

City Council Chamber, City Hall, Tuesday, June 7, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 7, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Xavier Herrera, Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director present. Council Member Pam Holm absent due to being ill.

At 1:59 p.m. Mayor White stated that Council Member Galloway would begin the presentations; and Council Member Galloway stated that she had a lifelong resident of her district who contributed much to the community and invited Ms. Cornelia Rose to the podium. Council Member Galloway presented Ms. Rose a Proclamation saluting her for her contributing, extended best wishes for continued success and proclaimed June 7, 2005, as "Cornelia Rose Day" in Houston, Texas. Ms. Rose thanked all for the privilege and invited Bishop Rose to stand with her. Council Members Lawrence, Goldberg, Khan, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that the coming week was National Nurse Assistance Week and invited representatives of the program to the podium and presented Certificates of Respect and Support to those present and a Proclamation acknowledging that nurse assistants lent a sense of security and support to many, cared for loved ones, commended them and proclaimed the week of June 9, 2005 through June 16, 2005 as "National Nurse Assistant Week" in Houston, Texas. Mr. Aluko with Career Institute of Houston stated that nurse assistants were a critical part of the team and they appreciated the recognition. Council Member Garcia absent.

Council Member Edwards stated that it was Chocolate Bayou Festival time and there was an awesome partnership with over 650 volunteers which allowed scholarships to be awarded; thanked all those who made it possible; invited those recipients of the first Chocolate Bayou Heritage Scholarship Program, who were able to be present, to the podium and presented Certificates to Nicholas Jerel Darby, Brittney M. Lewis, Fachelle Garland, Felicia Nichole Hayes and Derrick Dwayne Ford. Council Member Quan absent.

Mayor White stated that having the discipline and support for the festival brought the community together and left a living legacy and that was very special. Council Member Quan absent.

Council Member Alvarado stated that Boy Scout Troop Number 320 was present and asked them to stand to be recognized.

At 2:18 p.m. Mayor White called the meeting to order and called on Council Member Galloway who led all in the prayer and pledge.

At 2:19 p.m. the City Secretary called the roll. Council Member Holm absent due to being ill.

Council Members Garcia and Quan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Holm absent due to being ill. MOTION ADOPTED.

Council Member Wiseman stated that she appreciated the point of personal privilege as she wanted to recognize their first group of Summer Page Students present today; that they expanded the program to include children throughout the City and if someone was aware of students who would like to have lunch and take part in the work they did on Tuesday afternoons they could contact her office and today there were children from all areas of the City present

and invited Austin Stubblefield, Matti Stubblefield, Kelly Ashley Rubalcaba, Amber McGinnis, Christian Fox and Cody Byrd to stand to be recognized.

Council Member Edwards moved to hear Mr. Matthew Hayes, Mrs. Rosemary Hayes, Mr. Otis Jordan, Ms. Loru Gene Young, Ms. Suzanne Poole, Ms. Patricia Gonzales, Mr. Henry Holeman to the top of the Speakers list and to add Ms. Nina Walters to the list, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent due to being ill. MOTION 2005-0473 ADOPTED.

Mr. Matthew Hayes, 13319 Cottingham, Houston, Texas 77048 (713-991-3869) appeared and stated that he and his wife were together 57 years and were addressing Council together; that they were present regarding sewage, they had no sewage in their house which was the Minitex Addition; that activity had gone on his street for three months putting sewage in and then they applied and found out the line was too powerful and would not accommodate them; that they had been there 32 years and he wanted to know how the line could be too powerful for use. Council Member Lawrence absent.

Upon questions by Council Member Edwards, Mr. Hayes stated that he was 83 years old and his wife was 84 and they had been in their home 33 years in September; that they had well water as they had no sewage and to get city water they would pay for sewage and not have it; and Council Member Edwards stated that they had been working on the Minitex area as long as she had been on Council; that Mr. Norman gave her a response from Public Works, but she had questions for Legal on how to proceed and get the people there connected. Council Member Galloway absent.

Council Member Khan stated that he was appalled that in this day people were living without sewage; that city services were to be provided for everyone, uniform, and it was unfortunate they did not have it and if he could be of any help he would; and Ms. Hayes stated that they were told the line was so powerful it may blow up in their house; and Mr. Khan stated that the sewer line was not under pressure he did not know what they were speaking of. Council Member Galloway absent.

Council Member Sekula-Gibbs stated that she had been to the Minitex community several times and it was beautiful and sometimes you thought you were in the country and it was in many ways; that it was crazy they could not use the line; and upon questions, Mayor White stated that he was familiar with it and he would like Mr. Norman to help him figure out why someone told them what they did because Council Member Khan said it should be under no pressure; that he understood there was a 30 inch line down Cottingham and they would be able to attach to the line and it should be completed within 6 months and then available for hookup. Council Members Lawrence, Galloway and Goldberg absent.

Council Member Berry stated it was unconscionable they could collect taxes and not provide basic services; and upon questions, Council Member Edwards stated that the response had been the population was dense and sparse and economically not feasible to hook them up; and her response was it was the same dense sparse population who paid their taxes; that there was a lot of new development going on out there and they were trying to get them connected to that development and there was new state legislation and in her information it said the Hayes would have to pay for a hookup and in 32 years she felt they had probably already paid for a hookup and would like to speak to someone about it. Council Members Lawrence, Galloway and Goldberg absent.

Mayor White stated that Mr. Norman was present and they were not going to say someone could not get on a line because the line was too big for them; and thanked them for bringing it to his attention. Council Members Lawrence, Galloway and Goldberg absent.

Mrs. Rosemary Hayes, 13319 Cottingham, Houston, Texas 77048 (713-991-3869)

appeared with her husband, Mr. Matthew Hayes. Council Members Lawrence, Galloway and Goldberg absent.

Mr. Otis Jordan, 7663 South Glenn Willow, Missouri City, Texas 77489 (281-723-3700) appeared, presented information and stated that May 31st through June third at the George R. Brown Convention Center members of the Houston Fire Department were allowed to vote on the proposed collective bargaining contract with the exception of 138 non-union Black firefighters and several others who were not members of the Houston Professional Firefighters Association, Local 341; that he was president of the Houston Black Firefighters Association and a non-union member, and he along with other non-union members were denied the right to vote; that they felt they were systematically excluded from voting by President of Local 341 and its executive board, it was their understanding that all firefighters with the exception of the Fire Chief, volunteer firefighters, applicants and civilian employees were being represented by Local 341 and disparate treatment of them because they were non-union was inherently discriminatory and in violation of the Equal Protection laws and because Local 341 was chosen to be the Exclusive Bargaining Agent (EBA) for firefighters it did not give them the right to determine who could and could not vote; that the IAFF and Local 341 had a long history of directly and indirectly discriminating against minorities. Council Members Goldberg and Wiseman absent.

Upon questions by Council Member Green, Mr. Jordan stated that they had a meeting with Mr. Hall and Mr. Michael Moore and they talked about promotional issues, etc., when the contract was first brought out they signed a paper saying who would be the EBA and they knew Black firefighters did not have the vote to win the EBA so they immediately signed it over to Local 341; that the City negotiated the deal to be held at the George R. Brown which possibly cost some \$60,000.00 and they were taxpayers and it was the Mayor and Council Members job to see they were equally treated as firefighters; that he was present several times telling how they were discriminated against. Council Members Goldberg and Wiseman absent.

Mayor White stated that on Council Member Green's first question, the consultative mechanism, some knowledgeable people he had a lot of confidence in and he had spoken with Mr. Jordan and knew his concerns and in addition to that Mr. Hall and Mr. Moore, getting his feedback and others became a part of the City's position on the contract; that he knew the issues and where they made progress and where people hoped to make more progress and secondly, on the issue of who voted, as he understood it officers or duly authorized representatives of the union were authorized to sign a contract and as a matter of their policy they submitted to their union membership for a vote and that was not city policy but their policy, but both the procedure and who was or was not included in the vote was determined within the firefighters union. Council Member Goldberg absent.

Council Member Galloway stated that the process 341 used was the bargaining agency for the firefighters; that with any collective bargaining contract it was only for members only and it was the labor law; that she worked for the AFL-CIO many years and in this area and the reason they called it a right to work state was because you had a right, a choice, to belong or not to belong, but if they were the agency for that company only those persons could vote and 341 was the agency for the city firefighters and therefore were the chartered ones here approved by the state; and Mr. Jordan stated that 143 was state law and stated all classified firefighters would be allowed to vote; that it was not right they were not allowed to vote and if it was right the law needed to be changed and he wanted something from Legal in writing saying Black firefighters and people not members of the union could not vote and he would sit down. Council Members Goldberg and Ellis absent.

Council Member Edwards stated that she understood collective bargaining but when a firefighter was hired were they hired by the City of Houston or by Local 341; and Mr. Heilman stated they were hired by the City of Houston and with regard to comments made by the Mayor in the area of law, 341 was designated as the bargaining agent and they had the discretion; and

Mr. Jordan stated that they were legal voters and legal firefighters and they were going back to 1955 when the Fire Department was segregated; that they did not have money but did have votes. Council Member Ellis absent.

Council Member Garcia stated that according to who had voting authority he was looking at the contract and under definitions item 11 said, "member, employee, firefighter, member of the bargaining unit means any full time permanent paid employee of the Houston Fire Department who has been hired in substantial compliance with Chapter 143 of the Texas Local Government Code excluding municipal employees, civilians, volunteer firefighters and the head of the Fire Department, the Fire Chief"; and as he looked through the contract he did not see the term union member or non-union member defined in the contract and he thought Mr. Jordan had a legitimate issue as to validity of the vote and process of how the contract was being ratified. Council Member Ellis absent.

Upon questions by Council Member Quan, Mr. Jordan stated that he was a union member for some 20 years and under Meet and Confer everyone voted on the last contract union members and non-members; that this Fire Chief was strong in the union and wanted to force everyone to become a member; that they had a union separate of their own because they had a problem with the way they did business; that they were not going to let them get rid of jobs for African Americans and then when they wanted jobs for friends it was written into the contract. Council Member Ellis absent.

Council Member Quan stated that there were two union HPOU and HPPU and upon questions, Mr. Heilman stated that he was not sure how they voted, whichever group was the bargaining agent he believed; that he would check on it; and Mr. Jordan stated that he was sure, he spoke with Mark Clark and he said everyone could vote and he did not understand why they were not being allowed to vote; and Council Member Quan stated that he understood the principals underlined by Council Member Galloway and which the Mayor elaborated on but as Council Member Garcia read it said all firefighters and if it was done where all policemen could vote he would ask that it be investigated to see if the language provided for all firefighters; and Mayor White stated that he could stand some enlightenment, but he would say plainly that as far as he was concerned some things put in the contract that were bargained for was where the City had a position on the issues, on educational pay, incentive for those who lived in the city and he could go through a list; that he would be happy to see everyone vote and as Council Member Galloway mentioned there was a labor law concerning rules and bylaws and procedures and governance of the union where they decide in accordance with their own rules who voted. Council Members Ellis and Berry absent.

Council Member Galloway stated that she was clarifying the agreement and that was the agreement that did not pass, but what they had here was per the law, there was something in the law as passed at the state legislature that would have given every firefighter the right to vote and it was not in the agreement set between the City and Local 341, the clause was written in the one that did not pass; that Mr. Jordan had been coming ever since she had been on Council and discrimination was running rapid and it was a fact, but as a Council they had not done an in-depth study of issues facing the African American and minority firefighters in this city; that even at stations it was the haves and have-nots, one station had the oldest truck in the city and she had asked if they would be getting a new truck and told yes but when the apparatus came in another station got it and that station got another used one with no air conditioning; and Mr. Jordan did have a valid point and she hoped one day there would be a non biased task force where they could go in and survey, find out what was wrong and get it fixed. Council Member Ellis absent.

Council Member Khan stated that they negotiated in good faith and voted on it and now if the union or the bargaining agent was not fulfilling the requirement as they were supposed to then what was the validity of the word they trusted. Council Member Ellis absent.

Council Member Berry stated that he was shocked by the union vote and upon questions, Mr. Jordan stated that he worked at the station and was around firefighters and they thought those who wrote the contract, the Fire Chief and Administration, were all tied together and they did not trust what was going on; that he thought what they needed to do to have a good Fire Department was to bring all groups together and let all put the contract together and go from there; that when you excluded a group you would have problems; that in Dallas each group sits at the table, union and non-union just like here in the Police Department. Council Member Ellis absent.

Mayor White thanked Mr. Jordan for appearing today and stated that as they went forward his and the Black firefighters were welcome, he did listen and it made him no difference if someone made a political contribution or not he wanted to work to do what was right and he would say to his friend and others it would be wrong to not deny there was a legacy which persist within the Fire Department and equally wrong to paint all members of the union as racist or prone to discrimination, they were dealing with flawed things God calls human beings, they were all sinners and were trying to do better each and every day and he thought they would get there. Council Members Galloway and Ellis absent.

Council Member Edwards thanked all for the discussion and stated that to the Administration she would again address the issue of accountability in the Fire Department, the issue of an assessment center, and again would ask the Administration to advise her of their position on that, in looking at the record of other cities who had gone through the process it was not a perfect solution but did seem to be working and giving Fire Departments a tool to work with aside from union or non-union and she wanted to know where it stood and if it was still being considered. Council Members Galloway and Ellis absent.

Ms. Loru Gene Young, 7208 Parker Road, Houston, Texas 77016 (281-794-1014) appeared and stated that today they were present asking for Council's mercy on the Outreach Program as they were denied a parade permit in the Fifth Ward area and for the last 16 years they had one; that they were volunteers and did much in the community and gave out grants and she could not see why they were asked to give insurance when the State of Texas said each person owning a vehicle must have liability insurance; that they submitted their application stating each person would have their own insurance and with no answer now came before Council to ask them to consider and allow them to hold the parade. Council Members Goldberg, Ellis and Berry absent.

Council Member Galloway thanked Ms. Young for all her work and stated that she would ask the Mayor to check into this and see what they could do. Council Members Goldberg, Ellis and Berry absent.

Council Member Green stated that his office had been speaking with Ms. Young and they were getting a lot of calls regarding the issue; that the ordinance had changed and maybe they were not getting the word out as they should; that they were going through the same thing with the Juneteenth Parade; and Mayor White stated that this was the first time this was brought to his attention and he and Mr. Norman had been trying to get information on this; that he dealt with a number of parade issues and was learning on the job and had a sense of direction he had given to people which parades in large were a good thing and there should be more rather than less and it should be easier rather than harder, but it was not the unanimous view of everyone; that he was not aware of an ordinance change but if it needed to be changed then he needed people to tell him what needed to be changed; and he would now ask Mr. Norman to look into this particular situation. Council Members Goldberg, Wiseman, Ellis and Berry absent.

Council Member Galloway stated that she just received information and Ms. Culpepper of the Mayor's Assistance Office spoke with Ms. Young yesterday and had spoken with someone named Megan in permitting and they said all she needed to do was reapply and the cars had to provide proof of insurance and she would be happy to get the other information to her so she

could have it; and Ms. Young stated that she did not know who would be in the parade until that day and they came with insurance; and Council Member Galloway stated that her office would get with her and walk her through, but if she was having a parade it did need to be planned, how long it would be, how long the streets would be tied up, etc. Council Members Goldberg, Edwards, Ellis, Quan and Berry absent.

Ms. Suzanne Poole, P. O. Box 1035, Missouri City, Texas 77489 (281-438-5427) appeared and stated that they wanted to express appreciation to Ms. Annise Parker, City Controller, for the audit of SafeClear which was still not working; that they heard it daily on their scanners and on May 29th all zones were being told there were not enough SafeClear drivers and some officers had been waiting 20 minutes to one hour and that did not include the time the citizens were there before the officers; that they would also like included in Ms. Parker's audit the disbursement records of the \$3.4 million grant the city received from the federal government; that the grant required minorities participate and they were representing the minority wreckers in Houston, a great percentage of which were qualified, and none were segment holders; that the grant said minorities were to be the majority holders of the segment, four of their members applied to be vendors in 2004 and one had recently been certified and he bid on a segment and while he scored higher than the person awarded the segment in equipment, facilities and financial he bid \$400.00 under the winner and was disqualified; that stipulations of the grant had clearly not been met by the program and they would appreciate it in the audit. Mayor White, Council Members Galloway, Edwards, Wiseman, Garcia and Quan absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Sekula-Gibbs, Ms. Poole stated that it was correct the federal grant was money for mobility and minority contractors were to be used; that the \$8,000,000.00 came with \$1.3 from sell of the segments, \$1.5 million from METRO in a few weeks and \$2,000,000.00 they gave within the last 2 months and the \$3.4 from the federal grant; and Council Member Sekula-Gibbs stated that she had asked if they actually received any money from the \$1.3 million from the segment holders and she had not seen any documentation on that nor documentation on whether they had paid any providers for free tows being provided, many citizens had free towing through Triple A and other insurance providers and did not necessarily need the city to provide them and she was very interested in knowing how the flow of money was occurring and she was asking the Controller to provide it in the audit and she said she would begin it soon, hopefully in June, but it was needed before the budget was voted on and she was hoping the Mayor would provide the information. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Garcia, Quan and Green absent. (NO QUORUM PRESENT)

Upon further questions, Ms. Poole stated that they had received the \$3.4 million from the federal government, it was applied for approximately 3 years ago and the person they contacted in Washington, D. C. said it was granted to the city; that she would be happy to provide the name later, she did not have it at this time and as for the \$1.3 million they understood half had to be provided before they started in January and the second half was due in June; that last week they were told they would get the money and when they got there they did not get the money and some vendors were owed as much as \$1,500.00 and not paid by the segment holders; and Council Member Sekula-Gibbs stated that Council Member Holm relayed a situation where her family was stopped on the freeway 45 minutes waiting for a tow truck driver; that if the program was to exist they needed to be responsive and thanked Ms. Poole for bringing it to Council's attention. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Garcia, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Ellis stated that tomorrow there would be a budget workshop and Mr. Lewis would do the presentation beginning at 4:00 p.m. and Ms. Poole was more than welcome to come and it would be in this Chamber. Council Members Lawrence, Galloway, Edwards, Wiseman, Quan and Green absent.

Upon questions by Council Member Berry, Ms. Poole stated that her concern was the grant was very specific about minorities and how they were to participate, they were not just to be included in the program they were to be sought out in neighborhoods where they participated and if they needed development assistance such as for new equipment they were to be provided for it; that they were also to get a tremendous amount of technical support and that could be from education for computer on to how to report income and how to use a CPA; and Council Member Berry stated that was a fair request and he would ask that they determine whether they were in full compliance of the grant and he would ask to look at the grant terms and make sure they were in full compliance. Council Members Lawrence, Galloway, Edwards, Quan and Green absent.

Mayor White stated that if they were referring to the federal grant, it had been sometime since he had looked at the appropriations bill but because of good work of senior members of congress there was a grant for equipment purchases focused on a helicopter unit and certain solo units, they were talking about the procurement for traffic incident management and he did not think it had the words SafeClear in there; and Ms. Poole stated that she did not believe it did. Council Members Lawrence, Galloway, Edwards, Quan and Green absent.

Ms. Patricia Gonzales, 920 E. Houston #1308, Pasadena, Texas 77502 (713-477-0359) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Quan and Green absent.

Mr. Henry Holeman, 822 Hidden Valley, Houston, Texas 77088 (713-825-6640) appeared and stated that he had bid on the SafeClear contract and it got thrown out at the last as it was not properly done or whatever the case may be, but he was exactly 600 cars down from last year at this time; that he showed Auto Dealers where years ago you could buy each zone for \$2,500 per zone and that was in 1994, back in 1980 it was \$2,500 per zone with 1,186 zones and you were looking at \$2.965 and it was done and they had their money with everyone working; that he did not like this deal, it was railroaded and it was bad and hurting a lot of people; that he tried showing this to Mr. Lewis but was told they were doing it another way and if he did not like it he could get out of the meeting; and thanked those who had not been persuaded the wrong way. Council Members Lawrence, Galloway, Edwards, Khan, Garcia, Quan and Green absent. (NO QUORUM PRESENT)

Upon questions by Council Member Sekula-Gibbs, Mr. Holeman stated that he had a wrecker business since 1980 and had a storage lot and wrecker business; that he tried staying out of politics and would not have come down, he always did what he was told to do but was down 629 cars, \$170,000.00 was what he did last year by this time; that he could not run the freeway and could almost throw a rock and hit 610 and I-45; that they monopolized who they wanted and did not want in, he would not go in with them as he did not agree with them, criminal problems, they charged such prices on steer and teardown fees as \$1,000.00 to pull a headliner out of a car and then insurance had to take it up and \$500.00 steer fees, he could not go in with them and auto dealers knew it was going on, but they would have to subpoena the little auto dealers because the captain and sergeant did not have a clue; that he would not play games; that they were not doing the \$50.00 tows; and Council Member Sekula-Gibbs stated people were saying they were stuck on the freeway and not being picked up in a timely manner; and Mr. Holeman some could not even physically change a flat and they were not doing it; that if Council would allow he was going to get them all a scanner and he wanted them to listen, especially on weekends to the calls where police would ask for a SafeClear wrecker and then ask for anyone with a hook and it went on and on; that he also wanted files pulled on audio and video of the tower, Transtar, if they would have done it the way he suggested they would have their \$14,000,000.00 and all would be working, it was simple marketing and this was never going to work. Council Members Lawrence, Galloway, Edwards, Garcia and Quan absent.

Mayor White stated that he got two things, he mentioned that he was 629 cars down and associated with it \$170,000.00 down and that was year to date; that he followed part of his logic

and he was saying the difference was attributable to this year versus last year on the SafeClear; and Mr. Holeman stated that was correct, this was a disaster to him. Council Members Lawrence, Galloway, Edwards and Quan absent.

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. Council Members Lawrence, Galloway, Edwards and Quan absent.

Ms. Bobbie Brockman, 8526 Sunderland, Houston, Texas 77028 (713-633-6036) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards and Quan absent.

Ms. Macle Chan, 10705 Moun Street, Houston, Texas 77029 (713-670-8136) appeared and stated that she had a serious problem with the IRS, they cheated her \$150.00, out of her charitable foundation by saying she had her tax exemption ready and then when she was renewing they said she lost it; that they thought she had a lab, but the exempt meant was for club, church, school and research so she had put research because it would become research later, but they said she had to have it first and she thought they were wrong and was asking for Council's help to get her charitable foundation going and she had found a way to cure scoliosis permanently. Mayor White, Council Members Lawrence, Galloway, Garcia and Quan absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that if Ms. Chan had information she could leave her information with Mr. Herrera and they would be happy to get it to the Mayor's Office on Disability and then they could review it. Mayor White, Council Members Lawrence, Galloway, Khan, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Maryland Whittaker, 9014 Livings, Houston, Texas 77028 (713-635-8447) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Khan, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Khan, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Zina Rogers, 1703 Gray Street, Houston, Texas 77003 (713-650-0595) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Khan, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

The City Secretary stated that Mr. Williams was now in the Chamber and would be heard at this time; and Mr. Steven Williams who was previously called appeared and stated that one of his bags was stolen from the City Secretary's Office; that he had serious injuries, getting sick eating out; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Bishop Floyd Lewis, 3335 Breaking Ridge, Missouri City, Texas 77459 (281-416-7507) appeared, presented information and stated that he was a volunteer chaplain for HPD for the last 17 years and had become close to many; that in Houston officers died and they were appreciated and today he was present to let Council know in every state and city in the country people would see signs saying "Thumbs Up to all good police" and he would do what he could to bring appreciation out and show to the officers; and today was asking all to follow him and

give a thumbs up every time someone saw them for a job well done. Mayor White, Council Members Lawrence, Galloway, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Lisa Flores, 5221A Inker, Houston, Texas 77007 (713-861-8075) appeared with Mr. Dennis Conoly who stated that Ms. Flores would like him to speak; and Mayor Pro Tem Alvarado stated no motion could be made as no quorum was present and with no objection he could speak for Ms. Flores; and Mr. Conoly stated that he lived at 5219 Inker and today they were present to bring to Council's attention the police shortage on beats 240 and 250 in Prct. H and which was creating a safe haven for criminals and unsafe environment for residents; that he was burglarized twice in his 4 years there and had only seen cruisers 5 times with 2 being times he called; that police who responded often said they were not properly staffed to proactively patrol the area; that this was a high crime area due to drug trafficking and there was a perceived narcotics issue on Patterson down the street from them; that with the lack of deterrents it encouraged criminals to prey on the area and their recommendation was whatever narcotics agents there were to look at their area, review crime statistics and see if reallocation of resources was warranted until staffing could come up to normal levels. Mayor White, Council Members Lawrence, Galloway, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that Council Member Garcia was in the Chamber and should be returning; that his staff was present and Captain Reddy was also present and they could speak with them. Mayor White, Council Members Lawrence, Galloway, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she would allow time for Ms. Flores who stated that new development was going on Washington Avenue between TC Jester and Durham a lot of new town homes and commercial were going up and it was not just burglary and people were being preyed on because it was easy and two men broke in saying to her babysitter they were going to take the baby; that they were armed, high and dangerous; and Mayor Pro Tem Alvarado stated that Capt. Reddy was present and available if they would like to speak with him; and thanked them for coming. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. John T. Mezick, 6633 W. Airport Blvd. #1304, Houston, Texas 77057 (713-283-9518) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Cristobol Patino, 8800 Broadway #5179, Houston, Texas 77061 (713-528-1625) appeared and stated that he was present inquiring about something in the parks; that sometimes there were one or two bad apples in the park and the park rangers would clear the whole park and that was out of hand and if they were messing up the park make them clean it up; that the park restrooms should also be left open 24/7. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Alvarado, Mr. Patino stated he was speaking of Hermann and Memorial Parks; and Mayor Pro Tem Alvarado stated that Mr. Daniel Pederson with Parks was present and could speak with him. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Dwight Bazile, 7810 Green River, Houston, Texas 77028 (832-725-4141) appeared,

presented a copy of memo from Eddie Corral, former Fire Chief, to Lonnie Vara, Director of Human Resources Department on recommendations to reinstate probationary firefighters and stated that he was present to speak on Houston Fire Department paramedic issues; that changes were made to the recruitment process after cadets were accepted and present the first day of class; that the EMS system of training was extremely flawed; the current system did not avail itself to promote a good lesson plan and until the paramedic system was fixed the Fire Chief should immediately cease any more firings of cadets based solely on the paramedic program, Mr. Bazile also discussed his list of nine solutions which were included in his handout; and stated that the Fire Chief was aware of the shortcomings of the current system and failure to correct compromised; that paramedic classes had been cancelled until after July of fiscal 2007 and those individuals would have an advantage of being off probation when or if they were required to attend paramedic school and because of that disadvantage to those in class; that the paramedic students fired by the Chief should get their jobs back and be given the opportunity to attend the next class and those in class should have the pressure of termination removed to allow consistency by the administration and an opportunity to correct the flawed system in place. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Cody Gerth, 20351 Field Tree, Humble, Texas 77338 (281-446-6011) appeared, presented information and stated that they were sworn in firefighters and had already taken the badge and he was asking for an investigation into HFD; that he was informed the entire graduation class had to attend paramedic training and he failed; that Chief Boriskie told 42 firefighters they would get three attempts to pass and if failed would be on an ambulance for 5 years, but after failing 2 attempts the Chief said he was through as a firefighter and he was forced to resign; that there was over \$100,000.00 spent on tests, physicals, training, etc., and Chief Boriskie sent out flyers stating there was not enough money for overtime and yet he forced able bodied firemen to resign; that Chief Flannigan told Fox 26 if a student failed paramedic class they would be dropped from the course but said nothing about termination and in 1992 when this occurred the firefighters were rehired; that since then the Fire Department had realized their mistake and now required paramedic training to be completed before any fire training took place and he would like to request an investigation regarding the waste of so much taxpayer money; that two qualified firefighters were now left in the cold and their career as a Houston firefighter cut short due to unfair treatment. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Mr. Gerth stated that Chief Boriskie said they would have three attempts at paramedic class and so they should have one more chance and then be on the ambulance 5 years; that they should get three attempts at class and be on the ambulance as the Chief said and not be forced to resign; and MCK stated that he would like to know if when cadets were going through the process did they know they would have to take this training and what option did they have to prepare for the training besides the crash course; and Mayor Pro Tem Alvarado stated that they would request the policy on that; and upon questions, Mr. Gerth stated that the signatures he turned in he had gathered earlier today and there were many more he did not have time to get and they were people from his class; that the Chief stated from now on everyone would be a paramedic but not everyone was cut out to be a paramedic and Class 28 was badged after his class 32 because they were on fast track and they were told there was not enough money to send them so why did he have to go and why did he not stick to his word, now what would they do hire more and spend more on training; and Mayor Pro Tem Alvarado stated that they would get an answer to his question. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Eric Mosley, 19538 Heather Lane, New Caney, Texas 77357 (281399-9719) appeared and stated that he was going to follow-up on things and they were certified firefighters and

EMTs but they never were able to use skills as EMTs as they were stuck straight into paramedic school and then were forced to resign; that they could have used their skills on the ambulance with so many EMS runs and people on the ambulances were tired of doing it, they were burned out and they could have helped them get off the ambulance and onto a fire apparatus by filling their shoes instead of being forced to resign. Mayor White, Council Members Lawrence, Galloway, Edwards, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Mosley stated that they passed the EMT training and were certified but failed the paramedic training; that EMT went over things like CPR, etc., and paramedic was more in depth and went over cells in your body and such; that he did his EMT at San Jacinto College and was certified and on fast track with HFD; that for paramedic every two weeks you took a test and after their second try they were told to resign; that they felt they should have more time to prepare for the test instead of telling them a week before they graduated on fast track they were going to paramedic school, not all firefighters went to paramedic school, but all had to be EMTs; that the paramedic course was 10 months and Chief Boriskie said starting with their class everyone would have to become a paramedic to work for the City of Houston but that did not happen because Class 28 who was supposed to start were told they did not have to go so if he would be in that class he would be okay but because he was in the class before he got caught and in the change of policy; that they wanted to be firefighters and had met everything except passing the paramedic exam; and Council Member Quan stated that he would ask this be investigated, he understood what happened as there was a policy and they got caught in it and then the policy was changed and it seemed if that much money was invested in training and firefighters were needed and they were just caught in-between, he would ask it be investigated as their services could be used . Council Members Lawrence, Galloway, Edwards, Ellis and Berry absent.

Mayor White stated that he had watched some of this and he would be briefed; and thanked them for coming. Council Members Lawrence, Galloway, Edwards, Ellis and Berry absent.

Mr. Dwight Allen, 857 Lucky, Houston, Texas 77088 (281-685-4269) appeared and stated that he was also a firefighter and one problem they had with the class the previous speakers came from was the EMT school was a lot of training and they became certified EMTs and it would help them a lot to go to the station before going to paramedic school and work on an ambulance and get hands on training; that it was a waste of taxpayer money for them to be fired, they could be used in any other city in Texas as a certified firefighter and EMT and it was unfortunate they could not work in Houston when they were certified. Council Members Lawrence, Galloway, Edwards, Ellis and Berry absent.

Upon questions by Council Member Quan, Mr. Allen stated that he heard the Fire Chief was going to try and get every class from now on to become paramedics and he heard a class came in after they previous speakers class graduated as EMTs; that they could perform duties as firefighters and EMTs and some days were on a engine and some days on an ambulance; that those before him could do all duties on the job except there was a change in policy temporarily. Council Members Lawrence, Galloway, Edwards, Ellis and Berry absent.

Council Member Garcia stated that he was confused as it sounded like a policy was started which he supported Chief Boriskie on requiring all classes to come in with paramedic training, but it sounded like the policy was changed for one class and a class had gone through without taking the paramedic training; that also they had passed testing on a state standard, but not on an HFD standard and now there were thousands invested in each guy; and he was concerned as to where their future sat in this regard; and Mr. Allen stated that this happened to a previous class a few years back and they rehired them and he felt they should also be rehired; and Council Member Garcia stated that though he had supported Chief Boriskie he felt the guys were caught up in some gear shifting and in something not fair to them; and Mayor White stated

that he was not aware of this until now; that he knew where the Chief was going as they needed paramedics and needed standards; that he did not want to micromanage but agreed a report was needed on this, he did understand the issue. Council Members Lawrence, Galloway, Edwards, Ellis and Berry absent.

Ms. Alma Jennings, 2118 Laueral Oak, Missouri City, Texas (281-416-7619) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Ellis and Berry absent.

Ms. Paula Harrison, 10631 Onslow, Houston, Texas 77016 (713-382-3585) appeared and stated that she thought having a Tower of Babble in America was a danger and was seeking a recommendation from the Mayor to make Texas a one race state; that all races have states of their own; and continued expressing her personal opinions until her time expired. Council Members Lawrence, Galloway, Edwards, Ellis, Sekula-Gibbs and Berry absent.

Ms. Nina Walters, who was previously added to the speakers list, was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Ellis, Sekula-Gibbs and Berry absent.

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. Council Members Lawrence, Galloway, Edwards, Ellis, Sekula-Gibbs and Berry absent.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that all were guilty and he wanted them to starting paying up; and continued expressing his personal opinions until his time expired. Council Members Lawrence, Galloway, Edwards, Ellis, Sekula-Gibbs and Berry absent.

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (713-941-8000) appeared, presented information and stated that it would take a year to get the dryers and LA shut down their dryers and were composting and he wished Council would look at that and consider before they spent the \$16,000,000 plus \$4,000,000 each year thereafter. Council Members Lawrence, Galloway, Edwards, Ellis, Sekula-Gibbs and Berry absent.

Council Member Quan stated that after his last appearance his staff tried to contact him and follow-up on his arrangement with US Filters and he wondered if he had any information that US Filters was working with him; and Mr. York stated that he could get it in writing; and Council Member Quan stated that if he could provide it then it would be helpful in showing he was able to do the service. Council Members Lawrence, Galloway, Edwards, Ellis, Sekula-Gibbs and Berry absent.

At 4:30 p.m. City Council recessed until 9:00 a.m., Wednesday, June 8, 2005. Council Member Holm absent due to being ill. Council Members Lawrence, Galloway, Edwards, Ellis, Sekula-Gibbs and Berry absent.

City Council Chamber, City Hall, Wednesday, June 8, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, June 8, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Financial Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present.

At 8:22 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:20 a.m. Mayor White called to order the meeting of the City Council and stated that they would begin with the Mayor's report. Council Members Galloway, Wiseman and Garcia absent.

MAYOR'S REPORT - Briefing on the 79th Session of the Texas Legislature

Mayor White stated that folks that had been around for quite some time had told him and Ms. Ann Travis and many others from the City that by many measures this was their most successful legislative session for the region that they could remember, that they had an able team led by Ms. Travis and assisted by many others who were professionals and he wanted to really thank the work of the many people around the Council table who made calls to the various Representatives and Senators on behalf of the interest of their region, and recognized Ms. Travis, the head of Intergovernmental Affairs, to present her report and would then recognize Mr. Arturo Michel, City Attorney, to talk about some follow up actions because they had been given more authority to do various things and Mr. Michel could address the drafting of ordinances. Council Members Galloway, Wiseman and Holm absent.

Ms. Ann Travis stated that she wanted to thank everybody, that it was a team effort and the Council and Mayor played such a significant part in drafting where they were going to go with their agenda and being involved and making calls to their elected representatives that were in Austin and coming up for committee hearings and doing the proactive things that they did that made a difference, that their delegation was wonderful and they worked really well with them and they were very helpful with them, that all the legislative liaisons in the Council offices and in the Legal Department and all of the departments tracked over 1,100 bills out of almost 6,000 bills that were filed so it was a monumental feat to do that, it took a lot of teamwork and then her staff, she really had to thank Ms. Maureen Crocker, who did just a fabulous job and worked really hard, as well as her staff at home, Mr. Andy Matee and Ms. Kilee Ruster and Ms. Tamara Jones, that also Mr. Jim Jones and Mr. Steve Lyons with HPD who worked really hard on a lot of HPD things that they were very successful with, and their professional lobby team did a great job, that after June 19, 2005 there was a veto deadline and after that they would provide each Council Member a very detailed briefing book with all of the bills that they tracked and how they did with them and she would be happy to sit down with each Council Member on bills of particular interest to them and go over those with them, that she had provided some highlights as well as a tracking of the Council FYI things that they had told her they were interested in, that they were going to have a reception to thank the legislative delegation and she would let them know when that would be, that Mr. Michel and his staff were looking at all of the ordinances that would be accompanying some of these. Council Members Galloway, Wiseman and Holm absent.

Mr. Michel, City Attorney, stated that what he had to say was in the memo that was passed out at the Council table, that it was a chart that listed some of the more significant legislation as indicated in the initial memos that came out of Ms. Travis's office following the session, that they had tried to identify what Council action was required, if any, to implement them and the deadline from the Legal Department to produce the appropriate resolution or order and what they were committed to doing was to expedite the process and get a draft to the Mayor, the department and the appropriate committee, that there were nearly 200 pieces of legislation that they would have to add to the list and they were going to continue to do that on an ongoing basis but it would be in the same format. Council Members Wiseman and Holm absent.

After further discussion and questions by Council Members, Council Member Ellis stated that assuming the Governor signed Senate Bill 771 it would help the City in putting together the 22 different tax incremental zones that they had to evaluate their budgets and bring forward and they were somewhat delayed on being able to do that, their fiscal year started the same as the City's, July 1, 2005, so he would encourage everybody around the table who knew somebody in the Governor's office or knew a Senator or State Representative who had some influence, to

give them a call and tell them it was something that he thought was a piece of significant piece of legislation, and Mayor White stated that there was a letter that he sent to the Governor on Monday and asked that Ms. Stein bring a copy so that everyone would know what they were talking about, that he had talked to most of the Commissioners and he knew they agreed with the City; that he knew it was an ambitious schedule for getting ordinances drafted and he would ask the Mayor Pro Tem and the Agenda Director to confer with the City Legal Department and determine if there were appropriate committee's that the ordinances be referred to and get them enacted.

After further discussion by Council, Mayor White stated that they would move to the consent agenda.

CONSENT AGENDA NUMBERS 1 through 57

MISCELLANEOUS - NUMBER 1

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **PLUMBING CODE REVIEW BOARD**:
 - Position One - **MR. GERALD R. SPENCER**, reappointment, for a term to expire 1/2/2007
 - Position Two - **MR. GERALD L. HARRIS**, reappointment, for a term to expire 1/2/2006
 - Position Three - **MS. DEBBIE VUKOVICH**, appointment, for a term to expire 1/2/2007
 - Position Four - **MR. BENJAMIN R. ZERMENO**, reappointment, for a term to expire 1/2/2006
 - Position Five - **MR. CHARLES D. DOLEZEL**, appointment, for a term to expire 1/2/2007
 - Position Six - **MR. ERIC ROGERS, JR.**, appointment, for a term to expire 1/2/2006

- was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Holm, Garcia and Ellis absent. MOTION 2005-0474 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 11

4. **NIVISYS INDUSTRIES, L.L.C.** for Night-Vision Monoculars from the State of Texas Building and Procurement Commission's Contracts for Houston Police Department - \$193,600.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Holm and Garcia absent. MOTION 2005-0475 ADOPTED.
5. **S.P.A. - SIMRAD, INC** for Night Observation Devices for Houston Police Department \$48,540.00 Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Holm and Garcia absent. MOTION 2005-0476 ADOPTED.
6. **APPLIED BIOSYSTEMS** for Prism Sequence Detection System for Houston Police Department \$47,250.34 - General and Grant Funds - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Holm and Garcia absent. MOTION 2005-0477 ADOPTED.
7. **APPLIED INSTRUMENTATION, INC** for Chemical Storage Tanks for Department of Public Works & Engineering - \$293,485.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none.

Council Members Goldberg, Holm and Garcia absent. MOTION 2005-0478 ADOPTED.

9. **RUSH EQUIPMENT CENTER, HOUSTON** for Front-End Loader for Department of Public Works & Engineering - \$96,131.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Holm and Garcia absent. MOTION 2005-0479 ADOPTED.

10. and 11. Omitted

Council Member Galloway moved to remove Item Numbers 13 through 31 for separate consideration and to the end of the agenda, seconded by Council Member Green. All voting aye. Nays none. Council Members Goldberg, Holm and Garcia absent. MOTION 2005-0480 ADOPTED.

ACCEPT WORK

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,278,601.51 and acceptance of work on contract with **HORSESHOE CONSTRUCTION, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-11-3 (4257-27) - 02.72% under the original contract amount **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; F - ELLIS; G - HOLM; H - GARCIA and I - ALVARADO** – was presented, and tagged by Council Members Galloway, Khan and Quan. Council Member Holm absent.

Council Member Quan stated that while he was pleased that the contract came in under the original contract amount their MWBE was certainly lacking and they had asked for a listing of the contractors that originally were supposed to be a part of the contract and they had not gotten all of the names and addresses at this time and once they got that to verify why they did not perform, he thought, it would answer his concerns. Council Member Holm absent.

Council Member Galloway stated that was the same for her as well no letter of reason for their not being able to meet the MWBE goals, that it was the second contract that had come well below the goal that had been set, they had one last week with the same company and there was no rationale or reason given so she was very interested in that and would like to have that information as to why. Council Member Holm absent.

Council Member Khan stated that he had the same concerns as Council Members Quan and Galloway. Council Member Holm absent.

Council Member Green asked that his tag be added to Item No. 2. Council Member Holm absent.

Mayor White stated that they would now vote on the Ordinance category of the consent agenda.

Council Member Berry requested that someone give him a call on Item No. 44. Council Members Goldberg, Holm and Quan absent.

ORDINANCES - NUMBERS 12 through 56

12. ORDINANCE consenting to the addition of 61.64 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 152**, for inclusion in its district – was presented. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. ORDINANCE 2005-0695 ADOPTED.

39. ORDINANCE appropriating \$300,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional environmental consulting services contracts between the City of Houston and **TERRACON, INC** - GFS D-0073-101; **ENVIRONMENTAL CONSULTING SERVICES, INC** - GFS D-0073-102; **GARNER & ASSOCIATES, INC** - GFS D-0073-103; **WESTON SOLUTIONS, INC** - GFS D-0073-104; **HONESTY ENVIRONMENTAL SERVICES, INC** - GFS I-0001-DB; and **TECHNOLOGY SERVING PEOPLE, INC** - GFS I-0002-DB; for Asbestos and Environmental Consulting Services; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
43. ORDINANCE appropriating \$486,700.00 out of the Drainage Improvements Commercial Paper Series F Fund and approving and authorizing a contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Hermann Drive Relief Storm Sewer Project Segment 2 from Main Street to 600 feet east of Jackson Street; GFS M-0260-02-3 (SM5043-02) **DISTRICT D - EDWARDS** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
46. ORDINANCE appropriating \$1,232,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **J & N INTERNATIONAL COATINGS, INC** for Rehabilitation of Two Ground Storage Tanks at Southwest and Jersey Village Pumping Stations, GFS S-0600-B1-3 (WA10814-01); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and C - GOLDBERG** – was presented. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. ORDINANCE 2005-0696 ADOPTED.
47. ORDINANCE appropriating \$3,666,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **C. E. BARKER LTD.** for Water Line Replacement In Westheimer North, GFS S-0035-B2-3 (WA10771); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. ORDINANCE 2005-0697 ADOPTED.
48. ORDINANCE appropriating \$1,333,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JALCO, INC** for Eppes Lift Station Force Main Replacement, GFS R-201147-3 (WW4764-03); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. ORDINANCE 2005-0698 ADOPTED.
49. ORDINANCE appropriating \$3,925,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **GREYSTAR EIG, LP** for Kingwood Waste Water Treatment Plant Improvements, GFS R-1000-03-3 (WW4864-01); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. ORDINANCE

2005-0699 ADOPTED.

51. ORDINANCE appropriating \$850,200.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Safe Sidewalk Program F1 Project, GFS N-0610A-F1-3 (SB9137-1); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the city; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. ORDINANCE 2005-0700 ADOPTED.
52. ORDINANCE approving and authorizing the second amendment to the Strategic Partnership Agreement between the City and **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
- 52a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Clear Brook City Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council Member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
53. ORDINANCE approving and authorizing the first amendment to the Strategic Partnership Agreement between the City and **WESTON MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
54. ORDINANCE approving and authorizing the first amendment to the Strategic Partnership Agreement between the City and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**; making various findings and provisions relating to the subject – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
- 54a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Water Control and Improvement District No. 110 annexed for limited purposes; imposing regulations on certain territory in the vicinity of Harris County Water Control and Improvement District No. 110; and assigning annexed areas to adjacent District from which District Council Member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.

55. ORDINANCE approving and authorizing the first amendment to the Strategic Partnership Agreement between the City and **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1**; making various findings and provisions relating to the subject – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
- 55a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1** and certain territory located in the vicinity of Mission Bend Municipal Utility District No. 1, in Harris County and Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting and imposing a regulatory plan for certain areas in the vicinity of Mission Bend Municipal Utility District No. 1; imposing the sales and use tax of the City of Houston in the area within Mission Bend Municipal Utility District No. 1 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council Member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.
56. ORDINANCE approving and authorizing the second amendment to the Strategic Partnership Agreement between the City and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 63**; making various findings and provisions relating to the subject – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg, Holm and Quan absent.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PURCHASING AND TABULATION OF BIDS

3. **AVIATION SPECIALTIES UNLIMITED, INC** for Night-Vision Goggles from the State of Texas Building and Procurement Commission's Contracts for Houston Police Department - \$60,083.16 Grant Fund – was presented, moved by Council Member Green, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. MOTION 2005-0481 ADOPTED.
8. ORDINANCE appropriating \$175,104.93 out of Street & Bridge Consolidated Construction Fund for Ludington Drive at Fondren; Esplanade along Pineloch at Union Pacific Railroad; Esplanade along Lockwood at Union Pacific Railroad Intersection Modifications; for the Public Works & Engineering Department; CIP N-0062-19-2; N-0670-06-3; N-0660-07-3; providing funding for construction inspection services and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS C - GOLDBERG and E - WISEMAN** – was presented. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. ORDINANCE 2005-0701 ADOPTED.
- 8a. **JERDON ENTERPRISE, L.P.** for Intersection Modifications for the Department of Public Works & Engineering - \$147,147.00 and contingencies for a total amount not to exceed \$154,504.35 **DISTRICTS C – GOLDBERG, E – WISEMAN, H – GARCIA and I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Holm and Quan absent. MOTION 2005-0482 ADOPTED.

ORDINANCES

32. ORDINANCE approving and authorizing: (1) a first amendment to Urban Redevelopment Interlocal Agreement between the City and other taxing units to add 1478 Tax Delinquent Properties for Potential Redevelopment; and (2) an Ancillary Land Exchange Agreement between the City and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** in connection therewith – was presented. Council Members Galloway and Holm absent.

Council Member Quan stated that he recognized the bold move they were taking by adding 1,478 delinquent properties to the LARA Program and he had asked Mr. Tinnermon to give a presentation at their next Neighborhood, Housing and Community Redevelopment Committee meeting as to what steps were needed to enact the Houston Hope Project after they took the action. Council Members Galloway and Holm absent.

Council Member Garcia stated that he also supported the item and was curious to see where they would be at with the next round or Phase II into some of the other areas of the district like the near Northside and Denver Harbor and those areas, and if he could get some type of plan or projection as to when they would be moving into those neighborhoods. Council Members Galloway and Holm absent.

A vote was called on Item No. 32. All voting aye. Nays none. Council Members Galloway and Holm absent. ORDINANCE 2005-0702 ADOPTED.

33. ORDINANCE approving and authorizing memorandum of understanding among the City of Houston, Texas; **HARRIS COUNTY**, and **WILLIAM MARSH RICE UNIVERSITY** for the creation of a regional Homeland Security Advisory Council - was presented. Council Members Galloway and Holm absent.

Council Member Edwards stated that she would tag the item, that during the budget hearings a week ago she had asked for a chart on how they were coordinating the agencies and she still had not received it, that she would like for somebody to give her some information on how they were coordinating and who was in charge. Council Members Galloway and Holm absent.

Council Member Sekula-Gibbs stated that this particular Homeland Security Advisory Council was another look they had in order to reinforce their efforts at Ellington Field so she supported the Mayor's work in creating the commission and supported the idea that their diverse backgrounds would be a great asset to the City and thought that their primary mission should be to work with the City in keeping the 147th International Guard placed at Ellington Field and hoped that the Mayor would ask them to do that, and Mayor White stated that they were people chosen for their expertise. Council Members Galloway and Quan absent.

Council Member Lawrence asked that her tag be added to Item No. 33 also and was interested in what their mission statement was going to be and what they were going to do and who they were going to advise and what they were going to do that another group was not going to do. Council Member Galloway absent.

Council Member Garcia stated that he would hope that people would take into consideration that they were creating new science in the field of Homeland Security for a region like the Houston area, that there was a great deal of work and thought it would be incumbent for the City Council to support all the work and effort and all that the Advisory Council would be having to deal with. Council Member Galloway absent.

Council Member Ellis asked why did Item No. 33 have to come through City Council, and Mayor White stated that he heard a lot of people saying what they had done right in the last two years and not as many people as he would like to hear say what they could do better, so he thought why did they not have an independent group who would not get a paycheck and would meet every quarter to help advise the City, the Mayor and the County on what they could do

better, that it was a City and County deal. Council Members Galloway and Berry absent.

34. ORDINANCE approving and authorizing sponsorship agreement between the City and **MAPLEWOOD SQUARE COUNCIL OF CO-OWNERS** for Solid Waste Collection Services 1 Months - \$84.00 - **DISTRICT C – GOLDBERG** – was presented. Council Members Galloway and Berry absent.

Council Member Khan asked why they were considering an \$84 contract, and Mayor White stated that apparently the law said that all expenditures of this type had to be presented for Council. Council Member Berry absent.

A vote was called on Item No. 34. All voting aye. Nays none. ORDINANCE 2005-0703 ADOPTED.

35. ORDINANCE approving and authorizing first amendment to contract between the City and **DELOITTE CONSULTING LLP** as assigned by **DELOITTE & TOUCHE** for Project Management of the Integrated Case Management System for Municipal Courts; allocating supplemental funds to such contract; containing provisions relating to the subject - \$200,000.00 - Municipal Courts Technology Fund – was presented, and tagged by Council Member Wiseman.

Council Member Green stated that he would like to get a little information regarding the continued MWBE portion of the contract, that he thought in the past he had gotten some calls from some of the MWBEs that they were not communicated to on whether they would be participating in this and he thought they had the issue in the past with this vendor and asked that they contact him as well, and asked that his tag be added to Item No. 35.

Council Member Sekula-Gibbs asked for an update on the status of the Maximus efforts and also the Deloitte and Touche efforts to handle the transition from paper to data management in this project, that she understood it was a vital part of the upgrades in the Municipal Courts.

36. ORDINANCE amending Ordinance No. 2002-0102 to increase the maximum contract amount and approving and authorizing the second amendment to contract #C53980 between the City of Houston and **DATASTREAM SYSTEMS, INC** for Computer Software Maintenance and Support Services for the Public Works & Engineering Department; providing a maximum contract amount \$252,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2005-0704 ADOPTED.
37. ORDINANCE awarding contract to **GENUINE PARTS COMPANY dba NAPA AUTO PARTS** for Automotive and Equipment Turnkey Parts for Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$25,000,000.00 - Fleet Management Fund – was presented.

Council Member Sekula-Gibbs stated that she had looked at the amount of money that was being considered for savings, they were transitioning about \$25 million in parts for Public Works and Engineering for their mostly heavy equipment and also for automobiles and trucks and were going to start using NAPA Auto Parts, who had won the bid, and it looked like they were only going to be saving about \$300,000 per year, that it was \$1.5 million over 5 years, but the total cost of the program was \$25 million, so it was not an enormous amount of money saved, that she just wanted to be careful that the estimated savings was worth the cost of the project and that the employees involved in the transition were not going to be jeopardized in terms of their jobs, and she would tag the item to be very sure that there were real solid savings.

Mayor White stated that he knew Mr. Eric Dargen had worked long and hard to try to save

them money on the item and he was available if Council Members wanted the issue resolved today.

Council Member Khan stated that he always had concerns when they had sole bids for any amount of contracts and this was a \$25 million contract, they were dealing with auto parts, which was almost like a commodity and how come they had only one bid for such a huge contract.

Council Member Khan moved to suspend the rules to hear from Mr. Eric Dargen, Public Works, at this time, seconded by Council Member Ellis. Mayor White stated if there was no objection it was so ordered.

Upon questions by Council Members, Mr. Dargen stated that the issue regarding one bidder, based on the large amount of parts that they were dealing with for the City of Houston there were really not any other vendors that could handle the quantity that they dealt with on a daily basis and that was the reason why they only got one bidder, that this process had been going on for the last seven years and they had not had any other bidders come to the table to submit a proposal, as far as the savings, when they looked at the amount of money the cost they were dealing with was mainly on the inventory side, if they looked at the inventories they had sitting on shelves throughout the City of Houston they were estimating a little bit over \$1 million in savings just from that alone and they were trying to get out of the business of stocking inventory, that allowed them to get back to the core business of actually repairing the vehicles and getting the vehicles back on the street as soon as possible, as far as the real savings, in his opinion, the real savings was one that he could not put a dollar figure on right now, and that was the fact that he could get vehicles up and running much soon than he was today because of the fact that it had taken 3 to 5 days and sometimes weeks to get parts in when based on the contract he could get parts immediately or within 24 hours, that was the savings and productivity that he could not put on paper.

Upon further questions by Council Members, Mr. Calvin Wells, Purchasing Agent, stated that yes, they could break up any contract they wanted into pieces by pieces, and at any given day they could buy one part cheaper than they could on any given contract, but at the end of the day it was best to have their materials coming to them on a large contract just in time every time, that they had done the survey on this particular matter throughout the United States and they could assure them that the prices were compatible with all the other cities in the United States; that there was a mechanism in place and they would be monitoring the performance of the contract and that was why supply and management came into place, these types of contracts were only as good as the management put into, that it was a good thing and a cutting edge in business. Council Members Garcia, Quan and Berry absent.

Council Member Sekula-Gibbs stated that she would release her tag, and a vote was called on Item No. 37. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0705 ADOPTED.

38. ORDINANCE appropriating \$275,235.00 out of Solid Waste Consolidated Construction Fund and approving and authorizing professional Design Consultant contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for the Southwest Environmental Service Center; CIP L-0036-01-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund **DISTRICT C – GOLDBERG** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0706 ADOPTED.
40. ORDINANCE approving and authorizing groundwater reduction plan agreement between the City of Houston and **TIDWELL WASTEWATER UTILITY, L.L.C.** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE

2005-0707 ADOPTED.

41. ORDINANCE appropriating \$15,441.25 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing developer participation contract between the City of Houston and **JAYMES HOMEBUILDERS, INC** for Construction of water lines along Edgebrook Street; CIP S- 0802-28-3 - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0708 ADOPTED.
42. ORDINANCE approving and authorizing professional services contract between the City of Houston and **ESPEY CONSULTANTS, INC** for Water Resources Management Services ~~\$3750,000.00~~ \$250,000.00 - Enterprise Fund – was presented, and tagged by Council Member Wiseman. Council Members Garcia, Quan and Berry absent.

The City Secretary announced that there was an error on the agenda as to the amount of funding required it should have been noted at \$250,000.00. Council Members Garcia, Quan and Berry absent.

44. ORDINANCE appropriating \$369,300.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for professional engineering services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for a Regional Computerized Traffic Signal System CMAQ Project (approved by Ordinance 01-1004); GFS N-0650-07; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - LAWRENCE, B - GALLOWAY and G - HOLM** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0709 ADOPTED.
45. ORDINANCE appropriating \$297,313.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for a professional engineering services contract between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC, d/b/a PBS&J** for a Regional Computerized Traffic Signal System CMAQ Project (approved by Ordinance 01-1005); GFS N-0650-08; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - GALLOWAY, D - EDWARDS, E - WISEMAN, H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0710 ADOPTED.
50. ORDINANCE \$3,626,999.00 out of Drainage Improvements Commercial Paper Series F Fund; \$600,157.00 out of Water & Sewer System Consolidated Construction Fund; \$2,206,844.00 from the Community Development Block Grant Fund; awarding construction contract to **JFT CONSTRUCTION, INC** for Crane/Engle Wood Storm Sewer Improvements, GFS M-0210-01-3 (SM5035); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to met the deadlines; providing funding for engineering; testing and contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F Fund, the Water & Sewer System Consolidated Construction Fund and the Community Development Block Grant Fund – **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0711 ADOPTED.
57. ORDINANCE No. 2005-0692, passed first reading June 1, 2005
ORDINANCE granting to **CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC** the right, privilege and franchise to use the public rights-of-way to use, license, or exploit the company's facilities within the public rights-of-way to conduct an electric delivery business in the City and for such other business purposes as the company may desire from time to

time, specifically including, but not limited to, the granting of access to those facilities for the delivery of broadband through power lines or similar service within the City of Houston, Texas - **SECOND READING** – was presented. All voting aye. Nays none. Council Members Garcia, Quan, Sekula-Gibbs and Berry absent. ORDINANCE 2005-0692 PASSED SECOND READING IN FULL.

Item received during Council Meeting.

39. ORDINANCE appropriating \$300,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional environmental consulting services contracts between the City of Houston and **TERRACON, INC** - GFS D-0073-101; **ENVIRONMENTAL CONSULTING SERVICES, INC** - GFS D-0073-102; **GARNER & ASSOCIATES, INC** - GFS D-0073-103; **WESTON SOLUTIONS, INC** - GFS D-0073-104; **HONESTY ENVIRONMENTAL SERVICES, INC** - GFS I-0001-DB; and **TECHNOLOGY SERVING PEOPLE, INC** - GFS I-0002-DB; for Asbestos and Environmental Consulting Services; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented, and tagged by Council Members Ellis and Wiseman. Council Members Garcia, Quan and Berry absent.

Items postponed to end of consent agenda.

13. ORDINANCE establishing the north side of the 2400 and 2500 blocks of Barbee Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0712 ADOPTED.
14. ORDINANCE establishing the north side of the 2600 and 2700 blocks of Barbee Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0713 ADOPTED.
15. ORDINANCE establishing the south side of the 2600 and 2700 blocks of Barbee Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0714 ADOPTED.
16. ORDINANCE establishing the north side of the 2800 and 2900 blocks of Barbee Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0715 ADOPTED.
17. ORDINANCE establishing the west side of the 1200 block of Cortlandt Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0716 ADOPTED.
18. ORDINANCE establishing the north and south sides of the 1100 block of Dunbar Street and Jerome Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan

and Berry absent. ORDINANCE 2005-0717 ADOPTED.

19. ORDINANCE establishing the south side of the 400 block of Euclid Street, the north and south side of the 500 block of Euclid Street, and the south side of the 500 block of Woodland Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0718 ADOPTED.
20. ORDINANCE establishing the east side of the 1200 block of Harvard Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0719 ADOPTED.
21. ORDINANCE establishing the east side of the 3700 block of Julian Street, the east and west side of the 3700 block of Watson Street, the west side of the 3700 block of Bradley Street, and the north side of the 700 block of Pecore Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0720 ADOPTED.
22. ORDINANCE establishing the north side of the 1900 block of Lauderdale Avenue within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0721 ADOPTED.
23. ORDINANCE establishing the south side of the 700 block of Merrill Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0722 ADOPTED.
24. ORDINANCE establishing the south side of the 1000 block of Merrill Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0723 ADOPTED.
25. ORDINANCE establishing the south side of the 1100 block of Merrill Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0724 ADOPTED.
26. ORDINANCE establishing the north side of the 2800 and 2900 blocks of Rosewood Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0725 ADOPTED.
27. ORDINANCE establishing the south side of the 2200 and 2300 blocks of Truxillo Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was

presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0726 ADOPTED.

28. ORDINANCE establishing the north and south sides of the 1100 block of Walling Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0727 ADOPTED.
29. ORDINANCE establishing the north and south sides of the 700 and 800 blocks of Wendel Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0728 ADOPTED.
30. ORDINANCE establishing the north side of the 2600 and 2700 blocks of Wheeler Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0729 ADOPTED.
31. ORDINANCE establishing the north side of the 2800 and 2900 blocks of Wheeler Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. ORDINANCE 2005-0730 ADOPTED.

MATTERS HELD - NUMBERS 58 through 68

58. Motion by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$8,499,829.01 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Neighborhood Street Reconstruction Project No. 437A, GFS N-0369-02-3 (SB9055) - 04.81% under the original contract amount - **DISTRICT G – HOLM – (This was Item 3 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. MOTION 2005-0483 ADOPTED.
59. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,986,283.96 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-S6-3 (4257-38) - 03.53% over the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; G - HOLM; H - GARCIA and I - ALVARADO – (This was Item 4 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia, Quan and Berry absent. MOTION 2005-0484 ADOPTED.
60. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,105,873.68 and acceptance of work on contract with **HORSESHOE CONSTRUCTION, INC** for Sanitary Sewer Rehabilitation by Point Repair Method, GFS R-0266-T6-3 (4235-21) - 02.18% under the original contract amount – **(This was Item 5 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER LAWRENCE)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia, Quan and Berry

absent. MOTION 2005-0485 ADOPTED.

61. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 439 – (This was Item 14 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2005-0731 ADOPTED.
62. ORDINANCE approving and authorizing application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the Safe and Drug Free Schools Program; declaring the city's eligibility for such grant; authorizing the Mayor to act as the City's representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - **DISTRICTS F - KHAN and I – ALVARADO – (This was Item 20 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2005-0732 ADOPTED.
63. ORDINANCE approving and authorizing an application to the **OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION**, for assistance under the Juvenile Accountability Block Grant Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's Representative in the application process, with the authority to approve, accept, reject, alter or terminate such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – **(This was Item 21 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2005-0733 ADOPTED.
64. ORDINANCE approving and authorizing contract between the City and **AVW-TELAV INC** for Audio-Visual Services for Convention & Entertainment Facilities Department - 2 Years with three one-year renewals - Revenue - **DISTRICT I – ALVARADO – (This was Item 28 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBERS ELLIS and GREEN)** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2005-0734 ADOPTED.
65. ORDINANCE amending Ordinance No. 2002-473 to increase the maximum contract amount to contract between the City of Houston and **HAHN EQUIPMENT COMPANY, INC** for Submersible Pump Repair Services for Public Works and Engineering Department - \$300,261.25 - Enterprise Fund – **(This was Item 29 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2005-0735 ADOPTED.
66. ORDINANCE approving and authorizing contract between the City of Houston and **ABITIBI-CONSOLIDATED CORPORATION** for Processing and Marketing Commingled Recyclable Materials for Solid Waste Management Department - 5 Years with two one-year renewals - Revenue – **(This was Item 30 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS)** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2005-0736 ADOPTED.
67. ORDINANCE appropriating \$413,018.73 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation, GFS N-0611-12-3; S-0521-E8-3 (N-0611-12); for the Reimbursement of Texas Department of Transportation for Reconstruction of Hempstead Highway from Mangum Road to West of 12th Street under construction contract with the TXDOT (approved by Ordinance No. 98-324) - **DISTRICTS A - LAWRENCE and H – GARCIA – (This was Item 31 on Agenda of June1, 2005, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. All voting aye. Nays

none. Council Members Garcia and Berry absent. ORDINANCE 2005-0737 ADOPTED.

68. ORDINANCE appropriating \$16,028,000.00 out of Water & Sewer System Consolidated Construction Fund; approving and authorizing an agreement between the City of Houston and **ANDRITZ-RUTHNER, INC** for the purchase of Two Sludge Drying Systems for the Almeda Sims Sludge Processing Facility, GFS R-0298-02-3 (WW4813-02); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D- EDWARDS – (This was Item 35 on Agenda of June 1, 2005, TAGGED BY COUNCIL MEMBERS KHAN, SEKULA-GIBBS and GOLDBERG)** – was presented. All voting aye. Nays none. Council Members Garcia and Berry absent. ORDINANCE 2005-0738 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Alvarado stated that she wanted to give special recognition and thanks to some of the folks from Neighborhood Protection, HPD, Mr. Steve Tinnermon and also some of the community folks in Denver Harbor, specifically the Padilla's, that they spent half a day walking through Denver Harbor taking note and getting a status update on various abandoned homes and vacant and weeded lots, that she like what Neighborhood was doing, they did see some progress, that obviously there was still a little bit of frustration on the community's part, things just did not move as quickly as they would like but she wanted to notice some progress. Council Members Garcia and Berry absent.

Council Member Alvarado stated that she wanted to wish her parents a Happy 58th Wedding Anniversary. Council Members Lawrence, Garcia and Berry absent.

Council Member Sekula-Gibbs stated that recently they had a visit from the new director of all the NASA facilities, that he paid a visit to Johnson Space Center, Mr. Michael Griffin and they were very honored to have him there, that Council Member Wiseman, Congressman Tom DeLay and Commissioner Sylvia Garcia were present, that he was very eloquent in his description of the vision that the United States had for space exploration. Council Members Lawrence, Garcia and Berry absent.

Council Member Khan stated that this Saturday they would be unveiling a Vietnam War Memorial at 11360 Bellaire Boulevard at 11:00 a.m. and wanted to congratulate the organizers, especially Representative Hubert Vo, who contributed part of the property for the memorial, that he hoped everyone would show up. Council Members Lawrence, Garcia and Berry absent.

Council Member Khan stated that they had heard the report on the Legislative session in Austin and one of the wonderful things that the Legislative session did was recognize the Super Neighborhood Councils in Houston and a resolution was presented by Representative Vo who especially recognized the Alief Super Neighborhood Council. Council Members Lawrence, Goldberg, Garcia and Berry absent.

Council Member Khan stated that they had gotten a lot of complaints regarding the noise ordinances where many times police were called and sometimes the officers were not sure as to what the ordinance said and many times no action was taken so he would request that somebody take a look as to what the ordinance said and if it needed any changes or clarification of the guidelines. Council Members Lawrence, Wiseman and Green absent.

Council Member Khan stated that he wanted to congratulate his Chief of Staff, Ms. Dionne Roberts, who had just gotten married. Council Members Lawrence, Wiseman and Green absent.

Council Member Khan stated that this morning's breakfast was served by King's Chicken

Restaurant. Council Members Lawrence, Wiseman and Green absent.

Council Member Khan stated that the Cricket game was coming next week on June 16, 17 and 19, 2005. Council Members Lawrence, Wiseman and Green absent.

Council Member Quan stated that this weekend Congressman Gene Green would be having his 11th Annual Citizenship Day event at Northline Mall to help people who were applying for citizenship. Council Members Lawrence, Wiseman, Khan and Garcia absent.

Council Member Quan asked if they had gotten a report from the Houston Police Department regarding the Halliburton demonstration and Mayor White stated yes, that it would be going out this afternoon and was very detailed. Council Members Lawrence, Wiseman, Khan and Garcia absent.

Council Member Quan stated that he saw there was a story of the crime lab in the newspaper regarding a person who had been penalized for turning in results for tests that he had not conducted and asked if there was an investigation going on regarding that or was the matter resolved, and Mayor White stated that there were certain accusations made several years ago against the employee and there was some disciplinary action recommended and taken but the day that he and the Chief got the report from the project manager and read it the Chief made the decision to suspend one or more individuals from ongoing responsibilities and do further investigations. Council Members Lawrence, Wiseman and Garcia absent.

Items received during Council Meeting.

52. ORDINANCE approving and authorizing the second amendment to the Strategic Partnership Agreement between the City and **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject – was presented. All voting aye. Nays none. Council Members Lawrence and Garcia absent. ORDINANCE 2005-0739 ADOPTED.
- 52a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Clear Brook City Municipal Utility District annexed for limited purposes; assigning annexed areas to adjacent District from which District Council Member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented. All voting aye. Nays none. Council Members Lawrence and Garcia absent. ORDINANCE 2005-0740 ADOPTED.
54. ORDINANCE approving and authorizing the first amendment to the Strategic Partnership Agreement between the City and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**; making various findings and provisions relating to the subject – was presented. All voting aye. Nays none. Council Members Lawrence and Garcia absent. ORDINANCE 2005-0741 ADOPTED.
- 54a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the area within Harris County Water Control and Improvement District No. 110 annexed for limited purposes; imposing regulations on certain territory in the vicinity of Harris County Water Control and Improvement District No. 110; and assigning annexed areas to adjacent District from which District Council Member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for

severability – was presented. All voting aye. Nays none. Council Members Lawrence and Garcia absent. ORDINANCE 2005-0742 ADOPTED.

55. ORDINANCE approving and authorizing the first amendment to the Strategic Partnership Agreement between the City and **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1**; making various findings and provisions relating to the subject – was presented. All voting aye. Nays none. Council Members Lawrence and Garcia absent. ORDINANCE 2005-0743 ADOPTED.
- 55a. ORDINANCE annexing to the City of Houston, Texas for limited purposes a certain area located within **MISSION BEND MUNICIPAL UTILITY DISTRICT NO. 1** and certain territory located in the vicinity of Mission Bend Municipal Utility District No. 1, in Harris County and Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; adopting and imposing a regulatory plan for certain areas in the vicinity of Mission Bend Municipal Utility District No. 1; imposing the sales and use tax of the City of Houston in the area within Mission Bend Municipal Utility District No. 1 annexed for limited purposes; assigning annexed areas to adjacent District from which District Council Member is elected until such time as District boundaries may be changed pursuant to the City of Houston Charter; providing for severability – was presented. All voting aye. Nays none. Council Members Lawrence and Garcia absent. ORDINANCE 2005-0744 ADOPTED.
56. ORDINANCE approving and authorizing the second amendment to the Strategic Partnership Agreement between the City and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 63**; making various findings and provisions relating to the subject – was presented. All voting aye. Nays none. Council Members Lawrence and Garcia absent. ORDINANCE 2005-0745 ADOPTED.

Council Member Berry asked Mayor White if he could give them an update on the Fire Union negotiations. Council Members Lawrence and Garcia absent.

Mayor White stated that the negotiating team, the executive committee of the union, believed that it was a good contract and believed that the president of the union was listening to its members, that it was not surprising that a 97 page agreement was not unanimous, that they were dedicated to try and make sure they got a contract and the men and women who served them in the Fire Department and EMS were fairly compensated, that he would say to the Chairman of Fiscal Affairs and to his committee, if they were going to get a contract, as opposed to just having the Council decide what they were going to do without a contract, they were going to have to make some decisions one way or another in the near future, that the Fire Chief needed to be able to plan on what the work weeks were, that there would be good faith discussion if the union decided to come back, that they had new union leadership and they had not had a contract for a while, that he thought the rank and file firefighters wanted a pay increase rather than not one, that they had moved heaven and earth in order to have the biggest single percentage pay increase of any contract in the City of Houston's history and probably any other city in Texas and that was rejected, that if the union took until mid June to survey members of the union then they needed to make a decision about whether they wanted to reengage the City or not based on that feedback and then the Council would be acting on the budget sort of independently of that and it needed to be concluded in June or July, one way or another, so the Chief could do some planning concerning the personnel requirements of the Fire Department, that they needed to make sure that they communicate what the facts were so that people could make their decisions. Council Members Lawrence, Galloway and Quan absent.

Council Member Ellis stated that they were going to have four budget workshops this afternoon, one of which would be SafeClear and Council Member Berry would be in the meeting and it would be presented by Mr. Richard Lewis and there would be some information disseminated to everybody with regard to the numbers for SafeClear, that tomorrow they would

have five budget workshops and that would complete all of the budget workshops, that on Monday afternoon they would have a Pension Review Committee meeting, that anybody could show up and he would like to get the process started for nominating individuals who Council Members might want appointed to the Municipal Pension Board and Ms. Marty Stein would be at the meeting as well to talk about the process and how they would go about it; that one of the budget workshops this afternoon was the Fire Department so they were really going to be talking about expenses and labor expenses that they did not know about at this time and it would be his position after watching Ms. Judy Johnson and the Mayor negotiate with the union and all the work that they did to try to find revenue to increase the salaries of the Fire Department they were capped at the number they were talking about, they might go lower in what they pay but they were capped and if the union membership saw fit to not accept it where would they go, they were going to have to adopt a budget and would have to know what those expenses were going to be, and Mayor White stated that he thought Council Member Ellis's analysis was just the fact, there was an economic cap. Council Members Lawrence, Galloway, Wiseman, Quan and Berry absent.

Council Member Goldberg stated that he wanted to congratulate the Police Department, they asked them to go out to the airport because they had heard a lot of limousine drivers were trying to solicit people at the airport and this past weekend within the first two hours they made 3 arrests of people soliciting, the next two days no arrests, that it was a valid complaint, that he had met with the limousine association and the cab drivers and had come to the conclusion that their system was pretty antiquated because they had the notion that the competition was between stretch limos and cabs and it had involved into something completely different, it was townecars now, there were no stretch limos or very few, it was prearranged townecars and also some of the cab drivers were buying townecars, that he thought they needed to go forward with that thought in mind when they were talking about transportation from the airport and with that he was asking his colleagues for some help and input, that he was creating a task force made up of the limo association, cab drivers, shuttles and everyone who did transportation to and from the airport and try to come up with a master plan for the future or framework, that he looked forward to their input on that. Mayor White and Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that he had some concerns regarding deed restriction enforcement, a lot of the homeowner associations and civic clubs had architectural committees and when they built a new home they had to go and get approval from that committee and when a home builder did not do that they went to the Legal Department and they said no it was the Planning Department and they said they did not do that either and they were just kind of caught up in a catch 22 so he would like to see if they could have some sort of organization between Permitting, Code Enforcement and the Legal Department when those kind of problems came up. Mayor White and Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that they passed Item No. 68 which had to do with some dryers for sludge for the Solid Waste Department, that the \$16 million was part of a bigger amount of money, \$40 million, that would eventually be spent over three years, that he wanted to thank Mr. Dell York because he brought forward an interesting discussion about composting, that they had an exclusive agreement with a company that sold the dried sludge, that it was 175 dry tons per day, the revenue annually was only \$60,000 for that, which was very little, and their current contract did not allow them to give or sell any of that fertilizer to their own Parks Department, if the Parks Department could use that they might save millions of dollars so Jeff Taylor was going to try and renegotiate that contract and put it out for an RFP with the ability for the City to use its own product. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

Council Member Goldberg stated that he wanted to congratulate Lanier Middle School,

they had a team called the Odyssey of Mind Team and they were the 2005 World Champions, they returned from the world finals in Colorado, that they had to come up with a winning solution to the Get the Message Contest. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

Council Member Green stated that he wanted to talk about the parade permit issue, that it was obvious that they had not been in the past enforcing the procedures as they had been written, it was not a new procedure that participants should have auto insurance or that the organizers of the parades should have a policy that required them to show that all vehicles in the parade were covered, he thought that the parade permitting department had not informed those individuals well enough in advance, that they needed to do a sort of blanket letter to everyone who had parades from a date certain and let them know that the procedure was now going to be enforced or allow the participants to show up on the day of the parade with their insurance policy, that may help, and Council Member Goldberg stated that a group of them had been working on a complete comprehensive revision of the Parade Ordinance and it was one of the most complicated ordinances he had ever seen and he thought they had the final version and were going to present it to committee June 20, 2005 and it included the concerns that Council Member Green had been talking about, and Council Member Green stated that in the interim what would they do and he wanted to meet with someone from the Mayor's office and someone from the parade permitting department so that they could quell some of the frustration, and Mayor White stated that they would get on top of it. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

Council Member Green stated that on June 23, 2005 Texas Southern University would have a groundbreaking for their new \$15 million Barbara Jordan - Mickey Leeland School of Public Affairs Building on the campus. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan and Berry absent.

Council Member Green stated that on Saturday, June 11, 2005, the American Heart Association African American Outreach Taskforce would host the first Search Your Heart Community Expo 2005 at the William Lawson Community Life Center located at 3815 Ruth Street at Scott, that there would be on hand medical services, demonstrations, literature and counseling available and for more information to contact Ms. Crystal Hatnot at 713-610-5000.

Council Member Edwards stated that Pastor James Nash had a celebration at Saint Paul Missionary Baptist Church on Sunday, that his congregation showed an out flowing of love and appreciation for him and Sister Nash for the work they had done in the church and in the community and she wanted to congratulate him and the congregation. Council Members Lawrence, Galloway, Wiseman, Khan, Holm, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that the Harris County Council of Organizations had a tribute to the founder George "Pop" Nelson and awarded an award of appreciation to Veronica Kelley Young who had been one of the leading community activist in the greater Third Ward and South Park area for a number of years. Council Members Lawrence, Galloway, Wiseman, Khan, Holm, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she was very concerned and disappointed that the issue of the bones that were unearthed in 1985 when the City was building the Fire Department in the Third Ward area, that the area was one of the City's first cemeteries and a lot of bones were unearthed and the bones had been sitting on Dr. Kenneth Brown's desk at the University of Houston for about 20 years and they found out about it last year and she thought they had worked out a situation where the bones would be re-interred and they had not been, that they would give those bones a final resting place at a park at their church if necessary, that it was embarrassing and unthinkable why they could not get the bones to be re-interred with the dignity they deserved and needed, that it also spoke with the reason why their office was

working on an ordinance as to how they dealt with historic preservation sites, what was the process and policy, that it was a necessity that the City have some kind of policy as to what happens when they had unearthed a historical situation and how they handle it. Council Members Lawrence, Galloway, Wiseman, Khan, Holm, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he would ask Mr. Moore to make sure they would follow through and get the bones into a proper and fit burial place, and asked Council Member Edwards to help him conceptualize the charge they would give to the Legal Department or committee, and Council Member Edwards stated that a lot of things were built over cemeteries and historical sites before there were laws and policies about that so she was not the expert she just knew they needed to address it and she was working with some community people who had been addressing it and were looking at ordinances in cities like Virginia and Willimington and so forth as to what they had done, but she thought they needed to look at it from an infrastructure basis when they were unearthing to redevelop and laying utility lines, and Mr. Michel stated that he did not believe they had anything that addressed it, and as Council Member Edwards stated several other cities had done it already and they could pull that in short order. Council Members Lawrence, Galloway, Wiseman, Khan, Holm, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that on the Fire Department issue they needed to get a foundation so they could move forward and as long as they did not have a contract they would never have a foundation to move forward and address all the concerns of the Fire Department. Council Members Lawrence, Galloway, Wiseman, Khan, Holm, Ellis, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she knew they did not like to talk about international things but the issue of Sudan was getting to the point where she could no longer be quiet at the Council table, they were going to wind up with another Rowanda and everybody would be talking about what they should have done and what they had not done and she was in the process of trying to get a resolution, the genocide that was going on right now was just unspeakable, that Sudan was an atrocious situation and she would like to speak with her colleagues about how they could address it as a body. Council Members Lawrence, Galloway, Wiseman, Khan, Holm, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to recognize a couple of teachers in the audience and the first who was interning with his office was Ms. Betty Phillips Herrera, she was also a Sam Houston High School teacher, that he appreciated her service this week, and they also had Ms. Rebecca Wells who was interning with the Media Office and was a Reagan High School teacher, which was also in his district and thanked her for her work as well. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to congratulate Chief Hurtt and Mr. Don Sanders for the success they had in kicking off the Houston Police Foundation in a very strong and proud fashion and Mr. Sanders in particular for helping to raise over \$1 million to help the Houston Police Department and it's officers and thanked Mayor White for his leadership and support as well. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that the Latina Oprah was in town today, Ms. Christina Saralegui was in Houston and he wanted to welcome her to the City of Houston and he would be recognizing her later in the evening. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that as to the contract, it needed to be in this budget and they needed to move forward and he appreciated that they were waiting to get input and dialog from the membership on the issues, that the number one issue that he was hearing was the issue of the shifts and he knew there was a lot of discussion on it, that it was an issue of trust that had to be established but they would not get the trust without good faith and he thought the membership needed to be demonstrated that there was good faith coming from the administration and maybe the issue of shifts needed to be delayed; that he respected the union leadership, that Mr. Chavez knew that to get to a meaningful contract they needed contemporary leadership and sound judgment, that style should not be misconstrued as a sign of weakness and the only message he would send to Mr. Chavez was to make sure that all firefighters were allowed to vote on the contract. Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Holm, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that to the issue of the command staff, he was always a big believer that an organization was only as healthy as the moral and fair treatment of people near the bottom of the organization and having said that he would tell them that if they were fire chief or at the top of the command staff they did not have time for a bunch of second jobs and their work week was the waking hours plus some and they were going to hold people accountable for a lot of different things, including some very difficult issues, the issues of cultural and institutional change that Mr. Jordan talked about in public session, they were difficult issues and he did not think the top people, given their responsibilities were over paid now or would be overpaid in the new contract. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:42 a.m. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary