, 2200 Ridgecrest, Houston, Texas 77055 (713-365-4020) appeared and stated that she was present regarding Agenda Item 20; that she was the principal at Landrum Middle School in Spring Branch ISD and she was in support of the demolition of vacant dilapidated vacant apartments on Wirt Road; that the community believed them to be health and safety issues; and thanked the Mayor and Council for their support in the destruction. Council Member Berry absent.

Mayor White thanked Council Member Lawrence for helping him understand what was needed to be done and what calls were necessary to get it done. Council Member Berry absent.

Council Member Lawrence thanked Ms. Barchfeld and Ms. Parker for coming and stated in a short time at least 12 buildings would be down. Council Member Berry absent.

Mr. Craig Tiras, who was previously added to the Speakers List, appeared, presented information and stated that he was present regarding the proposed bridge on Rosslyn Road; that Rosslyn turned into East T C Jester north of 610 and they had been fighting the developer, trying to keep him from putting in the bridge as they were fearful it would create several problems which were outlined in his handout; that the second page of his handout was a letter from the City of Houston dated June 1999 where they promised at the end of Rosslyn a turnaround would be put in but it still had not happened and now he believed the developer was granted a bridge; that the third page of his handout was regarding a meeting they were having tonight at 6:00 p.m. and they did expect news media and about 150 residents; that a petition had been signed by 3,200 people protesting the bridge and they believed it was unfair; and invited the Mayor and Council to come by. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Lawrence thanked Mr. Tiras for coming and stated that Council Members who were here longer than one term would remember that Mayor Lanier took it off the major thoroughfare, there was supposed to be a turnaround and mistakes were made as far as the

Planning Commission turning the project around; that this Mayor looked at it and had sent part of his staff out and they were looking for a good meeting tonight and trying to resolve some permits issued before this Administration took office. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Michael Bonner, 3100 Cleburne, Houston, Texas 77004 (no phone) had reserved time to speak but was not present when his name was called. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

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

Ms. Brenda Brown, 10965 South Gessner #2121, Houston, Texas 77071 (713-995-4939) had reserved time to speak but was not present when her name was called. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Donzetta Shelton, 4400 W. Airport Blvd. #2808, Houston, Texas 77045 (713-726-8254) had reserved time to speak but was not present when her name was called. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Mrs. Ann Shaw, 6343 Ivy Knoll Drive, Houston, Texas 77035 (713-721-5160) appeared and stated that she was vice president of the Southwood Place and the Fondren Branch Management District No. 5 which covered the Fondren southwest area she understood needed to be voted on, but there were bigger problems at the time such as drugs, prostitution, graffiti, etc., and it was because beautiful apartments had been turned into slum because of the discriminatory attitude to minorities who had rent paid by welfare; that when people rent owners and management had an obligation to have proper maintenance; that keeping them in poor condition robbed tenants of ambitions they may have had and led to crime for some and should not be tolerated; and she was proposing that she had her husband set up a volunteer committee to get investors to buy some of the slum buildings and rebuild and if the City of Houston could help set up the committees they hoped to make Houston one of the most beautiful cities. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Marvin Shaw, 6343 Ivy Knoll Drive, Houston, Texas 77035 (713-721-5160) appeared and stated that he was president of Southwood Place Property Owners Association and present to discuss quality of life issues; that he and his wife had lived in the Fondren southwest area since 1978 and around 1981 was hit by recession and starting having problems such as drugs, prostitution, murder, gang activity, etc., and due to budgetary problems the police were understaffed and made it difficult to keep crime under control; that he believed crime would be reduced if ordinances were in place to require apartments to provide security and maintenance 24/7. Mayor White and Council Members Lawrence and Berry absent. Mayor Pro Tem Alvarado presiding.

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

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) had reserved time to speak but was not present when her name was called. Mayor White and Council Member Lawrence absent. Mayor Pro Tem Alvarado presiding.

Ms. Michael Rantschler, 1640 East T. C. Jester #732, Houston, Texas 77008 (281-787-7436) appeared, presented information and stated that she was with Solidarity With Animals a Houston animal activist group and Houston's kill rate was second highest in the nation with between 80% and 90% of the animals taken in at shelters killed and that was nearly 100,000

each year; that at the city pound the rate was 94%; that other cities took a measure to stop the killing with Los Angeles committing to \$500,000 each year to free and low-cost spay/neuter and their kill rate was about 30% compared to Houston spending just \$18,000 on the spay-neuter programs; that it cost the Spay Neuter Assistance Program about \$80.00 to sterilize an animal which prevented future births and cost more than twice that to hold and destroy an animal; that she proposed Houston match Los Angeles' commitment to stopping the killing by matching their investment in Spay/Neuter of \$500,000 a year and to get the money they could bring up the licensing rate to the national average of 28% from 4% and collect over \$1,000,000; that currently to adopt an animal from the SPCA there was no licensing and licensing needed to take place with adoption at all shelters and veterinary offices and by all rescuers and breeders and that money should go to saving animals; that L.A. also charged a higher differential for intact versus sterilized animals with licensing for an intact animal costing \$100 and it was \$25 here; that in Denver a similar law was more effective and required animals to be spayed or neutered although an owner could pay \$93 each year to leave the animal intact. Mayor White and Council Member Lawrence absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs stated that she was right, the city was on the low-end for licensing of animals which could reproduce; that they dealt with the fees in the Health Department since she had been on Council and they did up fees but did not take the big step she suggested; that their fear was if the cost was raised too high there would be no licensing at all; and upon questions, Ms. Rantschler stated that they did not have a modest problem, they had a huge problem, only 4% licensed their pets, and when she took a dog from the SPCA she did know it was not licensed as she thought it would have been required and would have been licensed; that the only place they were licensed was at BARC; that a huge number could be licensed if it was done at adoption and at vets; and Council Member Sekula-Gibbs stated that she saw no reason it could not be done and would like to hear from veterinarians and the animal advisory committee in the area; that it cost about \$32.00 to chemically neuter a male animal; and Ms. Rantschler stated that if a fee of \$80.00 was to fix your animal that was more attractive to some than paying a higher fee of \$100 to leave your animal intact and it would result in having fewer animals taken in. Mayor White and Council Member Lawrence absent. Mayor Pro Tem Alvarado presiding.

Council Member Berry stated that he disagreed with most of her solutions but did appreciate that she put points out to talk from; that he agreed there was a problem; and upon questions, Ms. Rantschler stated that LA put more effort into an adoption program and even though the amount of animals taken in were about the same between cities LA had more people; and Council Member Berry stated that he hoped Ms. Rantschler would stay involved in the issue though he disagreed with her on the reproduction versus non reproduction, to him it was heavy handed to say the City would charge less if someone would spay or neuter their animal. Mayor White absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that he was not aware the SPCA did not collect licensing fees; that his veterinarian did collect the licensing fee and his ears perked up at having the money collected and wondered if Legal could look at making it mandatory that the SPCA and veterinarians license and collect fees; and thanked Ms. Rantschler for coming. Mayor White and Council Member Lawrence absent. Mayor Pro Tem Alvarado presiding.

Mr. Daren Landry, P. O. Box 172, Hockley, Texas 77447 (281-686-1102) had reserved time to speak but was not present when his name was called. Mayor White and Council Member Lawrence absent. Mayor Pro Tem Alvarado presiding.

Ms. Elizabeth Wilson, 4400 Memorial Drive, Houston, Texas 77007 (713-862-5522) appeared and stated that she recently learned Houston had the second highest kill rate in the US for cats or dogs; that most did not know Houston killed over 100,000 a year and even if you were not an animal lover it was a win/win situation to have animals spay or neutered; that SNAP had only one truck to spay and neuter the whole City of Houston and she would like 20 to 30

trucks going into neighborhoods; that animals were living breathing creatures, not trash collection; and she would appreciate any assistance. Mayor White and Council Member Lawrence absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs stated that the issue did need to be worked on; that there was an opening in the directorship of BARC and it was very important to fill that position; that she would like the Mayor Pro Tem to convey to the Mayor it was priority to her in getting the position filled as they could not move on improvement to the department until there was a new leader and if there was any way to enhance the salary she thought there would be better applicants; that she also wanted language so that when animals were adopted they would be licensed. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Council Member Berry stated that he hoped she and Ms. Rantschler would both stay involved as they knew so much about it and outside energy was needed. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs stated that when BARC had a new director that would be their contact person; that she had looked up the cost to hold an animal three days and exterminate them and it was \$174.00 and to chemically neuter an animal cost \$34.00. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Mr. Joseph Omo Omuari, 2820 Palm 2B, Houston, Texas 77004 (713-723-3453) had reserved time to speak but was not present when his name was called. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

The City Secretary stated that Ms. Donzetta Shelton was now in the Chamber and would be the next speaker after Mr. Horton. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was king of kings and continued expressing his personal opinions until his time expired. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Ms. Donzetta Shelton, 4400 W. Airport Blvd. #2808, Houston, Texas 77045 (713-726-8254) appeared and stated that she worked for 30 years and was forced to retire in 2001 because she was diagnosed with Lupus; that she had 15 bottles of medication she took, no insurance and had a gold card and an income of \$39.00 a month and she needed help. Mayor White and Council Members Lawrence and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that social security was not under the city's jurisdiction; that she could call Congressman Green's office and ask for Ms. Bessie Swindell, maybe they could get the number for her before she left; and upon questions, Ms. Shelton stated that she had a gold card and with it her prescriptions were \$5.00 each; that family and church helped the best they could; and Council Member Edwards stated to contact Congressman Green regarding social security matters and Commissioner Franco Lee regarding her hospital situation. Mayor White and Council Member Goldberg absent. Mayor Pro Tem Alvarado presiding.

At 3:13 p.m. City Council recessed until 9:00 a.m., Wednesday, May 18, 2005. Council

Members Galloway and Garcia absent on city business. Council Member Quan out of the city on city business. Mayor White and Council Member Goldberg absent. Mayor Pro Tem Alvarado presiding.

City Council Chamber, City Hall, Wednesday, May 18, 2005

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, May 18, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Mark Goldberg, 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 Financial Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director, Mr. Jose Soto, Deputy Agenda Director present. Council Member Ada Edwards absent due to death in family. Council Member Addie Wiseman absent due to being ill. Council Member Gordon Quan out of the city on city business.

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

At 9:16 a.m. Mayor White reconvened the meeting of the City Council. Council Members Galloway, Goldberg, Garcia, Sekula-Gibbs and Berry absent.

Mayor White stated that they had a special presentation that they were not able to make yesterday because of some commitments in the office by the Public Works officials, and presented Mr. Marcotte a proclamation as the Southeast Texas Branch of the American Public Works Association celebrated this week as National Public Works Week, that he, on behalf of the citizens of the City of Houston proclaimed May 15 through 21, 2005 as Public Works Week in Houston, Texas. Council Members Galloway, Goldberg, Garcia and Sekula-Gibbs absent.

Mr. Marcotte stated that it was privilege, on behalf of the 3,600 women and men of the Public Works Department to accept the proclamation, that the theme was "Public Works Is Everywhere You Look", that Public Works was indeed all around them, that he wanted to recognize Ms. Naomi Hines of his staff who was representing the American Public Works Association and Mr. Eric Dargan, both of whom had very key roles in the American Public Works Association which supported them and also was a forum for a lot of good benchmarking of activities of Public Works organizations around the Country and around the world, that they accepted the proclamation and looked forward to continuing their service to the citizens of Houston. Council Members Goldberg, Garcia and Sekula-Gibbs absent.

Council Member Berry stated that they were very pleased with the Public Works Department, that they had been very impressed with Mr. Marcotte's leadership and the team that he had. Council Member Goldberg absent.

Council Member Alvarado moved to hear the Mayor's Report before the public hearings, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Member Goldberg absent. MOTION 2005-0426 ADOPTED.

#### **MAYOR'S REPORT** - HPD Crime Lab Certification

Mayor White invited Chief Hurtt to the podium.

Chief Hurtt stated that he wanted to invite Mr. Ralph Keeton to the podium, that he was the Executive Director of ASCLD LAB, that he was from Raleigh, North Carolina and was going to present to the Department the accreditation certificate for the Crime Lab, that they had been accredited in every area except DNA, they had been accredited in Toxicology, Fire Arms, Narcotics Question Documents and Biology, except DNA, and they expected to be accredited in

the DNA portion by the end of the year, and that was delayed because they thought they would have regional crime labs and they all knew what happened to that idea. Council Members Goldberg and Berry absent.

Mr. Ralph Keeton, Executive Director, American Society of Crime Lab Directors, Laboratory Accreditation Board, that he was very honored to be present for a very special occasion to recognize a milestone for the Police Department Crime Laboratory and for a very significant accomplishment, that they were all aware of the trials that the Houston Police Laboratory had been through, the publicity they had for a long time, that he was real pleased that there was some great publicity to be given because the laboratory had met the very stringent requirements required to become accredited by ASCLD LAB, in order to receive the accreditation the laboratory had been through a very rigorous inspection, all of their personnel qualifications and training had been reviewed, they had looked at a lot of the laboratory's casework, their management practices, their technical procedures and they had found that the laboratory was in compliance with all of the requirements of the accreditation program and he wanted to say congratulations to Chief Hurtt, Chief Montalvo, Laboratory Director Irma Rios and to each member of the laboratory staff because this significant accomplishment did not happen without the involvement from the very top of the organization down to every employee in the laboratory, and Mr. Keeton presented the accreditation certificate to the Houston Police Department Crime Laboratory. Council Members Goldberg and Berry absent.

Mayor White and Members of Council congratulated Chief Hurtt, Chief Montalvo, Ms. Rios and the entire staff of the Crime Lab for all of their hard work in getting the accreditation certificate. Council Members Galloway and Goldberg absent.

At 9:34 a.m. Mayor White stated that they would move to the public hearings, and requested that Ms. Margaret Wallace, Planning Department, proceed with the hearing . Council Members Galloway and Goldberg absent.

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

1. **PUBLIC HEARING** on a proposal for the City of Houston and **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT** to enter into an amendment to the strategic partnership agreement between City of Houston and Clear Brook City Municipal Utility District and on a proposal by the City of Houston to annex for limited purposes certain additional territory within Clear Brook City Municipal Utility District, in Harris County, Texas - was before the City Council. Council Members Galloway and Goldberg absent.

Ms. Wallace stated that the hearing was for an amendment to an existing Strategic Partnership Agreement with Clear Brook City MUD, located in southeast Houston near the intersection of Sagemont and Beamer Roads, this amendment would add additional commercial property to the existing SPA and would extend the current terms of the SPA to the new territory, these terms included the extension of the fireworks ban, that no other City services would be provided, in addition the City would levy a 1 per cent sales tax, which it would divide evenly with the MUD, that were no residences in the area to be annexed. Council Members Galloway and Goldberg absent.

Mayor White stated that there were no public speakers. Council Members Galloway and Goldberg absent.

Council Member Khan moved to close the hearing, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Galloway and Goldberg absent. MOTION 2005-0427 ADOPTED.

2. **PUBLIC HEARING** on a proposal for the City of Houston and **MISSION BEND**

**MUNICIPAL UTILITY DISTRICT NO. 1** to enter into an amendment to the strategic partnership agreement between the City of Houston and Mission Bend Municipal Utility District No. 1 and on a proposal by the City of Houston to annex for limited purposes certain additional territory within Mission Bend Municipal Utility District No. 1 and certain additional territory located in the vicinity of Mission Bend Municipal Utility District No. 1; and to impose regulations on certain territory in the vicinity of Mission Bend Municipal Utility District No. 1, in Harris County and Fort Bend County, Texas - was before the City Council. Mayor White and Council Members Galloway and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Ms. Wallace stated that the hearing was for an amendment to an existing Strategic Partnership Agreement with Mission Bend MUD #1, located in southwest Houston near the intersection of Highway 6 and Beechnut Road, the amendment would do two things, it would add additional commercial property to the existing SPA and would extend the fireworks ban to the entire area covered by the SPA, including the original tracts, that no other City services would be provided, in addition the City would levy a 1 per cent sales tax on the new commercial tract which it would divide evenly with the MUD, that were no residences in the area to be annexed. Mayor White and Council Members Galloway and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan moved to close the hearing, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Mayor White and Council Members Galloway and Goldberg absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0428 ADOPTED.

3. **PUBLIC HEARING** on a proposal for the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110** to enter into an amendment to the strategic partnership agreement between the City of Houston and Harris County Water Control and Improvement District No. 110 and on a proposal by the City of Houston to annex for limited purposes certain additional territory within Harris County Water Control and Improvement District No. 110; and to impose regulations on certain territory in the vicinity of Harris County Water Control and Improvement District No. 110, in Harris County, Texas - was before the City Council. Mayor White and Council Members Galloway and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Ms. Wallace stated that the hearing was for an amendment to an existing Strategic Partnership Agreement with Harris County WCID No. 110, located in north Houston near the intersection of Interstate 45 and Cypresswood Road, the amendment would do two things, it would add additional commercial property to the existing SPA and would extend the fireworks ban to the entire area covered by the SPA, including the original tracts, that no other City services would be provided, in addition the City would levy a 1 per cent sales tax to the new commercial tract which it would divide evenly with the MUD, that were no residences in the area to be annexed. Mayor White and Council Members Galloway and Goldberg absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan moved to close the hearing, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Mayor White and Council Members Galloway and Goldberg absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0429 ADOPTED.

4. **PUBLIC HEARING** on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 63** to enter into an amendment to the strategic partnership agreement between the City of Houston and Harris County Municipal Utility District No. 63 in Harris County, Texas - was before City Council. Mayor White and

Council Members Galloway, Goldberg and Holm. Mayor Pro Tem Alvarado presiding.

Ms. Wallace stated that the hearing was for an amendment to an existing Strategic Partnership Agreement with Harris County MUD No. 63, located in west Houston near the intersection of Interstate 10 and The Grand Parkway, the amendment would not add any additional territory to the SPA instead it would redefine the mechanism through which the utility district would receive and use it share of the Sales Tax proceeds, upon completion of the anticipated mall development in the MUD. Mayor White and Council Members Galloway, Goldberg and Holm. Mayor Pro Tem Alvarado presiding.

Council Member Khan moved to close the hearing, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Mayor White and Council Members Galloway, Goldberg and Holm absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0430 ADOPTED.

5. **PUBLIC HEARING** on a proposal for the City of Houston and **WESTON UTILITY DISTRICT IN HARRIS COUNTY, TEXAS** to enter into an amendment to the strategic partnership agreement between the City of Houston and Weston Utility District - was before City Council. Mayor White and Council Members Galloway, Goldberg and Holm absent. Mayor Pro Tem Alvarado presiding.

Ms. Wallace stated that the hearing was for an amendment to an existing Strategic Partnership Agreement with Weston MUD, located in west Houston along Interstate 10, that the amendment would not add any additional territory to the existing SPA, however, it called for the extension of the fireworks ban to the properties covered by the agreement, no other City services would be provided, the amendment included no other changes to the existing SPA. Mayor White and Council Members Galloway, Goldberg and Holm. Mayor Pro Tem Alvarado presiding.

Council Member Khan moved to close the hearing, seconded by Council Member Lawrence. All voting aye. Nays none. Mayor White and Council Members Galloway, Goldberg and Holm. Mayor Pro Tem Alvarado presiding. MOTION 2005-0431 ADOPTED.

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

#### **CONSENT AGENDA NUMBERS 6 through 45**

#### **MISCELLANEOUS** - NUMBERS 6 through 8

6. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **BOARD OF DIRECTORS OF HARRIS COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 1:**
  - Position One - **MR. WILLIAM G. HUNTSINGER, JR.**, reappointment, for a term to expire 6/1/2007
  - Position Two - **MR. N. C. "CHICK" WEST**, reappointment, for a term to expire 6/1/2007
  - Position Three - **MS. KATHY MILLER**, reappointment, for a term to expire 6/1/2007
  - Position Four - **MS. GAEL PLAUCHÉ**, reappointment, for a term to expire 6/1/2007
  - Position Five - **MR. PHILLIP TORRES**, appointment, for a term to expire 6/1/2007
  - Position Six - **MR. JEFFREY D. NOWLIN**, appointment, for a term to expire 6/1/2007
  - Position Nine - **MR. ROGER H. HORD**, appointment, for a term to commence

June 2, 2005 and to expire 6/1/2009  
Position Ten - **MR. THOMAS B. "BEN" GILLIS**, appointment, for a term to  
commence June 2, 2005 and to expire 6/1/2009

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0432 ADOPTED.

7. REQUEST from Mayor for confirmation of the appointment of **MR. BRAD FRICKS** to Position Twelve of the **WESTCHASE DISTRICT BOARD OF DIRECTORS**, to a term that commenced February 24, 2004 and will expire June 1, 2007 - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0433 ADOPTED.
8. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreement between **HARRIS COUNTY** and **OAKS OF INWOOD CIVIC ASSOCIATION** for law enforcement services of one (1) deputy from Harris County Constable Precinct 1 - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0434 ADOPTED.

**PROPERTY** - NUMBERS 13 through 16

13. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court and not file any objections to the Award in connection with eminent domain proceedings styled City of Houston v. Ken Wind Company, Inc., a Texas corporation, et al., Cause No. 822,877, for acquisition of Parcel KY3-81; for **IH-10 WATERLINE EASEMENTS PROJECT (Clarborough - Red Haw)**, CIP/GFS S-0900-AS-2 - \$46,085.00 - **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0435 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering, to purchase Parcel A98-014, located at 10555 Richmond Avenue, owned by RealtyCorp International Group, Ltd., a Texas limited partnership, for the **ROGERDALE PAVING PROJECT from Westpark Drive to Westheimer Road**, CIP N-0644-09-1 - \$78,709.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT G - HOLM** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0436 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering, to purchase Parcel KY4-149, located at 15711 Morales Road, owned by Texas Freight Services, Inc., a Texas corporation, Ken Smith, President, for the **GREENSPPOINT WATERLINE EASEMENTS PROJECT from Aldine Westfield Road to Vickery Drive**, CIP S-0900-A1-3 - \$36,074.00 Enterprise Fund - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council

Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0437 ADOPTED.

16. RECOMMENDATION from Director Department of Public Works & Engineering, to purchase Parcel KY4-151, located along the south line of Greens Road between Morales and Milner Roads, owned by J. A. Green Corporation, a New York corporation, Daniel Green, President, for the **GREENSPOINT WATERLINE EASEMENTS PROJECT from Aldine Westfield Road to Vickery Drive**, CIP S-0900-A1-3 - \$44,515.00 - Enterprise Fund - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Khan, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0438 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** - NUMBERS 18 through 22

17. **FISHER SCIENTIFIC** for Purchase of equipment and supplies through the Interlocal agreement for Cooperative Purchasing with the Houston-Galveston Area Council for Houston Fire Department - \$439,940.91 - Urban Area Security Initiative (UASI) Funds - was pulled from the agenda by the administration and was not considered.
18. **PERKINELMER LAS, INC** for One Atomic Absorption Spectrophotometer from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Health & Human Services Department - \$35,290.90 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0439 ADOPTED.
21. **SIGNAL MEASUREMENT CORPORATION** for Vehicle Console Systems for Police Department \$137,482.38 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0440 ADOPTED.
22. **AMEND MOTION #2002-986, 8/21/02, TO EXTEND** expiration date from August 21, 2005 to August 20, 2006, and **TO INCREASE** spending authority from \$2,445,552.00 to \$2,946,634.96, for Chemical, Liquid Sodium Bisulfite Contract for Department of Public Works & Engineering, awarded to **CALABRIAN CORPORATION** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0441 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES** - NUMBERS 23 through 43

23. RESOLUTION designating certain properties located at 2112 Brentwood Drive and 1302 Heights Boulevard in the City of Houston as Historic Landmarks (Dr. H. J. and Emerence Ehlers House and Houston Public Library) - **DISTRICTS G - HOLM and H - GARCIA** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. RESOLUTION 2005-0009 ADOPTED.
25. ORDINANCE finding and determining that public convenience and necessity no longer requires the continued use of a 68.41-foot long portion of a 5-foot-wide utility easement and the attendant aerial easement containing 342 square feet of land, more or less, being located in Unrestricted Reserve A, Block 1, Exxon Westheimer Subdivision, Charles D.

- Sage Survey A-697, Harris County, Texas; vacating and abandoning said tract of land to ExxonMobil Corporation, the owner, in consideration of owner's payment of \$6,500.00 and other consideration to the City - **DISTRICT G - HOLM** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0622 ADOPTED.
26. ORDINANCE consenting to the addition of 16.6767 acres of land to **MALCOMSON ROAD UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0623 ADOPTED.
29. ORDINANCE approving and authorizing lease agreement between the City of Houston and **HAM'S AVIATION MAINTENANCE SERVICE, INC** for Certain premises at William P. Hobby Airport - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0624 ADOPTED.
30. ORDINANCE appropriating \$19,776.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT Construction Fund (535); authorizing purchase 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-0476-65.1; approving purchase and sale agreement with the owner of the land (Silent Services, Inc) **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0625 ADOPTED.
34. ORDINANCE approving and authorizing interlocal agreement between the City, the **COASTAL WATER AUTHORITY** and **HARRIS COUNTY, TEXAS** setting forth the terms for the Maintenance of the Crosby-Lynchburg Road, and other consideration - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0626 ADOPTED.
36. ORDINANCE appropriating \$302,600.00 out of Street & Bridge Consolidated Construction Fund for a local match for the Construction of a City of Houston and Texas Department of Transportation Bikeway Project Holly Hall Trail; GFS N-0420-12B-3 (SB9916-04); 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 Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0627 ADOPTED.
37. ORDINANCE appropriating \$210,700.00 out of Series E Commercial Paper Metro Projects Fund and approving and authorizing Professional Construction Management Services Contract between the City of Houston and **OMEGA ENGINEERS, INC** for Construction Management and Inspection Services associated with Street and Traffic Improvements Projects, GFS N-0737-01-3 (SB9044) - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0628 ADOPTED.
39. ORDINANCE appropriating \$50,000.00 out of Public Library Consolidated Construction

Fund, as an additional appropriation, under contract with **CHARTER ROOFING AND WATERPROOFING** for Roof Repair Services for the Library Department, CIP E-0038 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0629 ADOPTED.

40. ORDINANCE No. 2005-561, passed second reading May 11, 2005  
ORDINANCE granting to **ELITE WASTE INDUSTRIES, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0561 ADOPTED THIRD READING IN FULL.
41. ORDINANCE No. 2005-562, passed second reading May 11, 2005  
ORDINANCE granting to **GULF COAST WASTE SERVICES, L.P., a Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0562 ADOPTED THIRD READING IN FULL.
42. ORDINANCE No. 2005-563, passed second reading May 11, 2005  
ORDINANCE granting to **PSC INDUSTRIAL OUTSOURCING, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0563 ADOPTED THIRD READING IN FULL.
43. ORDINANCE No. 2005-578, passed second reading May 11, 2005  
ORDINANCE granting to **MED-SHRED, INC, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0578 ADOPTED THIRD READING IN FULL.

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

**ACCEPT WORK**

9. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$5,095,493.94 and acceptance of work on contract with **R. H. TONETTI CONSTRUCTION COMPANY** for Southwest Airlines Tenant Improvements at William P.

Hobby Airport; Project No. 417J; CIP A-0141 and A-0422 - 08.64% over the original contract amount - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0442 ADOPTED.

10. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$41,119,869.81 and acceptance of work on contract with **W. W. WEBBER, INC formerly known as CHAMPAGNE-WEBBER INC, TEXAS** for New North Runway 8L-26R at George Bush Intercontinental Airport/Houston; Project No. 522H; CIP A-0304 - 01.16% over the original contract amount - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0443 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,269,092.10 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.**, for Kirby Drive Relief Storm Sewer, GFS M-0230-01-3 (SM5007) - 00.29% under the original contract amount - **DISTRICT G - HOLM** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Galloway stated that she wanted to compliment and send kudos to Texas Sterling Construction for well exceeding their MWBE goals for 17% to 21% and hoped that more companies would look at what they were doing and try to come up with the same percentage and higher, as well as under the contract amount.

A vote was called on Item No. 11. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0444 ADOPTED.

12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,768,373.61 and acceptance of work on contract with **LAUGHLIN-THYSSEN, LTD.**, for Pressure Reducing Valve Station Improvements Package 2, GFS S-0900-79-3 (WA10658-2) - 01.51% under the original contract amount - **DISTRICTS B - GALLOWAY; D - EDWARDS; E - WISEMAN and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0445 ADOPTED.

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

19. **AAR INCORPORATED** for Asbestos Abatement, Demolition and Site Clean-up Services for Police Department - \$78,800.00 and contingencies for a total amount not to exceed \$82,740.00 Dangerous Building Consolidated Fund - **DISTRICTS B - GALLOWAY; H - GARCIA and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Galloway stated that the community was excited about all the old houses being demolished and wanted to also compliment Mayor White on what he was doing and leading the City in tearing down the old dangerous buildings because she knew they had quite a few of them that were going to be coming down in addition to Item No. 19.

Mayor White stated that they had a couple of demolition weekends coming up and would begin on Saturday and would like at some point for those who wanted to join them at a worksite they invited them to do so and would ask Mr. Walsh if he could circulate to Members of Council the members of the contractor association who had donated equipment and services to let them demolish so that Council Members could say to those particular members a special thank you.

Council Member Sekula-Gibbs stated that she wanted to join in and congratulate and thank the members of the Houston Contractor Association for contributing to the effort.

A vote was call on Item No. 19. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0446 ADOPTED.

20. **ARROW SERVICES, INC** for Asbestos Abatement, Demolition and Site Clean-up Services for Police Department - \$242,900.00 and contingencies for a total amount not to exceed \$255,045.00 - Dangerous Building Consolidated Fund - **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0447 ADOPTED.

#### **RESOLUTIONS AND ORDINANCES**

24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 12-foot-wide utility easement containing 0.1555 acre of land, more or less, Parcel SY3-063; being out of Block 2, Fulton Village Apartments and being that same utility easement in Block 18, shown on plat of Irvington Addition, Harris County, Texas; vacating and abandoning Parcel SY3-063 to the Housing Authority of the City of Houston, the abutting owner, in consideration of owner's payment of \$10,158.00 and other consideration to the City **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0630 ADOPTED.
27. ORDINANCE determining the population of the City and the population of each of the Council Districts and determining that the existing City Council Districts are not materially unbalanced - was presented.

Council Member Lawrence stated that three years ago when the boundaries were being set for various district 10 people came up and Precinct 410 did not want to be removed from District A and she understood there were some population situations and she wanted to look at it closer, and had asked that a little more research be done on the item, and would be tagging Item no. 27.

- 27a. ORDINANCE establishing the boundaries of single member districts from which District Council Members are elected - was presented, and tagged by Council Member Lawrence.
28. ORDINANCE appropriating \$800,000.00 out of Homeless and Housing Consolidated Fund and approving and authorizing agreement between the City of Houston and **TX LAKE HOUSTON POINTE APARTMENTS, L.P.** to provide a grant to pay eligible land acquisition and/or construction costs for the Fairlake Cove Apartments to be located at the corner of FM 1960 and Fairlake Drive, Houston, Texas, to house low income residents - **DISTRICT E - WISEMAN** - was presented, and tagged by Council Members Green, Berry and Sekula-Gibbs.

Council Member Sekula-Gibbs stated that she would like to ask the Housing Department

to provide some clarification and backup regarding a previous agenda item they had on this particular project, the Texas Lake Houston Pointe Apartments, L.P., that she believed they had allocated a \$10 million bond through the Houston Housing Finance Corporation for the project but would like to have that verified, that if it was the same project that they have or what ever previous allocations that had been made on the project in the backup.

31. ORDINANCE approving and authorizing contract between the City of Houston and **EPSTEIN BECKER GREEN WICKLIFF & HALL, P.C.**, in connection with utility regulatory matters before the Public Utility Commission or elsewhere including but not limited to CenterPoint Energy 2004 True-Up Appeals and revenue-related matters; providing a maximum contract amount \$875,000.00 - General Fund - was presented. Council Member Sekula-Gibbs absent.

Council Member Berry stated that he was not clear how far into the process they were, it was not their first allocation to the firm for this matter, and Mr. Michel stated that there were a series of matters that were related to the True Up proceedings that were filed last March, he believed, there were a lot of common elements between proceedings, that he believed they had spent \$1.5 million total, that they were close to exhausting the previous allocation. Council Members Garcia and Sekula-Gibbs absent.

After further discussion by Mayor White and Members of Council, Council Member Berry stated that at the end if they could get an update to see how well their money was spent and a vote was called on Item No. 31. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Garcia and Sekula-Gibbs absent. ORDINANCE 2005-0631 ADOPTED.

32. ORDINANCE approving and authorizing first amendment to Contract #C53887 between the City of Houston and **CHOICEPOINT BUSINESS AND GOVERNMENT SERVICES, INC** for Internet Retrieval of Background Information from Choicepoint's On-Line Database for the Houston Police Department - \$20,000.00 - General Fund - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Garcia and Sekula-Gibbs absent. ORDINANCE 2005-0632 ADOPTED.
33. ORDINANCE approving and authorizing contract between the City and **DE OPLOSSING, INC** for Theater District Parking Garage - Waterproofing Repairs; GFS B-0092-01-2 - \$40,000.00 Enterprise Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Garcia and Sekula-Gibbs absent. ORDINANCE 2005-0633 ADOPTED.
35. ORDINANCE amending Ordinance No. 2003-0447 to increase the maximum contract amount for the amended Interagency Agreement among the City of Houston, **HARRIS COUNTY, HARRIS COUNTY FLOOD CONTROL DISTRICT**, and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Cooperative Effort to implement provisions of U.S. Environmental Protection Agency's NPDES Permit No. TXS001201 for the City's Storm Sewer System \$2,200,000.00 - Storm Water Fund - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Garcia and Sekula-Gibbs absent. ORDINANCE 2005-0634 ADOPTED.
38. ORDINANCE appropriating \$3,918,210.44 out of Street & Bridge Consolidated Construction Fund and \$471,154.61 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for

Scott Street Paving from South Acres to East Orem, GFS N-0618-01-3 (SB9084); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** - was presented, and tagged by Council Member Lawrence.

44. ORDINANCE No. 2005-579, passed second reading May 11, 2005  
ORDINANCE granting to **M. SAUCEDO HAULING, a Texas Sole Proprietorship**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions; and making certain findings related thereto - **THIRD AND FINAL READING** - was presented. Council Members Ellis and Sekula-Gibbs voting no. Balance voting aye. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0579 ADOPTED THIRD READING IN FULL.
45. ORDINANCE No. 2005-582, passed second reading May 11, 2005  
ORDINANCE granting to **TVMAX HOUSTON, L.P.** a Texas Limited Partnership, the right, privilege, and franchise to erect, maintain and operate a Cable Television System in the City of Houston, Texas - **THIRD AND FINAL READING** - was presented.

Council Member Alvarado stated that she during the first reading she had raised her objections to the item, that she still felt it was an unfair practice for the City to allow companies to come in and basically cherry pick who they wanted to serve in the cable industry, and while she realized they had no alternative, it was an existing contract, that she had been working with the Legal Department and hopefully they would have a resolution that would come forth that set policy, a fair competition policy and that prohibited cherry picking in the industry.

Council Member Goldberg stated that he agreed with Council Member Alvarado and if they looked back at the intent of the amendment it said that was exactly what they were trying to do so that a new company could not come in and say they wanted the same deal, that there was a lot of room for change in the future, because if what Council Member Alvarado was talking about came true it would hurt residents and consumers and would not really help with keeping the prices down.

Mayor White stated that if Council Members had not followed some of the debate and concerns he thought much of it was accurately in the column by Mr. Casey in the Chronicle over the weekend.

A vote was called on Item No. 45. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. ORDINANCE 2005-0582 ADOPTED THIRD READING IN FULL.

**MATTERS HELD** - NUMBERS 46 through 51

46. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Mayor's Office to approve By-Laws for the Board of Public Trusts (Houston Foundation) as required by Section 36-27 of the Code of Ordinances, Houston, Texas - **(This was Item 8 on Agenda of May 11, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. MOTION 2005-0448 ADOPTED.
47. ORDINANCE **AMENDING THE CITY OF HOUSTON CONSTRUCTION CODE** and local

amendments to the International Residential Code for one- and two-family dwellings relating to private inspection of certain residential construction work - (**This was Item 19 on Agenda of May 11, 2005, TAGGED BY COUNCIL MEMBERS WISEMAN, GARCIA, ALVARADO and SEKULA-GIBBS**) - was presented.

Council Member Goldberg stated that this was an item that was referred to the Regulations, Planning and Development Committee, that they met Monday and out of that committee was a discussion not only of the ordinance but some suggested changes were made and amendments were presented to the committee and he was presenting the following written motion to amend Item No. 47:

**"RE: Agenda Item No. 47 (05/18/2005)**

I move to amend Agenda Item 47 as follows:

1. In Sections 2 and 3, by amending Items 9 and 10 in the list of items set forth in Section R115.3 of the Table of Houston Amendments to the 2000 International Residential Code for One- and Two-Family Dwellings and in the list of items set forth in Section 118.3 to be added to the City of Houston Building Code, to read as follows:

"9. Provisions prohibiting any private developer, builder, or contractor from employing any firm or individual, including subcontractors, to perform more than 25% of that developer's, builder's or contractor's services under the program in any one calendar year unless a greater amount is approved by the building official, ~~which provisions shall require any private developer, builder or contractor utilizing any services under the program to submit to the building official an annual affidavit setting forth the following information:~~

a. ~~The total number of permits received during the preceding calendar year for the construction of any residential structure in connection with which services under the program were rendered;~~

b. ~~The name of each firm or individual utilized under the program on each residential structure during the reporting period.~~

10. Provisions requiring any private developer, builder or contractor utilizing any services under the program and the building official to file a report with the Mayor and City Council, beginning at the end of the first 6 month period following the inception of the program and continuing at 6 month intervals thereafter, detailing for each reporting period the following information as set forth below:

a. Each private developer, builder or contractor utilizing any services under the program shall file a report with the building official, supported by affidavit, containing the following information:

(1) The total number of permits received during the preceding calendar year for the construction of any residential structure in connection with which services under the program were rendered;

(2) The name of each firm or individual utilized under the program on each residential structure during the reporting period; and

(3) A ~~sworn~~ statement certifying that the developer, builder or contractor has fully complied with all rules and regulations under the program during the reporting period, including but not limited to, all rules governing the maximum number of plan reviews and inspections permitted to be performed by any firm or individual,

including subcontractors, rendering any services under the program.

The report shall be filed with the building official not later than the last day of January and July in each calendar year and shall cover the preceding 6 month period ending on the last day of December and June, respectively, in each year.

b. The building official shall file a report with the Mayor and City Council containing the following information:

- (1) A listing of the names of all companies or contractors that utilized individuals or firms for services under the program and the name of each firm or individual so utilized;:-
- (2) Names of all firms and individuals approved to perform services under the program;:-
- (3) Total number of plan reviews and inspections performed by firms and individuals for each private developer, builder or contractor operating under the program ~~on each residential construction project and the names of each client for whom the services were provided~~;:-
- (4) Number of plan rechecks and oversight inspections conducted by the jurisdiction for each firm or individual utilized under the program and the percentage of that firm or individual's work, including subcontractors, so inspected;:-
- (5) The number of Code violations found through plan rechecks and oversight inspections, including ~~the nature of each violation and the name of the firm or individual~~, including subcontractors, who performed such services ~~the work~~;:-
- (6) A list of any firms or individuals removed from the program by the building official; and:-
- (7) An assessment of program effectiveness as demonstrated by available data, including comments and complaints received by the jurisdiction regarding the program pertaining to work performed by a participating developer, builder or contractor, or any firm or individual, including subcontractors, providing private plan review or inspection services under the program.

The building official's report shall be filed with the Mayor and City Council not later than the last day of August and February in each calendar year and shall cover the preceding 6 month period ending on the last day of July and January, respectively, in each year and may include in the report such additional information relating to the program as he may deem appropriate relating to the program."

Council Member Sekula-Gibbs moved to suspend the rules to hear from Mr. John Walsh, seconded by Council Member Alvarado. Mayor White stated that if there was no objection it was so ordered.

Mr. Walsh stated that the original language of the ordinance required the building official to make a report to Council on a six month cycle whereas the requirement of the builder was on an annual cycle and therefore he would not have the data so they simply cleaned up the cycles to allow it, they also added into that, at the request of the committee, a documentation of the complaints and observations that the public or other users registered with the City with respect to the administration, this program, the third party plan, reviewers, inspectors as well as the builders and they initiated a program to allow 311 to receive these calls.

Upon questions by Council Members, Mr. Walsh stated that Council Member Goldberg's committee was widely advertised in terms of addressing the issues, they had good participation and met privately with the builders and also met with the third party inspecting plan review firms and in all cases all parties were in support of the current proposal; that now that the ordinance had in fact passed they anticipated third party inspectors and plan reviewers to sign up, so that was part of the outreach effort on the part of the GHBA, secondly, that the goal was to get residential plans out in seven days and have 90% of the plans out in seven days and they were basically at 90% within seven days, so they had gone down from an average of twenty five days to seven days so performance was dramatically better, that at the same time they were adding this feature, which would come in and he would point out one more fact that the number of plans reviewed was up about 20% from what it was six months ago, so they had more plans, getting them out faster, plus they had third party so he was very hopeful that the performance of the department would continue to improve; that the total number of units that were permitted by the Code Enforcement Department Division they kept track, for those units, no matter how they were submitted during those twelve months, for every permit application for which they requested use of a third party plan review inspection firm, those were tagged separately and the Building Department kept separate track of that, that the 25% rule applied to those projects permitted for third party plan review so that the 25% rule applied to the more rigorous test, which of the 100 they did total 25 were done with a third party, out of that they had to split it up, 6.5 and 6.5 and 6.5 in order to comply to avoid the brother-in-law situation, the builder was obligated to report every six months on the specifics of that, including the complaints that were filed, the building official had the responsibility to report back to the Mayor and City Council on a six month cycle with respect to the exact addresses and permit numbers and the names of the firms providing the service and to validate and certify that it was no more than the 25%, that because of the problem of making sure they had enough plan reviewers and in terms of the small volume builder the math did not quite work out so they gave the building officials some discretion to allow it to be 28% or 23% or whatever, but basically they had that plus they had the 10% inspection by the City's department and the fee, they pay 25% of the fee when they use a third party plan reviewer; that they track separately that their application for a permit was not violated whatsoever by the use of a third party and then they track separately when those permit application request service by third party are tracked independently and then can be compared to each other; that in Council Member Goldberg's committee they did address the question of gross meaning 1,000 in Council Member Goldberg's terminology or the net meaning the 250 and it was the wish of the committee, as he recalled, to have the more rigorous test.

After further discussion by Council Members, a vote was called on Council Member Goldberg motion to amend Item No. 47. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Alvarado, Ellis and Berry absent. MOTION 2005-0449 ADOPTED.

A vote was called on Item No. 47 as amended. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Member Berry absent. ORDINANCE 2005-0635 ADOPTED AS AMENDED.

48. ORDINANCE amending City of Houston Ordinance No. 2004-1261 relating to rescheduling and postponement of City Council Meetings - **(This was Item 23 on Agenda**

**of May 11, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Member Berry absent. ORDINANCE 2005-0636 ADOPTED.

49. ORDINANCE approving and authorizing contract between the City of Houston and **MILLER & VAN EATON, P.L.L.C.**, for Legal Services in connection with representation of the City in Telecommunications and Cable Television-related matters - \$40,000.00 - General Fund - (**This was Item 36 on Agenda of May 11, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)**) - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Member Berry absent. ORDINANCE 2005-0637 ADOPTED.
50. ORDINANCE appropriating \$553,400.00 out of Series E Commercial Paper Metro Projects Fund and approving and authorizing contract between the City of Houston and **JNS CONSULTING ENGINEERS, INC** for Neighborhood Street Reconstruction, Briargrove Subdivision - Phase III; GFS N-0368-03-3 (SB9002) - **DISTRICT G - HOLM** - (**This was Item 48 on Agenda of May 11, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)**) - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Member Berry absent. ORDINANCE 2005-0638 ADOPTED.
51. ORDINANCE appropriating \$2,572,000.00 out of Public Library Consolidated Construction Fund, awarding Design/Build Contract to **SPAWMAXWELL COMPANY, LP** for Frank Branch Library Rehabilitation/Renovation, GFS E-0033-01-3; providing funding for engineering testing services, Civic Art Program and contingencies relating to design and construction of facilities financed by Public Library Consolidated Construction Fund - **DISTRICT C - GOLDBERG** - (**This was Item 55 on Agenda of May 11, 2005, TAGGED BY COUNCIL MEMBERS QUAN, GALLOWAY and WISEMAN)**) - was presented. All voting aye. Nays none. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Goldberg and Berry absent. ORDINANCE 2005-0639 ADOPTED.

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

Council Member Lawrence stated that they had a Chronicle vendor killed this week and for a year and a half she and Council Member Galloway had been pushing for panhandling regulations, for something to forward with some type of regulation and it had been a dark hole and they had yet to see anything come forward so she would encourage it to happen, that the County had a very good ordinance and backup State law and yet the City did not seem able to do that. Council Members Galloway, Khan and Berry absent.

Council Member Lawrence stated that she was very disturbed to hear that the Legislators voted for a raise, raising judges salaries and ultimately raising City Council and the Mayor's salary, that two years ago some of them gave that raise up, that she dedicated that raise to different parks in her district, so she encouraged all Council Members and the Mayor to re look at that, that it was a time when the City needed money and she was very disappointed that the raise was approved by the State Legislators. Council Members Galloway, Goldberg, Khan and Berry absent.

Council Member Lawrence stated that last night the Rosslyn No Bridge had a meeting, about 150 constituents thought the dignity of their neighborhood should be considered, a few years ago Planning did not see it that way, they thought all new development should have

priorities over older neighborhoods, that she hoped the City would look at it very carefully when they made that consideration this year. Council Members Galloway, Goldberg, Khan and Berry absent.

Council Member Garcia stated that his staff member Jason Cisneros lost his grandpa this past weekend and wanted to offer his prayers and condolences to the entire Cisneros family. Council Members Goldberg, Khan, Green and Berry absent.

Council Member Garcia stated that yesterday he and Council Member Galloway attended the awards ceremony for police officers being promoted and receiving citations for heroic events and civilians in the Houston Police Department for their diligence in moving the Houston Police Department forward with their respective duties and going above and beyond the call of duty in many regards, that he wanted to say to the entire Houston Police Department that yesterday was just a small opportunity to remind them how proud the City was of them and the work they were doing. Council Members Galloway, Goldberg, Khan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that there had been some discussion by some of the civic groups about storefront hours being reduced or storefronts being closed, that he thought, after the meeting they had in the Independence Heights area on Monday with several of the community members they all came to an understanding that they were all working to prioritize the most important thing that the Houston Police Department did and that was to respond to emergencies as they were occurring but that they were working diligently to get back up to a position that they were at previously in terms of having the right number of officers. Council Members Lawrence, Galloway, Goldberg, Khan, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Holm stated that on Sunday afternoon she had a first hand experience with SafeClear, her parents, an uncle and a friend were exiting IH 610 going north on Highway 59 when they vehicle just stopped, they pulled off the road and called her, she went to tend to them and called 311 from her cell to see if it had been reported and what the status was, that 311 transferred her to 884-3131 and she reported it, that the four people in the car were all 80 years old and her husband took them off the road, that she called 311 again and still no one came, that she called 311 again and asked to be transferred to TranStar, that they were going to transfer her to SafeClear and her phone got disconnected, she called information to get a number for TranStar and SafeClear and there was no number, so she called back to 713-884-3131 and said she had been there about 45 minutes and was someone coming, that she needed confirmation that someone knew they were stranded on the side of the road, that shortly thereafter SafeClear arrived, the driver was very competent and followed all the procedures, she felt very safe in getting it off the road, that she knew they were working on things but the one thing that was important was that they have some type of contact number when people break down. Council Members Lawrence, Galloway, Goldberg, Garcia, Ellis and Green absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that in SB408, which was the PUC sunset bill, a lot of the language from House Bill 3179 basically gutted their ability to enter into franchise agreements with cable companies and handed it over to the State, there was some very detrimental provisions related to City franchise authority and right-of-way compensation that were in the bill, fortunately two of their delegation members, Representative Dutton and Representative Solomons had introduced some amendments that basically removed the bad City provisions, so she would urge all of her colleagues to call any Legislators that they had relationships with and ask them to support the amendments that removed the provisions related to the City franchise authority, that it was a critical issue for the City and for cities throughout the State, that she was pleased to see that the Texas Municipal League had been very aggressive and very much an advocate on behalf of all cities. Council Members Lawrence, Galloway, Holm, Garcia, Ellis and Green absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that the BRAC Commission released its findings on Friday and the good news was that Ellington Field would remain open, the bad news was that the 17 F16 fighter jets that were in place at Ellington Field were scheduled for realignment, they were older jets and targeted to be retired, that was not good news for Houston and the region, that there was an opportunity for them to take the message from the Houston people to Washington and bring the story that it was not really appropriate for Houston to have their jets retired and not replaced. Council Members Lawrence, Galloway, Holm, Garcia, Alvarado, Ellis and Green absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that tomorrow Reverend Lawson would be hosting a ribbon cutting and grand opening for the WALIPP Senior Residence, that it would be at 2:00 p.m. at 2605 Parker Road, at the corner of Parker and Shady Lane; that on Friday the Housing and Community Development Department would be hosting a meeting on behalf of community development, Single Family Home Repair Program, Multi Family Housing Program and the new Home Buyer Program, that it would be from 9:00 a.m. to 10:30 a.m. at 601 Sawyer on the 7<sup>th</sup> floor, for more information they should call 713-868-8300; that the MHMR Conference Center at 7033 Southwest Freeway was having a meeting, "Saving Our Future Breaking the Cycle of Infant Mortality", that it would be from 9:00 a.m. to 4:00 p.m.. Council Members Lawrence, Galloway, Holm, Garcia, Alvarado, Ellis and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he made a deal with the Mayor of Dallas and displayed a Dallas Maverick jersey, which he was going to wear. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to recognize Ms. Rogene Calvert in the Mayor's office, she had been a fantastic colleague in the City but also a leader in the Asian Community, that she recently started a television program on the Municipal Channel called East West Nexus where they promoted the diversity in their society, that May was Asian Pacific American Heritage month and they were showing on Thursday at 6:00 a.m., 12:00 p.m., 6:00 p.m. and 12:00 a.m. the first of her shows, that the next show would be in June at the same times. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that there would be a White Houston Commission on Asian American Pacific Islanders visiting Houston, one of the programs would be on Friday at 1122 Bellaire Blvd. at 11:30 a.m.; that the Asian Pacific American Heritage Association was holding their 13<sup>th</sup> Annual Gala on Friday, May 20, 2005 at the Wortham Theater. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that they had received several complaints about problems at apartment complexes, many people were talking about maybe the City looking into passing some ordinance requiring apartment owners to maintain certain standards, not only appearance, landscape or cleanliness but also standards for security, that they received complaints about three locations in particular, they happened to be next to Sharpstown High School, they were La Promenade, Kingsport Gate and Kings Village Apartments, that he would appreciate if somebody could take a look as to what if any action the City could take to address some of the problems the school and residents around the area were facing. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he had asked Mr. Michel and Mr. Walsh, that he wanted to have a meeting with some people in the apartment association, people in the FAST Squad and some people in the Planning Commission around a big table, draft the ordinance, it takes about two hours, next week it should be posted or rather have a committee hearing and at the committee meeting they may have some feedback and it may take two weeks, and then they ought to have an ordinance posted on the agenda, that he had given direction and they wanted an ordinance

like that, and then the people who escaped from paying property taxes or got tax exempt financing on the apartments in the northwest, out of State operators who provided no security for residents, they were going to pass the ordinance and if they did not provide suitable security they were going to accelerate the debt on their projects, that they may have an ordinance that comes back and has some problems, that he would rather have something on the table sooner rather than later but it was not going to be stuck on somebody's desk all those months like the one on third party licensing was. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that they had a health fair at Sharpstown Mall last Saturday and he wanted to thank everyone who did a fantastic job for the Women's Health Fair; that the Pakistani's Physicians Convention was coming to Houston on June 29 through July 4, 2005 and he wanted to thank the Convention Visitors Bureau, they were working very hard to make the facilities available and working with all the organizers. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that on June 18 through 20, 2005 they had a Cricket match coming to Houston, that it was being promoted and would be broadcast all over the world. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to congratulate Ms. Sarah Winkler who yesterday got elected as the President of Alief Independent School District Board and also the newly elected Members of the Board. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she had made an error, the ribbon cutting was actually Thursday, May 19, 2005 at 5220 Scott Street at 10:00 a.m. and the Bonita Hope Transitional Housing Complex was located at 2605 Parker Road. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Mayor White stated that if Mr. Soto could make sure of the addresses of the apartment complexes, that he talked about the issue of the ordinances requiring certain things on security but if they needed to get the inspectors to be inspecting them and citing them then they needed some of those locations, that he did not know who the appropriate person was but it just occurred to him to, Mr. Michel, maybe it was something that he or somebody, if they had people who did the inspections for those, he was just reading those covenants in his mind and would not let up on it, if somebody was hurt in one of those places and they could have acted with urgency to do something about it, it was the type of stuff, and he was not trying to be corny, but they were all GOD's children and if it was a threat to their family and people who did not have that sense of urgency sometimes that just where he expressed frustration sometime because of the value he had but if they had code infractions, he was just rereading the debt covenants in his mind, they had covenanted to obey all the ordinances and that included all existing ordinances, so he really wanted all those problem things where the California people got a tax loophole and did not pay their fair share of taxes and did not maintain apartments for the low income people, they had to get inspectors out there and somebody could report back to him what they found on those things, but then what they needed to do besides just citing them, he was not just talking about Municipal Court citations, then they handed them over to somebody in Legal and Houston Housing Community they looked and they had those documents that were debts and they saw what they did to declare a default on the debt and that took about 10 minutes, to dictate a notice of default, but he wanted somebody to think it was like they were protecting their son or daughter, it should not matter that it was somebody who was not a part of their family. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he had a very productive lunch with Mr. David

Saperstein and Mr. Tim Lomax last week, and Tim and Mr. Bob Stein were beginning to crunch the next round of numbers they had on SafeClear and it was to preliminary to tell what those were other than to say that they were doing a lot of verification right now and he thought people were going to be impressed, now that they had some real data to look at, where that program was going and he hoped the Mayor would make time with a Mayor's Report or they could do it in the Transportation Committee to review the first big chunk of data that was realistic now that the program was running, that it was a huge success and the numbers were going to bear that out. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that their thoughts and prayers went out to Chris Pinion at the Municipal Channel, his father passed away yesterday. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that the Public Works Department, in their office's opinion was the most improved and the second most improved was the Library Department, that they had a new feature, they now sent email notifications when their books were almost due, that he wanted to commend them on the program. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he noticed popping up on the Planning Commission cars the "Stop 'Trashing Houston" signs that he thought was a good program, that he did not get notice that the program had begun but it was a very good program. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that on the budget they were getting questions and asked Mayor White if he could speak to that. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Mayor White stated that Council Member Ellis was also asking about the status of the budget, that by Monday, and he was not sure in what format it was going to be, they should have the General Fund Budget and he needed from Mr. Hall a briefing and follow up on the CIP and knew they were going to have a snapshot on where they stood on the CIP Equipment Budget, that he had to decide what assumption they would do on Fire, that he was not negotiating those things in the press, that he would not comment but things needed to be brought to closure and he was optimistic that they would; that there were some numbers that they still had on health benefits that he was not fully satisfied with and that the remaining decisions needed to be made and the variable was a mix between General Fund and Operating and Capital Expenditures within the budget where he just got within the last couple of days, for reasons he could not understand, the information he requested 10 days ago from their financial advisors concerning the Debt Service Module, so it should be on Monday, that he wanted to say with great respect the critical leadership role that Ms. Judy Johnson had played in those negotiations which had been extremely time consuming, that on the TIRZ he had not read all the TIRZ agreements, and there was that special rule that Mr. Hall had referred to about that they could not change a budget, that he would like the view of the Chairman of the Fiscal Affairs Committee, that he would like to approve TIRZ budgets for 30 to 60 days and then have a more full review in July, that he wanted there to be some policies and procedures and guidelines concerning overhead expenses, and wanted there to be accountability as they would expect on other line items concerning what particular amounts were spent for, that he wanted a fair contribution to Capital Improvement Projects within each district and he was not satisfied yet that they had the amount of information that they would need to approve budgets of the TIRZs, that they needed some time that maybe they would have some hearings where they had each of the TIRZs or the ones that had any significant revenues present their budgets and were questioned at a public forum about the TIRZ, that he was not anti TIRZ but did believe that he did not want to rubber stamp something that he did not understand and asked Council Member Ellis what he thought about what he had just stated. Council Members Lawrence, Galloway,

Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Ellis stated that he needed Mr. Hall to explain to him why they could not amend a TIRZ budget, that he understood there was some obligations, and Mr. Hall stated that he was not certain that the State Budget Law applied to TIRZs and Mr. Michel was checking that, that he did not think it did, and Mayor White stated that in future fiscal years, if he was around, there would probably be separate items on the agenda, the point was not that they micro manage TIRZs but to make sure they had the same level of oversight, that they ought to have 5 year plans. Council Members Lawrence, Galloway, Holm, Garcia and Green absent. (NO QUORUM PRESENT)

Council Member Goldberg stated that they had somebody from their community pass away, Mrs. Mary Tom Bar, she was hit by a car in her neighbors driveway and was pinned to a Brick wall, that she had surgery and did not make it, that she was extremely active in her community, that his sentiments went out to Mr. Bar. Mayor White and Council Members Lawrence, Galloway, Holm, Garcia and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:16 a.m. Council Member Edwards absent due to death in family. Council Member Wiseman absent due to being ill. Council Member Quan out of the city on city business. Council Members Lawrence, Galloway, Holm, Garcia and Green 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