

City Council Chamber, City Hall, Tuesday, June 28, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 28, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Connie Acosta, Division Chief, Labor Division, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Assistant Agenda Director present. Council Member Addie Wiseman absent on city business.

At 1:58 p.m. Mayor White called the meeting to order and called on Council Member Goldberg for the first presentation. Council Member Goldberg invited Ms. Susan Llanes-Myers, executive director of the Holocaust Museum, to the podium and stated that Ms. Llanes-Myers was honored in New York City as recipient of the 2005 Spirit of Anne Frank Award and that award was awarded to those who embodied Ann Frank's ideals and legacy of importance of individual moral courage and standing up to hatred; and presented her a Proclamation saluting her for her many outstanding contributions and proclaimed June 28, 2005, as "Susan Llanes-Myers Day" in Houston Texas. Council Members Khan, Alvarado and Berry absent.

Council Member Quan stated that as a member of the advisory board of the Holocaust Museum it was an honor to serve with Ms. Llanes-Myers and she was certainly a deserving recipient. Council Members Holm, Alvarado and Berry absent.

Council Member Alvarado invited Mr. T. H. Denis Simonneau and those with him to the podium and stated today she was honoring the Consulate Corp and it was bringing awareness to the roll the Consul Corp's Office brought to the City of Houston; that she also wanted to recognize the Protocol Alliance who serviced the liaison between the City and the Consul Corp; and Houston was the third largest Consul Corp. Mayor White presented the Proclamation to Mr. Simonneau proclaiming June 28, 2005, "Consulate Corp Day" in Houston, Texas and stated that Mr. Simonneau and his wife had been real citizens doing outreach and proclaimed Mr. and Mrs. Simonneau as honorary citizens of Houston, Texas. Council Members Galloway, Holm and Garcia absent.

Council Member Quan thanked Consul General Simonneau for the work he did in building a relationship between Houston and France. Council Members Galloway, Holm and Garcia absent.

Council Member Quan stated that Houston was the sister city to Taipei, Taiwan, and this year a recipient of one of their 10 scholarships was from Houston and to honor Mr. Kojo Idrissa invited him to the podium. Council Member Quan stated that Mr. Idrissa would travel to Taipei for six months to study and to help build better relations. Council Members Galloway, Holm, Garcia and Berry absent.

Council Member Edwards stated that it was always a pleasure to recognize partnerships developed between the Administration, institutions and citizens and one was the Extern Program, a first time program which was a partnership with HISD and invited Ms. Roxy West, Ms. Betty Phillips Herrera, Ms. Rebecca Wells and Mr. Alajandro Morta to the podium and presented them with presentations from the Mayor's Office and from the Council District D and H offices. Mayor White stated that the most important job in any given time was those who educated the next generation and thanked them for what they did. Council Members Holm, Garcia and Berry absent.

At 2:31 Mayor White called on Council Member Lawrence who led all in prayer and in the pledge. Council Members Holm and Garcia absent.

At 2:32 p.m. the City Secretary called the roll. Council Member Wiseman absent on city business. Council Member Garcia absent.

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

Council Member Galloway moved to suspend the rules for the purpose of hearing Ms. Mary Taylor and Ms. Sheila Phillips out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Goldberg, Garcia and Ellis absent. MOTION 2005-0611 ADOPTED.

Council Member Edwards moved to suspend the rules for the purpose of hearing Mr. Don Cook out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Goldberg, Garcia and Ellis absent. MOTION 2005-0612 ADOPTED.

Council Member Green moved to suspend the rules for the purpose of hearing Mr. Robert Muhammad, Ms. Jolanda Jones, Mr. Moses Villalpando and Ms. Sonny Messiah out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Goldberg, Garcia and Ellis absent. MOTION 2005-0613 ADOPTED.

Council Member Holm moved to suspend the rules for the purpose of hearing Ms. Freddie Proffit out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Goldberg, Garcia and Ellis absent. MOTION 2005-0614 ADOPTED.

Ms. Mary Taylor, 1403 Fashion Hill Drive, Houston, Texas 77088 (281-445-0682) appeared and stated that she was present on behalf of Acres Home and her organization was Restoration and Beautification; that they stopped people from coming out to clean the area and she needed someone to help carry the job out, but at this time ACORN had come in and taken their work away; that she was also a member of ACORN and she did not know they had come to the City with a proposal so it was done behind closed doors; that she opposed the Council's vote last week and would like them to listen, they could build houses on their own and did not need them coming in and taking over and would like Council to reconsider. Council Members Goldberg, Garcia and Ellis absent.

Council Member Green stated that he was confused as he was on the Housing Committee and did not know of a vote letting ACORN build homes; and Ms. Taylor stated that they said something to her about celebrating; and Council Member Galloway stated that they were celebrating as they were recognizing Rep. Harold Dutton for passing a Bill in the House relating to ownership, allowing clear deeds for certain properties, but if something was going on in Acres Home she should let her know and she would work with her on it or try and get clarification for her. Council Members Goldberg, Garcia, Ellis and Berry absent.

Council Member Quan stated that he thought there was confusion; that as Council Member Galloway eluded to the Governor today was signing a Bill which would end contract for deed, many were losing their house because of contract for deeds and Rep. Dutton sponsored it and that was one thing ACORN was celebrating; that another was a land bank was started with 1,478 lots and some were in Acres Home, but no one had been assigned to develop them and Mayor White would be holding a meeting with those in Acres Home on July 14th to talk about the plans for that area; and suggested she go to the meeting. Council Members Goldberg, Garcia, Ellis and Berry absent.

Mayor White stated that many people had big hearts in Houston, but some exaggeration from time to time was the enemy of communication and was never welcome. Council Members Goldberg, Garcia and Berry absent.

Ms. Sheila Phillips, 106 Troy Road, Houston, Texas 77076 (832-309-9664) appeared and stated that she was present representing Ms. Wiley at 1430 Tarberry in District D regarding sewage overflowing her home; that the incident was March 12, 2005 and three inches of raw sewage backed up into her residence, on March 13th she called and reported it and followed up with a claim; that this happened twice as a few weeks later the sewage entered her home again; that they contacted the contractor PM Construction and explained the situation and then they brought out a check to replace the carpet, but that did not suffice in a sewage cleanup and restoration so they sent them the check back. Council Members Goldberg, Garcia and Berry absent.

Council Member Galloway stated that she was familiar as Ms. Phillips had contacted her office and she referred Public Works to send someone out; that her mother moved out now and it was a civil matter as she had an attorney representing her; and she was unable to live there. Council Members Goldberg, Garcia and Berry absent.

Council Member Edwards stated that she would get with Council Member Galloway and see how she could be of assistance. Council Members Goldberg, Garcia and Berry absent.

Mayor White stated that he asked the insurance company not to bargain but put the offer on the table and he would ask that she be reasonable in the request of what it took to get her client back into the house; and Council Member Galloway stated that Ms. Phillips was present on behalf of her mother as she was ill; and Mayor White stated that she seemed to have a mastery of the details; that they could not get involved but would ask Mr. Norman to say the highest and best offer would be the Mayor's advise and that was all he could do was advise and try and get the matter resolved. Council Members Goldberg, Garcia, Ellis and Berry absent.

Ms. Sonny Messiah, 3003 S. Loop West, Houston, Texas 77054 (713-663-6996) appeared, presented information and stated that she was present as a member of the Quality of Life Coalition which represented 80 organizations and to ask the City of Houston to offer funding to match the federal dollars to complete the Columbia Tap Hike and Bike Trail; that the trail was about community and they needed the green space for their quality of life, over 90% of the people along the trail had agreed it was needed and with more traffic along the area it would be a deterrent to drugs and crime; and encouraged that safety and security and maintenance be in place after it was completed; and urged a yes vote on Item 70. Council Members Goldberg, Garcia, Alvarado, Ellis and Berry absent.

Council Member Quan stated that hike and bike trails were very good for communities; and upon questions, Ms. Messiah stated that she did not know details on the fund matching, but knew the biggest glitch in the plan were those who had their backdoors to the trail, they had safety and security concerns, but it could be a win/win for both sides. Council Members Garcia, Alvarado, Ellis and Berry absent.

Upon further questions by Council Member Quan, Mayor White stated that the funding was available and had been for some time; that too long though the funding was secure it went to the bottom of the list but that changed with this Administration; that the public wanted the trails removed from vehicle traffic and they were trying to do the best they could to build them without going on streets; that there was a concern with neighborhood issues, in particular two blocks where people would prefer it not going behind their houses; that those concerns brought to light were good for having a plan in place for the long run so they would be well maintained and reasonably secure; and Council Member Quan stated the trails on streets were not nearly as popular as those on paths; and upon questions, Ms. Messiah stated that she wanted Council to support the item but to attach the safety, security and maintenance component. Council Members Garcia, Alvarado, Ellis and Berry absent.

Council Member Edwards stated that the community was not against bike trails, but in

favor of a different route because they felt their homes were in jeopardy and she thought their concerns valid and they had community meetings on the issue, but they did have opportunity for a win/win situation and she thanked Mayor White for now having someone speak to everyone. Council Members Garcia, Alvarado, Ellis and Berry absent.

Council Member Sekula-Gibbs moved to suspend the rules for the purpose of hearing Ms. Nancy Brown and Mr. Alan Atkinson out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent on city business. Council Members Garcia, Alvarado, Ellis and Berry absent. MOTION 2005-0615 ADOPTED.

Mr. Alphonso Lloyd, 7129 Cullen, Houston, Texas 77021 (713-748-0337) appeared and stated that he was representing the South McGregor Civic Club and present to speak on the Columbia Tap project; that the community was 100% for the Columbia Tap as it extended from Polk Street to North McGregor but from North McGregor to Dixie Drive was the issue they had and it was less than one quarter mile; that they had petitions and not just from neighbors there but also from business leaders in the area; that the original application was flawed and they assumed there were two acres of park land on Dixie Drive and it was submitted to get funding and since then it was based on error upon error to get the project pushed through; that there was never a hearing and it was continuously pushed forward, but now they were at a point with a lot of "Johnny come lately's" at the table and he felt it unfair that those who had been in this since 1996 were not being heard; that he was standing in support of the Columbia Tap from North McGregor to Polk and asking that the Mayor and Council vote no and delete the quarter mile extension. Council Members Garcia, Alvarado, Ellis and Berry absent.

Mayor White stated that when people spoke to Mr. Terrance Fontaine they spoke to him; that Mr. Fontaine always faithfully reported to him and there was authority to what he could and could not do and could and could not say until he (the Mayor) consulted with his colleagues on Council; and thanked Mr. Lloyd for appearing. Council Members Garcia, Alvarado, Ellis and Berry absent.

Council Member Edwards thanked Mr. Lloyd and stated that she thought she heard the community well; they were not against the trails, but asking that Council consider how the plan moved forward. Council Members Holm, Garcia, Alvarado, Ellis and Berry absent.

Mr. Michael Lee, 5504 Ardmore, Houston, Texas 77021 appeared, presented information and stated that he was a resident in Riverside Terrace and he was personally involved with the trail since 1996; that he felt there were clarity issues and he brought a map for clarity, the issue was the extension from Brays Bayou to Grocers Supply which was a truck depot with 400 to 800 trucks per day; that the bike trail would dead end into a truck depot with hundreds of trucks and then to put a further lane down Dixie was even more of an issue. Council Members Holm, Garcia and Ellis absent.

Upon questions by Council Member Quan, Mr. Lee stated that his suggestion was no extension to Dixie and if they did not do the extension the trail would dead end into an existing trail along McGregor which was a major bicycle linkage; that he believed the City of Houston sent a condemnation to Grocers Supply to condemn property for the link to Dixie and they had been resistant to do so. Council Members Holm, Garcia and Ellis absent.

Council Member Edwards stated that many people outside the South McGregor area joined with them on the issue and they were saying there was a trail that could continue on a continuous path and not dead-end and put people at risk and she had tagged the item last week because of this and felt there could be a win/win situation. Council Members Holm, Garcia and Ellis absent.

Upon questions by Council Member Berry, Mr. Lee stated that the basis of his opposition was security and neighborhood continuity and connecting to Dixie was a grave security risk as

you were mixing pedestrians with trucks; that he was the keeper of the gardens and he felt he was an easy target for the argument he did not want the track because of it but it was basically a subcategory to the real issue which was security, all his break-ins had been through the back and it stopped when Grocers Supply fenced off the area and when the trash was taken away and the beautification began; and Council Member Berry stated that he was glad he did what he did, but it was important when someone came down all the facts were out and he toured this and felt it was critically important to what the City needed and it was the continuity of it all, it was a bigger plan; and Mr. Lee stated that they did not understand the importance of the trail connecting to Dixie. Council Members Khan, Holm, Garcia and Ellis absent.

Council Member Green stated that as a point of special privilege he wanted to recognize members of the Summer Page Program sponsored by Council Member Addie Wiseman and that was Thalia Underwood, Londyn Gentry, Paul Love II, Steven Igbinoa and Ashley McGinnis and asked them to stand to be recognized. Council Members Khan, Holm, Garcia and Ellis absent.

Ms. Tomaro Bell, 3248 Charleston, Houston, Texas 77021 (713-825-8449) appeared and stated that she was vice president of the South McGregor Super Neighborhood and she had a letter from Rep. Al Edwards who wrote to say he opposed the portion of the Columbia TAP Hike and Bike Trail extending from South McGregor to Dixie; that she lived there and was fully aware of the adverse impact the proposed section of the trail would have on their neighborhood, particularly relating to crime and their overall welfare; and she would appreciate a townhall meeting regarding green space; that she did thank Council for what they were doing with McGregor Park, but the route discussed had much crime previously and if opened up it would be there again. Council Members Galloway, Khan, Holm, Garcia, Ellis and Berry absent.

Upon questions by Council Member Garcia, Ms. Bell stated that she was only against the portion of trail between South McGregor to Dixie. Council Members Galloway, Khan, Holm, Garcia, Ellis and Berry absent.

Mr. Bernard Middleton, 5500 Ardmore, Houston, Texas 77021 (713-875-0304) appeared and stated that he was one of the board members from the South McGregor Civic Club and longtime resident of the neighborhood and he actually had bullets fly past his bedroom at night where drug dealers had shootouts in that particular portion of the Columbia TAP Hike and Bike Trail; that they were not opposed to the trail from North McGregor to Polk but were opposed to extending it to Dixie and they were asking for a public hearing. Council Members Galloway, Khan, Holm, Garcia, Ellis and Berry absent.

Council Member Edwards stated that she thanked Mr. Middleton for his request and stood in support of their request to be heard as they had been trying to be heard since 1996; that she was convinced they could maintain the trail and honor concerns of safety behind their homes and get a win/win situation. Council Members Galloway, Khan, Holm, Garcia, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs thanked Mr. Middleton for coming and expressing concerns of those in the area; that she would think the City could build a hike and bike trail which would not be populated by people of the nature which brought concerns; that they only wanted a feature which would enhance their community; and Mr. Middleton stated that the streets were not safe and it would be more difficult to make a portion of a trail safe and why would the City insist on spending the type of money it would cost to build a new bridge and repair a second bridge which would cost more than the entire track from North McGregor to Polk; and they would appreciate it being reconsidered. Council Members Galloway, Holm, Garcia, Ellis, Green and Berry absent.

Ms. Deborah January-Bevers, 3015 Richmond #220, Houston, Texas 77098 (713-629-0481) appeared and stated that she was the executive director of Scenic Houston and they had

for a longtime been a supporter of the project; that this was a TXDOT trail and they build by strict standards and she did not believe there was a safety issue. Council Members Galloway, Holm, Garcia, Ellis, Green and Berry absent.

Council Member Edwards stated that the community was not against the trail, but the one extension; and upon questions, Ms. January-Bevers stated that a townhall meeting was important and she meant the safety was in the construction; and Council Member Edwards stated that the concerns the community talked of was not a drop off and she would like more communication for a win/win situation. Council Members Galloway, Holm, Garcia, Ellis, Green and Berry absent.

Upon questions by Council Member Quan, Ms. January-Bevers stated that the parts that provided connectivity to the neighborhood were opportunities they would like to keep in place; that looking at opportunities around Dixie Road may have other routes that should be looked at and that was the biggest part of contention, she would like to keep the railroad piece and then tie in on the other side of the bayou then they would be maximizing the most for the community. Council Members Lawrence, Holm, Ellis, Green and Berry absent.

Mayor White stated that one piece of counsel he would have for those who did advocate bike trails was he wanted to make sure those people put themselves in the shoes around the Council table so that they did not just keep score by the miles of trail they built but that they dedicate to maintaining them and the safety issue was not people falling off the trail but it was why there were officers patrolling bike trails in Kingwood, it was lighting and expense of maintaining safe trails and that needed more attention by the quality of life as opposed to how many trails. Council Members Lawrence, Holm, Ellis, Green and Berry absent.

Mr. Dan Raine, 5117 Lido Lane, Houston, Texas 77092 (713-598-0008) appeared and stated that he was pedestrian bicycle coordinator with the Houston Galveston Area Council and was present to talk about the city; that he bought a house here and was proud, he loved the people and he did not meet them in his car, but while walking and on a bike; that people came with valid concerns and those same concerns were raised in every state in the nation; that the additional southern segment of trail actually linked onto Dixie Road where there was another trail segment planned to link Almeda and TXDOT was adding shoulders and it was an essential connection from the southern part of Houston and Pearland and if the link was removed they would be responsible for the dismantling and destruction of the railroad structure and it would limit options to commute. Council Members Lawrence, Holm, Ellis, Green and Berry absent.

Upon questions by Council Member Edwards, Mr. Raine stated that he lived in Oak Forest; and Council Member Edwards stated that the community was not against bike trails and their issue of safety was very real and she needed someone to say HPD could handle patrolling it; that they were all for it, but they needed one right for all; that the City did not clean up that area the people did and their primary investment was their home. Council Members Lawrence, Holm, Ellis, Green and Berry absent.

Council Member Khan stated that his suggestion would be if for any reason it was decided the community would not get the trail he would like the funds and trail in District F, so if for any reason the community did not want it and the Mayor decided not to do it they would take it; and Council Member Galloway stated that the same would be for her district, they would accept bike trails, etc., also. Council Members Lawrence, Edwards, Holm, Ellis, Green and Berry absent.

Ms. Nancy Brown, 1200 Smith #700, Houston, Texas 77002 (713-844-3627) appeared and stated that she was program manager for Quality of Life Advisory Committee of the Greater Houston Partnership and quality of life issues played a great part in economic development and as such they felt the Columbia TAP trail when complete would be a tremendous asset to the community; and their committee encouraged immediate completion of the trail for reasons including the railroad bridge, without it the bridge may be demolished and such an asset would

be almost impossible to recreate considering budget pressures; that also traffic generated by pedestrians typically added to security to a community and did not take away from it. Council Members Lawrence, Holm, Ellis, Green and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Brown stated that she could get data for her in writing. Council Members Lawrence, Green and Berry absent.

Upon questions by Council Member Edwards, Ms. Brown stated that she had been on the committee for a year now; and Council Member Edwards stated that she appreciated what she was saying, but the people in the community had not been able to have their say and she felt everyone should have that opportunity; that they also had data that showed when you shine a light on something crime goes down and she would also like a copy of her information. Council Members Lawrence, Green and Berry absent.

Upon questions by Mayor White, Ms. Brown stated that there was an existing bridge along the trail which did intersect Highway 288 and if the project was not completed soon the bridge would be taken down because it was a liability; and Mayor White stated that if anyone had information to that in writing he would like it passed to Mr. Cantu, but if the loss of a railroad bridge and opportunity was a reason for the extension then they needed to make sure they had explored all ways to do it, but you did not build a trail to keep a bridge. Council Members Lawrence, Quan, Green and Berry absent.

Mr. Alan Atkinson, 620 N. Live Oak, Houston, Texas 77003 (832-428-1141) appeared and stated that when he bought his property his first reaction was to put a big fence around it and keep all the bad guys away, but in the process he and his neighbors built a hike and bike trail and now instead of blocking out the neighborhood they had invited the neighborhood in and what was going on with this issue was the neighborhood was saying it was okay to have the trail but not on the south side and the real issue was Mr. Lee had created a garden in the middle of that right of way, he did not own the land and the city was purchasing it to benefit the entire city. Council Members Lawrence, Quan, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that he liked what Mr. Atkinson did with the bikeway and he exemplified a good citizen, but he wanted to clarify something; and upon questions, Mr. Atkinson stated that Mr. Lee created a beautiful garden and he believed he preyed on people's fears; and Mayor White stated that those along the trail may be right or wrong but it was their judgment. Council Members Lawrence, Green and Berry absent.

Council Member Garcia stated that he too wanted to commend his work; and upon questions, Mr. Atkinson stated that the garden was private on someone else's land; that lighting and security and benches should be put in and Mr. Lee's efforts should be applauded, but the trail should continue to Dixie Road because it was connecting to another trail and if they did not have that then the connectivity would be lost. Council Members Lawrence, Khan, Green and Berry absent.

Council Member Edwards stated that the issue of the gardens was discussed in her office two years ago and they told Mr. Lee it was not germane to discussions then and it was not now; that Mr. Lloyd, Ms. Bell and members of the South McGregor Civic Club never addressed the garden for a reason why they needed to deal with this and his position with Mr. Lee was personal and they needed to keep it on the issue. Mayor White, Council Members Lawrence, Goldberg, Khan, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Nancy Bertin, 5727 Logan, Houston, Texas 77007 (713-862-2628) appeared and stated that she was present to urge Council's passage of Item 6, the expansion of residential permits for the south side of Logan Lane; that permit parking allowed residents to have some quality of life allowing them parking places in front of their homes and surveys showed the

spaces were being used by non residents when permits were not in effect. Mayor White, Council Members Lawrence, Goldberg, Khan, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Freddie Profitt, 101 Asbury, Houston, Texas 77007 (713-898-4339) appeared and stated that she was present regarding Item 6 also, their neighborhood was undergoing rapid change due to growth and she had started the petition for permit parking only unaware she would not be eligible for one, but even so those who lived on the north side were still supporting them because they reached amicability with their neighbors and would share their permits if needed; that due to a construction project deemed by the city the size of the George R. Brown and Hilton Hotel which would be coming into their block it was critical and she was asking that City officials be consistent with their purpose and findings and residential permits were for residents. Council Members Lawrence, Garcia, Green and Berry absent.

Upon questions by Council Member Quan, Ms. Profitt stated that they were told the project was a four to five year project, it was 36 floor towers across Memorial down Asbury to the left of Rainbow Lodge, they were requesting hours be extended into the evening and weekends; and Council Member Quan stated that he was not aware of the project. Council Members Lawrence, Garcia, Green and Berry absent.

Council Member Holm thanked Ms. Profitt for coming and stated that they had been permitting residential parking and this Orion project going up when completed would be phenomenal; that they had to learn to coexist and this particular instance of extending the permitting was very logistic and it was correcting an error the Planning Department made in September when they permitted the hours incorrectly and posted it incorrectly and it was a wrong that needed to be put right, it was just a simple process. Council Members Lawrence, Garcia, Green and Berry absent.

Mr. Joseph Karney, 6100 Hollywood Blvd., Hollywood, California 33024 (203-364-0347) appeared and stated that he was with Duty Free Americas and they were one of those who proposed on the duty-free concession at Intercontinental Airport, Agenda Item 65, today the duty-free industry existed because it was highly regulated and products imported were free of taxes and duties; that they were the largest duty-free operator in the continental United States with 258 contract years of airport duty-free experience including 50 in Texas and they operated 22 border stores in Texas with \$350,000,000. in sales; that they relocated their headquarters to Texas and had 411 employees in Texas; that 12 other airports selected them as the preferred duty-free operator and with all due respect to the evaluation panel they thought they got that part wrong and if it had been right they believed there would have been a different selection. Council Members Lawrence, Goldberg, Green and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Karney stated that they offered a MAG (minimum annual guarantee) of over \$.60 per employment; on projected revenues starting in year one it was \$5.5 million and they were moving up to \$8 million in the fifth year of the contract against a percentage rent and that was typically how you paid in a duty-free, it started at 20% and ended at 25% and it was a good offer; that he was not prepared to say what Council would recommend, but according to what they understood their company was not rated the highest in experience and given what he just said there was no one else close in U. S. experience and it was U. S. laws which dictated the sale of duty-free in this country; and it was hard to say how an entity who did not even have business in Texas could be selected. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Khan stated that four firms asked to submit proposals and he thought all four were very qualified; and upon questions, Mr. Karney stated that his company operated 30 stores in 12 U. S. airports, he did not think Houston's process was very transparent because it seemed regarding the experience and qualification standards he was not sure what it was based on because it was a company which had no experience in Texas and very little in the

United States so how could they be ranked so high; and that was why they were asking the evaluation committee take another look; and Council Member Khan stated that was why he tagged last week, because he wanted to make sure it was totally transparent and objective and one evaluator ranked a company very high in comparison to the rest and he was still trying to find out why and he would like to visit with him. Council Members Lawrence, Holm, Green and Berry absent.

Mayor White stated that he asked the transportation infrastructure.; that there had been an article where they surveyed people in the airport system, concessionaires, and in particular there were some places where it was considered very clean and transparent and other areas where there were varied limits on what lobbyist could do and elected officials routinely overrode and unfortunately among the airport professionals Houston ranked most political and he wanted Council Members to help him think of ways to go down on that list; and Mayor White stated that one thing he took great pride in this Administration was the lack of political influence so to speak and he just wanted the process to be as transparent as it could be. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Ellis stated that maybe they should rethink how they do selections of concessions at the airport system; and after a lengthily discussion with Council, Mr. Karney stated that his company brought in roughly under \$100 million value of product each year to the Port and now they won the Miami contract and would be bringing in more business and as they grew business for this region grew; that they now had 411 employees and were committed to Texas, Houston, etc.; and Mayor White stated that Mr. Hall reports to him regularly and he was fairly convinced and Mr. Hall was convinced there were independent evaluators and they and Mr. Vacar knew there were improper influences brought to bare on them and it was his belief, he could not say he would put himself in the position and did not encourage other elected officials to put themselves in the position of second guessing every process made by a vendor selection committee; that concerns about polices used in the processes generally such as, did they in the future have more weight consistent with the law and Mr. Michel was looking at it, but nothing was brought to his attention that would indicate the process was overtly bias and if anyone had such information he would like to receive it; and he made sure people with integrity were looking at the process. Council Members Lawrence, Holm, Green and Berry absent.

Council Member Edwards stated that she would suggest that either the Transportation Committee or Rules and Regulations Committee have a briefing on what the process was all about and if Council wanted to be involved they should be involved on the front end; that they paid people in Aviation big bucks and if they could not put together an evaluation process fair and not corrupt then they needed to find someone who could, but she would like more information on how the process worked and if Council had a place before the recommendation. Council Members Lawrence, Holm, Green and Berry absent.

Mr. Don Cook, 7915 Glenheath, Houston, Texas 77061 (713-705-5594) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Holm, Garcia, Alvarado, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that Mr. Cook just had to leave and there was a conference they would like to invite Council Members to and she had his information; and Mayor White stated someone should assist the Council Member with the information. Council Members Lawrence, Holm, Garcia, Alvarado, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Robert Muhammad, 4443 Old Spanish Trail, Houston, Texas 77021 (713-741-2747) appeared and stated that it was predicted in 2025 another 3,000,000 persons would be added to the 8 county metropolitan area and the question posed was where would they work, live and travel; that they were in the midst of METRO's mobility plan and changes of mutual distrust, community was not informed and there appeared to be a refusal by the Administration and

those in charge to get Mr. Wolfe at METRO to simply apologize and instead it was just said this is a better plan than rail so just take it, but if no one gets rail then no one should get anything. Council Members Lawrence, Holm, Garcia, Green and Berry absent.

Council Member Galloway stated that he was correct and she was sure the Mayor was perhaps in the same dilemma as were they, in so many instances the community was just told and she thought METRO and the METRO board and those at the City should all apologize to the Houston community for just throwing them something and not telling them it was done to get the funding. Council Members Lawrence, Holm, Garcia, Green and Berry absent.

Upon questions by Council Member Edwards, Mr. Muhammad stated that he thought they should start with an apology and then they could have a discussion on why this was the best solution for the City and then people could say yes or no; that goodwill did affect the bottom-line; that they had put together a committee at the last meeting to take to Mr. Wilson possible ways to bring this together and tomorrow they were meeting to plan proposed routes and then have the discussion south of the park; and Council Member Edwards stated that hopefully what would come out of this was the technical piece and people working together and helping to build a mass transit plan as it related to the southeast quarter. Council Members Lawrence, Goldberg, Green and Berry absent.

Council Member Garcia stated that people did want to be part of the process and goodwill was tangible. Council Members Lawrence, Goldberg, Alvarado, Green and Berry absent.

Mayor White stated that the reason for a public announcement was the commitment he immediately obtained that was a first for Houston and he talked to every member of Congress to get the reasonable amount of new start federal capital funding for the project and it was made when it was because the public had a right to know; that it also made commitments more binding if made publicly; that METRO could not viably begin a process in detail of talking to the community until it had a scope of federal funds and he could assure everyone if they did not want any of what METRO was proposing to do they would give the money back; that it was difficult to get public input if there was no proposal for people to react to and that was in the nature of the nature of the implementation proposal made by METRO and that was the spirit on which things would proceed. Council Members Lawrence, Goldberg, Garcia, Alvarado, Green and Berry absent.

Ms. Jolanda Jones, 2525 Binz, Houston, Texas 77004 (713-874-1111) appeared and stated that the community came to her and were not happy; that she did ditto what brother Muhammad said; that it was offensive to them people would bamboozle them, METRO made a plan to them and they wanted meaningful dialogue and they were willing to lose the money so the next time people would come to them. Council Members Lawrence, Goldberg, Garcia, Alvarado, Green and Berry absent.

Council Member Edwards stated that she heard what she said and thought they could work toward the dialogue. Council Members Lawrence, Alvarado, Quan, Green and Berry absent.

Mr. Moses Villalpando, 314 Lindale, Houston, Texas 77022 (713-699-4475) appeared and stated that he was present representing his civic club North Lindale and he was at the METRO press conference and he was not surprised the Mayor and Council as representatives of the community saw a communication problem with METRO and the way they did business; that his community had been trying to resolve a problem on the north corridor line for a year and they were no closer today than then and because METRO changed from rail to bus rapid transit the problem did not change it was still about the route from Northline Mall; that the issue was safety and health of the children at Roosevelt Elementary as the track would be less than 75 feet in front of the school and to add to the problem METRO must build a bridge no less than 25 feet high when most freeway bridges were only 15 to 18 feet tall, the children already have a

freeway one block behind them and Union Pacific trains on the northside of the school and the issue was not that they did not want METRO but that they wanted them to use Irvington or any other street than Fulton to get to the mall; that METRO was going around Irvington to save trees and so they would rather save trees that have safety for children; and METRO needed to listen to the community and use any other street than Fulton. Mayor White, Council Members Lawrence, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Garcia stated that he did apologize for yesterday; that he sat there during the time METRO made their presentation and basically they shut the community down, many had been ready to communicate frustrations; that he made a key point today; and upon questions, Mr. Villalpando stated that yes the people who mostly used METRO were those going to work and his research on the 2000 census showed the majority of users were low income as people who had a car did not want to give it up. Mayor White, Council Members Lawrence, Khan, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that through the whole Council Meeting they talked about process and the most important thing being people and she thanked him for his work, for staying on course. Mayor White, Council Members Lawrence, Khan, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado thanked Mr. Villalpando for his work and stated that Council Members were right, people were jumping up and down and they all felt cheated and slighted and Council was held to more scrutiny than they were and that was why many were holding townhall meetings for them to go out and explain. Mayor White, Council Members Lawrence, Khan, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that when she saw all the constituents at the meeting yesterday that was why she posed the question if they were going to give them a chance to speak since METRO was present, it was an opportune time to express concerns and she was sorry it did not happen that way. Mayor White, Council Members Lawrence, Khan, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Nicholas Douglas, 2418 Broad Street, Baytown, 77521 (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Edwards, Khan, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Tim Verge, 875 Wax Myrtle, Houston, Texas 77079 (832-282-1620) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Edwards, Khan, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Brian Burney, 114123 Landsdown, Houston, Texas 77035 (713-721-2248) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Edwards, Khan, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Elizabeth Wilson, 4400 Memorial Drive #1206, Houston, Texas 77007 (713-862-5522) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Edwards, Khan, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Richard Freeman, 121 Riggs, Houston, Texas 77022 (no phone) appeared and stated that he wanted to make a few statements on concerns going on for awhile; that the METRO system was doing about the best they could, he drove for them for years; that he did not like to see fire boxes not working; that he was working for a pension and not successful yet; and was

open to questions that may help the transit company; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Edwards, Khan, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. John Boyd, 803 Grenshaw Street, Houston, Texas 77088 (281-931-3156) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Edwards, Khan, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Sheri Hogan-Sorreles, 8931 Antoine #C, Houston, Texas 77088 (281-260-8634) appeared and stated that the Mayor was not present, but she lived in Inwood Meadows and was burglarized twice, her car was stolen, she was assaulted, knew of a murder and drug dealings and talked to 17 officers and Harris County said to live in the area she should have been aware; and continued expressing her personal opinions until her time expired. Mayor White, Council Members Lawrence, Goldberg, Edwards, Khan, Garcia, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that they would be moving onto the next speaker and there was an officer present if she had something to report. Council Members Lawrence, Goldberg, Edwards, Khan, Garcia, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Janie Montoya, 8306 Gibbons, Houston, Texas 77012 (713-923-6955) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Goldberg, Edwards, Khan, Garcia, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Maria Moreno, 7547 Buena Vista, Houston, Texas 77087 (713-643-9888) appeared and stated that she was appearing on behalf of her son who was not present as he was in college, however, she needed the Mayor and Council's help; that they had written a letter on their deed restrictions stating the garage apartment was used for a second residential home, but it was not true, the garage had two rooms with a restroom and she had the deed restrictions in her hand and it was signed in 1948 and she needed help; that she also had 25 pictures of houses within three blocks in their neighborhood and she would ask that they review the deed restrictions because now the attorney from the City of Houston suggested she destroy the apartment and build it back the way it was built in the beginning, but they purchased the house in 1989 and it was like that when they purchased their house and the 25 other houses had the same problem; that she also needed help with their sewer line; that MCA had been helping but they had a problem since 1986; that she was frustrated with the City of Houston as no one did anything for their community. Council Members Lawrence, Goldberg, Edwards, Khan, Holm, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she was sorry she had to come to Council, but they had been working with her on the sewer issue and Mr. Norman was present; and Ms. Moreno stated that she was also present regarding the deed restrictions, why would they tear something down when it was there when they bought it, it was built in 1948; and Council Member Alvarado stated that she would have to check on that but she had been trying to resolve the sewer and drainage issues since 2002; that she would ask Mr. Norman to visit with her on the sewer; and a representative from the Citizens Assistance Office can take her information on the deed. Council Members Lawrence, Goldberg, Edwards, Khan, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Goldberg, Edwards, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 713-260-6144) appeared and stated that he was God and continued expressing his personal opinions until his time expired. Council Members Lawrence, Goldberg, Edwards, Quan, Green and Berry absent.

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. Council Members Lawrence, Goldberg, Edwards, Quan, Green and Berry absent.

Ms. Gerri Boykins-Edwards, 919 Caperton, Houston, Texas 77022 (713-695-8082) appeared and stated that she had been given great advise but was still being shuffled and they still had a need, she needed \$4,300.00 and if money was not there then she wanted people to go into their pockets; that the little one with her was one of the recipients and asked others with her to stand; that this was In Action and they had a need. Council Members Lawrence, Goldberg, Edwards, Quan, Green and Berry absent.

Council Member Garcia stated that he would speak with her in the lobby; that government was good, but they could not turn on a dime and he was sorry as what she did was good and valuable, but the bureaucracy had hurdles. Council Members Lawrence, Goldberg, Edwards, Holm, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Galloway stated that it was not easy trying to do good and not having the funds to do it; that there were a lot of non profits doing food and she was here and there were many good people listening and she should state her address and maybe get some checks in return; and Ms. Boykins-Edwards stated that they were located at 919 Caperton, Houston, Texas 77022. Council Members Lawrence, Goldberg, Edwards, Holm, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was addressing his case of being kidnapped, his vital organs taken out; and continued with his personal opinions until his time expired. Council Members Lawrence, Goldberg, Edwards, Holm, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Goldberg, Edwards, Holm, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

At 5:29 p.m. City Council recessed until 9:00 a.m., Wednesday, June 29, 2005. Council Member Wiseman absent on city business. Council Members Lawrence, Goldberg, Edwards, Holm, Garcia, Quan, Green and Berry absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, June 29, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, June 29, 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. and Ronald C. Green; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present. Council Member Michael Berry absent on city business.

At 8:23 the City Secretary read the descriptions or captions of items on the Agenda.

At 9:25 a.m. Mayor White called to order the meeting of the City Council. Council

Members Galloway, Wiseman and Quan absent.

MAYOR'S REPORT

Council Member Ellis moved to suspend the rules to consider Item Numbers 58, 1 and 2 out of order, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. Council Members Galloway, Wiseman, Khan, Garcia and Quan absent. MOTION 2005-0616 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item No. 70 out of order, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. Council Members Galloway, Wiseman, Khan, Garcia and Quan absent. MOTION 2005-0617 ADOPTED.

58. **SELECT** and confirm the appointment of either **MR. DOUG CANNON** or **MR. RICHARD BADGER** to Position 11 of the **MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for a three year term to expire June 30, 2008 – was presented.

A roll call was called on Item No. 58 for selection of either Mr. Doug Cannon or Mr. Richard Badger.

ROLL CALL VOTE:

Mayor White named Badger

Council Member Lawrence named Badger

Council Member Galloway named Badger

Council Member Goldberg named Cannon

Council Member Edwards named Badger

Council Member Wiseman named Cannon

Council Member Khan named Cannon

Council Member Holm named Badger

Council Member Garcia named Badger

Council Member Alvarado named Badger

Council Member Ellis named Badger

Council Member Quan named Badger

Council Member Sekula-Gibbs named Cannon

Council Member Green Badger

Council Member Berry absent on city
business.

Council Member Alvarado moved to confirm the appointment of Mr. Richard Badger to Position 11 of the Municipal Employees Pension System Board of Trustees, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0618 ADOPTED.

Mayor White and Members of Council congratulated Mr. Badger on his appointment and also thanked Mr. Doug Cannon for volunteering his services to be considered for Position 11, that they would reevaluate his resume and look at a future appointment for him.

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following as full-time **MUNICIPAL COURT JUDGES**, for two-year terms:

JUDGE BERTA MEJIA, reappointment as Director and Presiding Judge

JUDGE MARIA E. CASANOVA, reappointment

JUDGE HERBERT GEE, reappointment

JUDGE JOHN PAUL BARNICH, reappointment

JUDGE MARIA JACKSON, appointment

JUDGE GLADYS BRANSFORD, reappointment

JUDGE STEVEN KIRKLAND, reappointment

JUDGE G. HARLAN COLEMAN, appointment

JUDGE NANCY BAILEY, reappointment

JUDGE ANTONIA INGVERSEN, reappointment

JUDGE KATHY KHANH HAN, reappointment

JUDGE IMELDA REYES-CASTILLO, appointment

JUDGE DAVID FRAGA, appointment

JUDGE DANIEL SIMMS, reappointment

JUDGE ESMERALDA P. GARCIA, reappointment

- was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0619 ADOPTED.

Mayor White and Members of Council recognized the public servants that were dedicated to making the municipal courts customer friendly for the citizens, responsive to the needs of justice in their community and moving quickly and efficiently to accomplish their purposes and asked those people who had now been confirmed to stand and be recognized and thanked them for their service.

Council Member Green stated that he wanted to recognize Judge Bertha Mejia, who had been reappointed as Presiding Judge and was the leader of the courts, that she was doing a good job and had a lot of work ahead of her and had a lot going on over there and had been willing and working very closely with their committee to make sure they increased the level of efficiency and the level of service there, and congratulated the newly appointed judges and asked that they stand and be recognized.

Council Member Green moved to suspend the rules to hear from Judge Mejia at this time, and Mayor White stated that if there was no objection it was so moved.

Judge Mejia stated that she pledged to continue working at the courts as she had these past years and promised to use the technology that they were shortly going to implement to improve efficiencies and to provide good customer service and recognized the families of the newly appointed judges who were present in the audience.

2. CONFIRMATION of the appointment of **MR. ALFRED JACKSON** to Position 10 of the **MUNICIPAL EMPLOYEES PENSION SYSTEM BOARD OF TRUSTEES**, for a three year term to expire June 30, 2008 - was presented, moved by Council Member Green, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0620 ADOPTED.

Mayor White and Members of Council congratulated Mr. Jackson on his appointment and asked that he stand and be recognized, that they were glad that he had offered his service and expertise.

70. ORDINANCE appropriating \$594,550.00 out of Street & Bridge Consolidated Construction Fund for Local Match Funds for Construction of Texas Department of Transportation (TxDOT) Bikeway Project Columbia Tap Rails to Trails, GFS N-0420-22-3 (SB9155-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I – ALVARADO – (This was Item 48 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER EDWARDS)** – was presented.

Council Member Edwards stated that she wanted to thank the Mayor and his staff for working with them in the community on the issue, it was long standing since 1996 and with all of the things that were brought to Council yesterday and the things she had worked with the community since she had been in office, and moved to postpone Item No. 70 for two weeks in order for the item to be reviewed through the Quality of Life Committee so that the community could feel that whatever decision was made ultimately that they had an opportunity to present their position, concerns and issues and that they had been heard and listened to properly, seconded by Council Member Alvarado.

Mayor White stated that the administration did not oppose the two week delay, and a vote was called on the motion to postpone. All voting aye. Nays none. Council Member Berry

absent on City business. MOTION 2005-0621 ADOPTED.

Mayor White stated that there had been a lot of work going into it by a lot of people including dedicated staff of Public Works and others who were mentioned yesterday and thought the Quality of Life Committee would be the appropriate committee and the appropriate venue for another hearing on the issue, and Council Member Holm stated that she concurred with Council Member Edwards and was happy to address it in the Quality of Life Committee.

Council Member Goldberg moved to suspend the rules to consider Item Numbers 32 and 65 out of order, seconded by Council Member Quan. All voting aye. Nays none. Council Member Berry absent. MOTION 2005-0622 ADOPTED.

32. ORDINANCE awarding contract to **NEW CINGULAR WIRELESS NATIONAL ACCOUNT, LLC**, and contract to **GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP d/b/a VERIZON WIRELESS** by **SAN ANTONIO MTA, LP, IT'S GENERAL PARTNER, BY VERIZON WIRELESS TEXAS, LLC, IT'S GENERAL PARTNER AND SAN ANTONIO MTA, LP, d/b/a VERIZON WIRELESS BY VERIZON WIRELESS TEXAS, LLC, IT'S GENERAL PARTNER**, for Wireless Voice and Data Telecommunications Services for Various Departments; providing a maximum contract amount - 2 Years with 3 one-year options - \$9,471,245.00 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0822 ADOPTED.

Mayor White stated that he wanted to thank Mr. Terrance Fontaine who had significantly reduced the regular cell phone usage and thought that Council Members had been briefed.

65. ORDINANCE approving and authorizing Duty Free Concession Agreement by and between the City of Houston and **THE NUANCE GROUP (HOUSTON) LLC** at George Bush Intercontinental Airport/Houston - Revenue - **DISTRICT B - GALLOWAY** – (**This was Item 30 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBERS HOLM, GALLOWAY, GREEN, KHAN, WISEMAN and SEKULA-GIBBS**) – was presented.

Council Member Alvarado moved to refer Item No. 65 back to the administration for re-evaluation, seconded by Council Member Ellis. Mayor White stated that they did not oppose the motion to refer Item 65 back to the administration, that they wanted to make sure all of the questions had been answered concerning the process and it did not signify any change in the administration's position.

Council Member Quan asked if there was any time period that they were looking at as far as urgency, had the contract expired, and Mayor White stated that they would do it as quickly as possible, that it would not be a matter of months.

After further discussion by Council Members, Council Member Ellis requested that the selection team allow the four vendors to come in for an oral presentation or at least the top two.

A vote was called on the motion to refer Item No. 65 back to the administration. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0623 ADOPTED.

CONSENT AGENDA NUMBERS 1 through 57

MISCELLANEOUS - NUMBERS 5 and 7

5. RECOMMENDATION from Director Department of Planning & Development for the designation of two residential parking permit areas and related parking regulations in the Super Neighborhood of University Place - **DISTRICTS C - GOLDBERG and G – HOLM** -

was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0624 ADOPTED.

7. RECOMMENDATION from Director Department of Public Works & Engineering to approve refund to Reliant Park for Water & Sewer Account - \$50,727.40 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0625 ADOPTED.

ACCEPT WORK - NUMBERS 8 and 9

8. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$725,614.03 and acceptance of work on contract with **TEXAS LIQUA TECH SERVICES, INC** for Central Administration Building, Volker Building and Property Room Roof Replacement, GFS G-0066-07-3 - 04.25% over the original contract amount - **DISTRICT H - GARCIA** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0626 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,829,563.68 and acceptance of work on contract with **W. W. WEBBER, INC formerly known as CHAMPAGNE WEBBER INC, TEXAS** for Construction of Airport Boulevard Bridge at Sims Bayou, GFS N-0445N-18-3 (N-0445N-18) - 03.99% over the original contract amount - **DISTRICT D - EDWARDS** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0627 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 17

11. **FOSTER FENCE CORPORATION** - \$506,405.55 and **DOW PIPE & FENCE SUPPLY COMPANY** - \$370,426.35 for Security Fencing Upgrade for Department of Public Works & Engineering - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0628 ADOPTED.
12. **HYDRAFLO, INC** for Fire Hydrant Repair Parts for the Department of Public Works & Engineering - \$841,935.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0629 ADOPTED.
15. **MIDWEST FACTORY WAREHOUSE** for Shelving, Pallet Racks and Lockers Contract for Various Departments - \$251,595.67 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$246,563.76 - General, Enterprise and Fire Department Revolving Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0630 ADOPTED.
16. **ALL AMERICAN POLY** for Linear Low Density Polyethylene Bags Contract for Various Departments - \$1,211,774.66 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$1,191,774.66 - General and Enterprise Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0631 ADOPTED.

17. **CUSTOM PRODUCTS CORPORATION** for Traffic Sign Blanks, Aluminum for Various Departments - \$645,795.28 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$632,879.37 - General and Enterprise Funds - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0632 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 20 through 56

20. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of fee-owned street right-of-way acquired for the Scott Street widening project, containing 7,442.50 square feet of land, more or less, Parcel SY4-017, consisting of the remainder of Lots 1, 3 and 5, Block 3, W. L. Edmundson, Addition No. 2, Houston, Harris County, Texas; vacating and abandoning said tract of land to Sam J. Musachia and Olga Araceli Musachia, abutting owners, in consideration of owners' payment of \$46,512.00 and other consideration to the City - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0823 ADOPTED.
21. ORDINANCE renaming Jerich Drive to Jerek Drive between Etzel and Lance Circle - **DISTRICT D - EDWARDS**- was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0824 ADOPTED.
22. ORDINANCE consenting to the addition of 7.163 acres of land to **CY-CHAMP PUBLIC UTILITY DISTRICT**, for inclusion in its district- was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0825 ADOPTED.
23. ORDINANCE consenting to the addition of 26.5648 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 63**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0826 ADOPTED.
24. ORDINANCE consenting to the addition of 116.0463 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0827 ADOPTED.
25. ORDINANCE consenting to the addition of 134.8061 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 393**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0828 ADOPTED.
26. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 457** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0829 ADOPTED.
27. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 458** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0830 ADOPTED.
28. ORDINANCE consenting to the addition of 81.7917 acres of land to **HUNTER'S GLEN MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0831 ADOPTED.
29. ORDINANCE consenting to the addition of 3.2064 acres of land to **REID ROAD**

MUNICIPAL UTILITY DISTRICT NO. 1, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0832 ADOPTED.

31. ORDINANCE awarding contract to **SECURITY INTEGRATORS & CONSULTING, INC** for Security System Maintenance Services for Building Services Department; providing a maximum contract amount - 3 Years with two one-year options - \$739,458.00 - General Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and G - HOLM** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0833 ADOPTED.
34. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **STERICYCLE, INC** for Bio-Hazardous Medical Waste Collection and Disposal Services for Various Departments; (as approved by Ordinance No. 98-574) - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0834 ADOPTED.
35. ORDINANCE appropriating \$157,500.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT Construction Fund (535); authorizing the purchase of land and improvements thereon out of the McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476.67-1; (Project 617); approving a purchase and sale agreement with the owner of the land (Alex P. Magana, Jr. and Rosa L. Magana) - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0835 ADOPTED.
36. ORDINANCE appropriating \$495,909.22 out of Water & Sewer System Consolidated Construction Fund and \$937,004.74 out of Drainage Improvement Commercial Paper Series F for Construction of the City's Water, Sanitary, and Storm Sewer Lines in Metro Downtown and Midtown Transit Street Program - Louisiana Street from Spur 527 to Congress; GFS S-0443-15-3, R-0537-06-3, R-0537-04-3, M-0671-05-3, and M-0671-04-3; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Fund and the Drainage Improvement Commercial Paper Series F - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0836 ADOPTED.
38. ORDINANCE approving and authorizing an Indemnity and Maintenance Agreement between the City and **GREATER SOUTHEAST MANAGEMENT DISTRICT (GSEMD)** for right-of-way improvements - **DISTRICTS D - EDWARDS and I - ALVARADO** - had been pulled from the Agenda by the Administration, and was not considered.
39. ORDINANCE appropriating \$80,445.90 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water & Sanitary Sewer Lines in Section Three of the Skyview Park Subdivision, CIP S-802-27-03 & R-802-27-03 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0837 ADOPTED.
40. ORDINANCE appropriating \$46,327.95 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water & Sanitary Sewer Lines in Section Three of the Autumn Glen Subdivision, CIP S-802-29-03 & R-802-29-03 - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0838 ADOPTED.

41. ORDINANCE awarding construction contract to **BIG STATE EXCAVATION, INC** for Construction of Water, Sanitary Sewer and Storm Drainage Systems to serve Section Two of the Sierra Vista Subdivision; approving and authorizing assignment of the construction contract to **KB HOME LONESTAR, LP**, CIP S-0800-F7-3 and R-0800-F7-3 (DPC-083) - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0839 ADOPTED.
42. ORDINANCE appropriating \$352,203.00 out of Series E Commercial Paper Metro Projects Fund and approving and authorizing contract between the City of Houston and **ISANI CONSULTANTS, INC** for the Neighborhood Street Reconstruction Project - Freeway Manor Subdivision, GFS N-0372-02-3 (SB9039) - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0840 ADOPTED.
45. ORDINANCE appropriating \$27,150.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract with **MALCOLM PIRNIE, INC** (approved by Ordinance No. 04-0402), GFS S-0700-60-2 (WA10802) **DISTRICTS B - GALLOWAY; C - GOLDBERG and F - KHAN** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0841 ADOPTED.
46. ORDINANCE appropriating \$546,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 49R and approving and authorizing Professional Engineering Services Contract between the City of Houston and **SES HORIZON CONSULTING ENGINEERS, INC** for Design of Whiteheather / Bathurst Drainage Improvements, GFS M-0262-01-2 (SM5056) **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0842 ADOPTED.
48. ORDINANCE appropriating \$338,562.00 out of Street & Bridge Consolidated Construction Fund No. 437, as an additional appropriation for Professional Engineering Services contract between the City of Houston and **J. F. THOMPSON, INC** for Design of South Shaver Road from Gulf Freeway (IH-45) to Galveston Road (State Highway 3) (approved by Ordinance No. 91-1826); GFS N-0582-01-02 (SB9006); providing funding for 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 Member Berry absent on city business. ORDINANCE 2005-0843 ADOPTED.
52. ORDINANCE appropriating \$220,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for On-Call Transportation Engineering Services, GFS N-0662-19-2 (SB9124); under Professional Engineering Services contract with **GUNDA CORPORATION, INC** (approved by Ordinance No. 02-0600); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0844 ADOPTED.
53. ORDINANCE appropriating \$428,500.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation and approving and authorizing second amendment to Professional Services Contract between the City of Houston and **OTHON, INC** (approved by Ordinance No. 02-0837) for Design of Ground Water Pumping Station for the Park Glen Subdivision, GFS S-1000-09-2 (WA10743); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT F - KHAN** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0845 ADOPTED.

54. ORDINANCE appropriating \$4,954,468.65 from the Series E Commercial Paper Metro Fund, \$661,966.00 from the Drainage Improvement Commercial Paper Fund and \$1,107,433.35 from the Water & Sewer System Consolidated Construction, awarding contract to **TOTAL SITE, INC** for Neighborhood Street Reconstruction Project No. 439A, GFS N-0372-02-3 (SB9039); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund, the Drainage Improvement Commercial Paper Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0846 ADOPTED.
55. ORDINANCE appropriating \$6,417,942.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method (LDS), GFS R-2013-13-3 (WW4258-18); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0847 ADOPTED.
56. ORDINANCE finding and declaring public convenience and necessity for the acquisition of easements and rights-of-way in connection with the public improvement project known as the Halls Bayou Hike and Bike Trail (from Hirsch Road to Missouri Pacific Railroad); authorizing the acquisition of certain real property and real property interests within the right-of-way alignment and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisals Fees, Title Policies/Services, Recording Fees, Court Costs, and Expert Witness Fees in connection with the following parcels of land situated in Harris County, Texas: 3,091 square feet of land out of Reserve "A" Calgary Woods Subdivision (apparent owner Harold N. Raizes, Trustee); 1,006 square feet of land out of Lot 14, Block 1 of Calgary Woods Subdivision (apparent owner Bennie Blacke); 1,975 square feet of land out of Lot 15, Block 1 of Calgary Woods Subdivision (apparent owners Stevenson L. Dansby and Effie Dansby); 3,660 square feet of land out of Lots 16 and 17, Block 1 Calgary Woods Subdivision (apparent owner Harold N. Raizes, Trustee); 1,713 square feet of land out of Lots 18 and 19, Block 1 of Calgary Woods Subdivision (apparent owner Kashmere Gardens Baptist Church); 4,884 square feet of land out of Lots 78 and 79 Block 6, of Benmar Place Subdivision (apparent owners Praxedis Zamora And Rosa E. Zamora); 2,550 square feet of land out of Lots 76 and 77, Block 6 of Benmar Place Subdivision (apparent owner Ruth A. Murillo); 821 square feet of land out of Lot 283, Block 17 of Bristol Place Subdivision (apparent owner Leigh & Alan Investments, Inc., a Texas Corporation); 65,734 square feet of land situated in the W.P. Mays Survey, A-576 (apparent owner Benjamin Tristan); 6,421 square feet of land out of the Commercial Reserve, Block 1 of the replat of Oak Briar Terrace Subdivision (apparent owners Geoffery Chow and Alice H. Chow); 14,709 square feet of land; 26,899 square feet of land out of the W.P. Mays Survey, A-576 (apparent owner Solid Rock Baptist Church, a Texas Non-Profit Corporation); 98,739 square feet of land of the W.P. Mays Survey, A-576 (apparent owner North Forest Independent School District); 2,473 square feet of land out of the Eli Noland Survey, A-600 (apparent owner Shell Pipeline Company LP, a Delaware Limited Partnership); 28,707 square feet of land situated in the Eli Noland Survey, A-600 (apparent owner C.M Garver, Trustee); 6,125 square feet of land out of the Eli Noland Survey, A-600 (apparent owner Carlross Morris and Stewart Morris) - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0848 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. RECOMMENDATION for adoption of **CAPITAL IMPROVEMENT PLAN** for Fiscal Years 2006 through 2010 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Goldberg offered the following written motion to amend Item No. 3:
“That CIP N-0622 (Project: Buffalo Speedway Paving) be moved up to FY 06 and that the scope of work be changed to include the extension of Willowbend from Buffalo Speedway to South Main. Buffalo Speedway construction from Willowbend to Holmes Road be deleted. Attached is an outline for funding sources at this time. (Outline on file in office of City Secretary). , tagged by Council Member Goldberg.

Council Member Wiseman offered the following written motion to amend Item No. 3:
“Amend the Fiscal Year 2006-2010 Capital Improvement Plan Project N-0574 Monroe Paving: Alameda Genoa to Fuqua to reflect the adopted Fiscal Year 2005-2009 Capital Improvement Plan funding schedule.”, tagged by Council Member Wiseman.

Council Member Wiseman stated that she would tag the main item also.

Council Member Garcia offered the following written motion to amend Item No. 3:
“Motion No. 1
Motion to add 3,000 sq. foot community room at the Moody Park Recreation Center. Fiscal Note: \$450,000 - to be put in FY09 Parks Undetermined funding”, tagged by Council Member Garcia.

Council Member Garcia offered the following written motion to amend Item No. 3:
“Motion No. 2
Motion to add North Lindale Subdivision street reconstruction, consisting 41,370 feet of streets to have new pavement, storm sewer, water and waste water, and sidewalks. Fiscal Note: \$20,612,439”, tagged by Council Member Garcia.

Council Member Sekula-Gibbs stated that she would tag Item No. 3 and offered the following written motion to amend Item No. 3 as follows:

“I move to amend the Capital Improvements Plan for Fiscal Year 2006-2010 as follows:
The City of Houston shall adopt a policy to put all our efforts into maintaining our existing buildings and to provide the funding necessary to bring the structures to their highest standards before constructing new buildings unless a clear need is demonstrated.”, tagged by Council Member Sekula-Gibbs.

4. RECOMMENDATION for adoption of Fiscal Year 2006-2010 **EQUIPMENT ACQUISITION REPLACEMENT PLAN** for General Fund Departments – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. nays none. Council Member Berry absent on city business. MOTION 2005-0633 ADOPTED.

Mayor White stated that they may have set a record of adopting the equipment budget before the beginning of the fiscal year and during his administration it was going to be their intention to follow that practice.

6. RECOMMENDATION from Director Department of Planning & Development to amend the parking regulations for the south side of the 5700 block of Logan in the Super Neighborhood of Washington Avenue/Memorial Park - **DISTRICTS C - GOLDBERG and G - HOLM** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Ellis.

PURCHASING AND TABULATION OF BIDS

10. **SIEMENS AIRFIELD SOLUTIONS, INC** - \$242,650.00, **HUGHEY & PHILLIPS, INC**, a wholly owned subsidiary of Honeywell International, Inc., currently doing business as (**HONEYWELL ELECTRONICS AND LIGHTING**) - \$1,300,000.00, **FLIGHT LIGHT, INC** - \$740,280.00, **TURTLE AND HUGHES, INC** - \$1,919,400.00 and **LUMACURVE AIRFIELD SIGNS** - \$37,750.00 for Airfield Lighting for the Houston Airport System and the Police Department - \$4,240,080.00 - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0634 ADOPTED.
13. **DON MCGILL TOYOTA** for Automotive, Toyota (OEM) Car/Light Truck Replacement Parts and Service for Various Departments - \$816,000.00 - General and Fleet Management Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Goldberg.
14. **KEY MAPS, INC** for Directories, Street Guides for Various Departments - \$247,970.64 - General, Grant, Enterprise and Storm Water Funds – was presented, moved by Council Member Alvarado, seconded by Council Member Khan.

After a lengthy discussion by Council Members a vote was called on Item No. 14. All voting aye. Nays none. Council Member Berry absent on city business. Council Member Goldberg absent. MOTION 2005-0635 ADOPTED.

RESOLUTIONS AND ORDINANCES

18. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Single Family Mortgage Revenue Bonds, Series 2005 and approving the Preliminary Official Statement with respect to such bonds - was presented. All voting aye. Nays none. Council Member Berry absent on city business. RESOLUTION 2005-0011 ADOPTED.
19. ORDINANCE approving and authorizing first amendment to declaration of land-use restrictions (restrictive covenants) for the Summercrest Apartments, an affordable housing apartment project located at 3950 Hollister Road, (and also having a street address of 8655 Pitner Road), Houston, Texas - **DISTRICT A – LAWRENCE** – was presented.

Council Member Galloway stated that she had concerns about the RCA stating that they were going to take the 15 units and going to eliminate them, that she was saddened for the low income that they would not have rent available from \$175 to \$200 per month, that she guessed they were eliminating housing for the poor and that included the 15 units. Council Member Berry absent.

Mayor White stated that was a fair request for Mr. Wilson or somebody in Housing and Community Development. Council Member Berry absent.

A vote was called on Item No. 19. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0849 ADOPTED.

30. ORDINANCE approving and authorizing the acceptance of grant funds from the Office of National Drug Policy for the 2005 High Intensity Drug Trafficking Area Grants Program; declaring the City's eligibility for such grant; authorizing the Chief of the Houston Police Department to accept such grant funds and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0850 ADOPTED.

33. ORDINANCE amending Ordinance No. 2000-901 to increase the maximum contract amount to contract between the City of Houston and **ANTHONY HUTCHISON EXTERIOR DESIGN** for Grounds Maintenance and Landscaping Services for Public Works & Engineering Department \$111,947.48 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0851 ADOPTED.
37. ORDINANCE appropriating \$188,750.00 out of Street & Bridge Consolidated Construction Fund for Local Match Funds for Construction of Texas Department of Transportation (TXDOT) Bikeway Project Houston Heritage East Trail - Segment I; GFS N-0420-17A-3 (SB9149-02); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0852 ADOPTED.
43. ORDINANCE appropriating \$1,064,367.00 out of General Improvements Consolidated Construction Fund, and \$260,823.00 out of Fire Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **BOVAY ENGINEERS, INC** for City-Wide Facilities Electrical Upgrade to support New Information Technology Network; GFS D-0119-02-2 and C-0162-02-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund and the Fire Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0853 ADOPTED.
44. ORDINANCE appropriating \$273,000.00 out of Drainage Improvements Commercial Paper Series F, Fund No. 49R as an additional appropriation for Professional Engineering Services Contract between the City of Houston and **BURK-KLEINPETER, INC** for Design of Central Park Subdivision Storm Sewer Facilities (Phase II) (approved by Ordinance No. 00-0560), GFS M 0186-01-2 (SM5006); providing funding for contingencies relating to construction of facilities financed by the Drainage Improvements Commercial Paper Series F, Fund No. 49R **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0854 ADOPTED.
47. ORDINANCE appropriating \$494,250.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **BARNHART ENGINEERING** for Design of Two Bike/Pedestrian Bridges Across Brays Bayou; GFS N-0420-07-2 (SB9211); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT D – EDWARDS** - was presented, and tagged by Council Member Lawrence.
49. ORDINANCE appropriating \$315,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Traffic Engineering Services Contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for On-Call Transportation Engineering Services (approved by Ordinance No. 04-0291), GFS N-0650-17-3 (SB9050-05); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0855 ADOPTED.
50. ORDINANCE appropriating \$220,000.00 out of the Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TEDSI INFRASTRUCTURE GROUP, INC** for City-Wide On-Call Transportation Engineering Services; GFS N-0650-18-2 (SB9212); providing funding for contingencies relating to construction of facilities financed by the

Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0856 ADOPTED.

51. ORDINANCE appropriating \$220,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **LJA ENGINEERING & SURVEYING, INC** for City-Wide On-Call Transportation Engineering Services, GFS N-0650-19-2 (SB9213); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0857 ADOPTED.
57. ORDINANCE appropriating \$75,000.00 out of Public Health Consolidated Construction Fund for Renovation of La Nueva Casa De Amigos Health Clinic, GFS H-0062-01-3 - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0858 ADOPTED.

MATTERS HELD - NUMBERS 59 through 73

59. **PETROLEUM TRADERS CORPORATION (Bid No. 2)** for Fuel, Low Sulfur Diesel and Reformulated Gasoline for Finance & Administration Department - \$64,347,000.00 - Central Service Revolving Fund – (**This was Item 8 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBERS KHAN and WISEMAN**) – was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Berry absent on city business. MOTION 2005-0636 ADOPTED.
60. ORDINANCE repealing Section 603.9.3 of the City of Houston Fire Code, relating to Automatic Excess Flow Gas Shut-off Devices – (**This was Item 15 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBERS GREEN and GARCIA**) - was presented.

Council Member Galloway stated that there had been quite a bit of information going back and forth on the item and it was probably something that he wanted to make sure may be a joint committee between regulation and public safety to make sure they were all clear on the item, and Mayor White stated that yes, they were comfortable moving forward on the item.

A vote was called on Item No. 60. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0859 ADOPTED.

61. ORDINANCE approving and authorizing renewal contract for Programming Services between the City of Houston and **HOUSTON MEDIASOURCE** for Public Access Channel – (**This was Item 20 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER WISEMAN**) – was presented.

Council Member Wiseman stated that she had concerns about Houston Media Source, which on her cable system was Channel 98, the concerns she had dealt with the lack of oversight with respect to the programming, that if they tuned in after midnight they would find that the programming on that channel went beyond what some would consider questionable, that she turned the television on and there was a program, a standup comedian doing a show and she was offended by what was said, that every other word by the comedian was the “F” word and as far as the content it was graphic and sexist, it was not appropriate and the additional video footage that they included with his standup performance was also offensive and they should be able to have some say with respect to what was obscene and what the community would tolerate, that it went beyond what the cable programs had as far as the obscene nature of the material she would have to vote no on the item on principal.

Council Member Sekula-Gibbs stated that she had to support her colleague in bringing it

to their attention, that she was really surprised to hear that this type of situation was occurring and that the City of Houston was supporting, through a financial arrangement, that type of programming and thought they ought to at the very least delay the item so that they could understand the relationships and the financial arrangements that the City had with The Media Source.

Council Member Sekula-Gibbs moved to postpone Item No. 61 for two weeks, seconded by Council Member Wiseman.

After a lengthy discussion by Council Members, Council Member Khan asked what was the legal position that the City had, and Mr. Michel stated that he knew there were First Amendment issues involved and the Legal Department had issued memos in the past, that he was going to compile those to make sure they were updated and distribute them to City Council, that he would confirm if the City had to fund it, that they were just a conduit through their franchise agreements.

A vote was called on the motion to postpone Item No. 61 for two weeks. Council Members Lawrence, Goldberg, Edwards, Quan and Green voting no, balance voting aye. MOTION 2005-0637 ADOPTED.

62. ORDINANCE approving and authorizing first amendment to contract between the City and **JAY H. ROSENFELD** for Redesign of Administrative Support Services within the Health and Human Services Department; providing a maximum contract amount - \$147,000.00 - General Fund – **(This was Item 25 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBERS KHAN and SEKULA-GIBBS)** - was presented.

After discussion by Council Members, Council Member Garcia moved to call the question, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Berry absent on city business. Council Members Lawrence and Ellis absent. MOTION 2005-0638 ADOPTED.

A vote was called on Item No. 62. Council Member Sekula-Gibbs voting no, balance voting aye. Council Member Berry absent on city business. ORDINANCE 2005-0860 ADOPTED.

63. ORDINANCE amending Ordinance Number 2004-0491 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City and **HOUSTON ADVANCED RESEARCH CENTER** for Environmental Public Health Services - \$59,218.19 Grant Fund – **(This was Item 26 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBERS KHAN and SEKULA-GIBBS)** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0861 ADOPTED.

64. ORDINANCE appropriating \$273,000.00 out of Airport System Improvement Fund (561); authorizing purchase of 3.5 acres of land out of the A. R. Bodman Survey, A-141, Houston, Harris County, Texas, for Expansion of Bush Intercontinental Airport, CIP A-0421-05.1; approving purchase and sale agreement with the owner of the land (QAS, LTD.) - **DISTRICT B - GALLOWAY** – **(This was Item 29 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. Council Member Wiseman voting no, balance voting aye. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0862 ADOPTED.

66. ORDINANCE approving and authorizing second amended and restated Major Freeway Tow Agreements with Towing Company Operators and authorizing the Chief of Police to enter into contracts between the City of Houston and **ALLIED COLLISION CENTER**,

CANNINO WEST, INC, CORPORATE AUTO SERVICES, INC, FIESTA WRECKER SERVICE, KTL ENTERPRISES, INC, MILAM STREET AUTO STORAGE, INC, NATIONAL AUTO COLLISION, INC, NORTH HOUSTON MOTORS, INC, T & T MOTORS, UNIFIED AUTO WORKS and WESTSIDE WRECKER SERVICE, INC, for Major Freeway Towing and Emergency Road Service - \$1,500,000.00 - HPD Police Special Services Fund – **(This was Item 33 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS)** – was presented. Council Members Wiseman and Sekula-Gibbs voting no, balance voting aye. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0863 ADOPTED.

67. ORDINANCE approving and authorizing contract between the City of Houston and **JOHN L. WORTHAM & SON, L.P** for Insurance Broker of Record Services; providing a maximum contract amount - 5 Years - \$907,500.00 - Insurance Revolving Fund – **(This was Item 34 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER GREEN)** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0864 ADOPTED.
68. ORDINANCE approving and authorizing second amendment to contract between the City and **MERCER HUMAN RESOURCES CONSULTING, INC** for Actuarial Valuation and Consulting Services; providing a maximum contract amount - \$400,000.00 - General Fund – **(This was Item 35 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0865 ADOPTED.
69. ORDINANCE appropriating \$396,091.20 out of Fire Consolidated Construction Fund as an additional appropriation for construction and concrete Repair Services, GFS C-0089-02-3, under construction contract with **TEXAS STERLING CONSTRUCTION L.P.** (approved by Ordinance No. 2001-0119) - **DISTRICT H - GARCIA** – **(This was Item 38 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0866 ADOPTED.
71. ORDINANCE appropriating \$837,767.85 out of Street & Bridge Consolidated Construction Fund No. 437, awarding contract to **NBG CONSTRUCTORS, INC** for Rehabilitation to Elysian Viaduct Bridge, GFS N-0445-05-3 (SB9005-03); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund No. 437 - **DISTRICT H – GARCIA** – **(This was Item 57 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0867 ADOPTED.
72. ORDINANCE appropriating \$6,206,980.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **INSITUFORM TECHNOLOGIES, INC** for Sanitary Sewer Rehabilitation by Cured-in-Place Pipe Method, GFS R-2013-12-3 (WW4258-17); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – **(This was Item 66 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. Council Member Ellis absent. ORDINANCE 2005-0868 ADOPTED.
73. ORDINANCE awarding construction contract to **C. E. BARKER, LTD.** for Construction of Water, Sanitary Sewer and Storm Drainage Systems serving Section Five of the Southway Subdivision; approving and authorizing an assignment of the construction contract to

SOUTHWAY BUSINESS PARK, LTD.; CIP S-0800-D8-03 & R-0800-D8-03 (DPC-071) - **DISTRICT E – WISEMAN – (This was Item 67 on Agenda of June 22, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Berry absent on city business. ORDINANCE 2005-0869 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Quan stated that last night the community celebrated the appointment of the Indian Counsel General as Ambassador from India to Pakistan and he would be leaving Houston after three years, that he had done a great job and they wanted to acknowledge all of his wonderful work.

Council Member Quan stated that Mr. John Palmer from his office, who had been his agenda liaison for the last three years and would be going to the Housing and Community Development Department and wanted to acknowledge all of the fine work he had done for them over the last three years.

Council Member Quan stated that he wanted to wish his mother a Happy Birthday, that she was 80 years old today.

Council Member Quan stated that he wanted to wish everyone a Happy Fourth of July. Council Member Lawrence absent.

Council Member Ellis stated that they had been working on the guidelines with regard to the Tax Incremental Reinvestment Zones and what budgets would be acceptable and what budgets for their administrative costs would be acceptable, that tomorrow he, Mr. Clark Lord and Mr. Philip Scheps, and they would invite Council Member Quan if he could make it, would be meeting to try and finalize some type of process of which they wanted to be able to forward to the Mayor's office next week for him to evaluate it, that hopefully they would be able to have a Fiscal Affairs meeting on July 12, 2005, at that time they would have open discussion with some of the managers and some of the lawyers for the Tax Incremental Reinvestment Zones and see if they had any input and possibly spend another week re-evaluating and listening to what the Council Members thought about it, if they thought it was fair or if the guidelines were too strict or not strict enough and so forth, that hopefully by the third week in July 2005 they could start having budget hearings on those different Tax Incremental Reinvestment Zones, that he wanted to let them know because once they had it finalized they would be sending it to the Mayor's office for his approval, suggestions and changes and it would be their hope to bring it to the Fiscal Affairs on July 12, 2005 for discussion by Council Members, committee members, as well as the lawyers from the different Tax Incremental Reinvestment Zones, consultants and managers. Council Members Lawrence and Alvarado absent.

Mayor White stated that he had gone through the budgets of each of the TIRZs and had tried to understand as much as he could about the details of each, that he would say to individual Council Members who had TIRZs in their districts that they needed their insights into what was going on. Council Members Lawrence, Galloway, Holm, Garcia and Alvarado absent.

Council Member Goldberg stated that the issue of eminent domain, he thought, was on the minds of a lot of the citizens and the Supreme Court decision laid out in its decision that City officials could regulate it and restrict it as much as possible and he thought it was an appropriate time for them to consider that, at a minimum they should incorporate an ordinance that says that they would not take an individual, single family home, that was not to be used or owned by the City, that they would not take someone's house for a private venture that the City had no partnership or ownership in, that he thought they should do more than that but that was a good place to start, that he would like to see the issue taken up in the appropriate committee or something come forth from the Legal Department. Council Members Lawrence, Galloway,

Holm and Alvarado absent.

Council Member Wiseman stated that last Monday night she took part in a pep rally at Kingwood High School to celebrate Kingwood student athletes, that the Mayor was present and did the honors of presenting a proclamation to the school, that it was her understanding that Kingwood was the most winning school in UIL history, that four of their teams won State championships this year, Boys Basketball, Boys Swim Team, Girls Cross Country and Boys Baseball Team, that she wanted to give them kudos for that. Council Members Lawrence, Galloway, Holm and Alvarado absent.

Council Member Wiseman stated that she wanted to bring up a maintenance problem on Kingwood Drive at Chestnut Ridge, the street was reduced to one lane yesterday morning and by yesterday evening nothing had been done beyond the breaking up of the concrete that had been broken up, that all day long that street sat with one lane shut down, that it was one of two major artery's taking 60,000 to Highway 59, that it created quite a problem, that they were out there working today but she wanted to visit with the department to see if they would in the future work with them if they were going to take such an effort so that they could get the word out to the community. Council Members Lawrence, Galloway and Alvarado absent.

Council Member Wiseman stated that she wanted to thank Council Member Green for assisting her yesterday, that she was out on City business and as they knew their Student Page Program was ongoing so Council Member Green was so nice to take over for her and visit with the children and host them at City Hall. Council Members Lawrence, Galloway and Alvarado absent.

Council Member Edwards stated that on the issue of eminent domain she joined Council Member Goldberg in that concern, but would like to suggest that they have either one of the committees look at it because as she understood they already did that in Texas, that Texas State Law allowed for them to do that, that she needed clarity as to what was going on and how were they going to move on it. Council Members Lawrence, Galloway, Alvarado and Green absent.

Council Member Edwards stated that the Walk With Me situation, the problems that the non profit organization was having with Code Enforcement and Code Occupancy, that she wanted to thank Fire Marshall Inspector Alvin James for his work and being as professional as he was in a very trying situation, that she also wanted to thank members of the Black Fire Fighters Association that went out there and tried to give aid and comfort and tried to help the group out, and also Captain Karen Dupont of the Fire Department, they thanked her very much for her work and working on the issue and getting them as much concrete information so that work could be done, and Mr. Terrence Fontaine from the Mayor's office, that hopefully the organization would be back and running up, they had over 300 young people involved in their program. Council Members Lawrence, Galloway, Wiseman, Alvarado and Green absent.

Council Member Edwards stated that she wanted to thank her colleagues for their support of the Columbia Bike Tap situation, that she wanted to thank the South McGregor Civic Club, her staff, Public Works and Engineering and all of the Quality of Life organizations who came to Council in support of the bike tap. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that they had an excellent cleanup on Saturday thanks to the help of Anthony Freddie and Neighborhood Protection, Keep Houston Beautiful and the Alameda Plaza Civic Club, that they got a lot of work done and a lot of lots cut in the Alameda Plaza area. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that they had a very serious townhall meeting on

Tuesday, July 5, 2005, and they encouraged as many At-Large Council Members to be there as well as anyone else, that there were a lot of issues going on in the Montrose area, from the homelessness situation, illegal drugs and prostitution, that it would be at 6:30 p.m. at the West Gray Multi Service Center at 1475 Gray. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that the Houston Comets won last night, that it was a good game and it was great to see the Comets win. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to congratulate Ms. Dena Gray in her office, she moved to the Housing Department and was now the Administrative Manager of the HOPWA Program. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that they would be holding a Public Safety and Homeland Security Committee meeting on Tuesday in Council Chamber at 2:00 p.m. and would encourage his colleagues to attend. Council Members Lawrence, Galloway, Goldberg, Alvarado and Green absent.

Council Member Garcia stated that they had a press conference scheduled tomorrow on the steps of City Hall to announce the importance of being vigilant of preventing celebratory gunfire in relation to the Fourth of July and also the issue of spectators along the shoulders of the freeways. Council Members Lawrence, Galloway, Goldberg, Alvarado and Green absent.

Council Member Garcia stated that he wanted to congratulate Mr. Benito Juarez for a very successful townhall meeting on Saturday, that it was well attended and there was good dialog, that Council Member Quan was in attendance and a lot of important and helpful information was shared. Council Members Lawrence, Galloway and Green absent.

Council Member Garcia stated that he wanted to congratulate the Ryan Civic Association area, they celebrated their 65th birthday and Council Member Galloway was the keynote speaker and it was a pleasant event. Council Members Lawrence, Galloway and Green absent.

Council Member Garcia stated that they had a lot of fun with the Gay Pride Parade and walking with Mayor White and Council Member Green and Congressman Green and some other folks, that he was impressed that the Mayor stated that it was the number one parade in the City in attendance. Council Members Lawrence, Galloway and Green absent.

Council Member Garcia stated that he wanted to congratulate Chief Hurtt on dealing with the issue of day laborers and homeless in District H, that he wanted to commend Sergeant Zeller with the Central Tactical Unit for her approach to the issue. Council Members Lawrence, Galloway and Green absent.

Council Member Garcia stated that the Public Safety meeting would be on Monday, July 11, 2005 at 10:00 a.m. Council Members Lawrence, Galloway and Green absent.

Mayor White stated that the Fire Marshall's were having a press conference, that it was dry out and everybody wanted to celebrate the Fourth of July with displays but they did not want anybody's house to be burned down. Council Members Lawrence, Galloway and Green absent.

Council Member Holm stated that Ms. Nancy Brewer had decided not to leave the District G Council office and would be staying, that she wanted to introduce Ms. Samantha Munding, who had joined their team to do scheduling, work with constituent services and assist her with some committee assignments. Council Members Lawrence, Galloway and Green absent.

Council Member Alvarado stated that she wanted to request some assistance and an opinion from the City Attorney, she received some information from the Texas Municipal League that there was an AG opinion that changed the open meetings act, that before they were always concerned with a quorum of Council Members discussing business but with the AG's opinion it really hurt Council Members, it stated that when a number less than a quorum discussed public business were subject to the act, that she would ask the City Attorney to look at it and let them know what the provisions were and what exactly it meant. Council Members Lawrence, Galloway and Green absent.

Council Member Alvarado stated that the Legislature passed some things that they as Council Members and the County Commissioners would be subject to, some extra financial disclosure forms that they were subject to, but somehow the Legislature did not include themselves, those were some other things that she would ask the City Attorney to look at. Council Members Lawrence, Galloway and Green absent.

Council Member Alvarado stated that there was also some open government training that they were all subject to have to go through and it would take effect January 1, 2006 and they would have to go through the training by January 1, 2007, that she was not sure if it was just Municipal and County employees but it was something that would be coming up fairly soon that Council Members would have to be prepared for know the ramifications and process for that. Council Members Lawrence, Galloway and Green absent.

Council Member Alvarado stated that the new \$50 fee that was imposed on the intoxication the City would keep only \$5 of that and the rest would go back to the State Comptroller for Drug Court Programs, that was not the only one, a new \$4 court fee that went back to the State to increase the jury duty pay, that there were many others that affected the Municipal Courts, that she hoped the City Attorney would get back with them on the first three that she talked about and that they have another more in-depth legislative briefing after the special session to go through some of those things.

Council Member Quan stated that he appreciated Council Member Alvarado raising the issues regarding ethics, that their Ethics Committee did plan to have another meeting after they digested what the Legislature did, that also he wanted to remind Council Members that filing was due today, if they asked for 60 day extension tomorrow was the last day to file the latest report, but that may obviate their need to file their report through the City so they were going to be looking at whether it was redundant to be filing the report that they normally filed in October and now filed this report in April or June. Council Members Lawrence, Galloway and Green absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate the Municipal Channel for receiving seven Pegasus Awards, they were prestigious national recognition's for educational and governmental video creations and wanted to especially congratulate Ms. Carol Herrera, Mr. Miles Taylor, Mr. Chris Pinion, Ms. Gave Desda, Mr. Carlos Gonzales and Mr. Darrel Hughes who all worked very diligently at the Municipal Channel for their good work. Council Members Lawrence, Galloway, Ellis and Green absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate Ms. Lisa Diamond of her office who produced and directed the BARC show and it was one of the programs that got a Pegasus Award. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs stated that there was a very interesting movie that was showing at the Angelica Theater currently and would encourage them to take advantage of it, that it was called the "The Keeper, The Legend of Omar Kayum", that it was a beautiful movie set in present day Houston and flashed back to the Eleventh Century in Pursia, that the director and producer was from Houston. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs stated that she wanted to encourage the public to support the challenge they were issuing to the DOD in their decision to retire the bulk of the 147th International Fighter Wing that was currently stationed at Ellington Field, that Thursday, July 7, 2005, the BRAC Commissioners would be visiting Ellington Field and they were encouraging everyone to come out to Ellington Field at 10:00 a.m. on July 7, 2005 and show their support for the International Guard. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that on July 4, 2005 there would be an exciting basketball game, the teams consisted of Patrick Trahan of the Mayor's Office, Terrence Fontaine and Michael Moore versus Mayor White and his two sons, that it would be played at the Houstonian. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that on July 4, 2005 was the first year wedding anniversary for the Goldberg's. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to acknowledge the efforts of Council Member Edwards, that last Friday, at Sharpstown Mall, they had HIV testing and a lot of people were tested, that he wanted to encourage everybody to take an opportunity of the free testing. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that on Saturday there would be a seminar at the George R. Brown Convention Center titled Violence Against Women in South Asia, that in the Chronicle there was an article about a lady that was gang raped by the decree of the village council in Pakistan, that she was fighting those people and it had gone all the way to the supreme court of Pakistan, that she would be one of the speakers via telephone at the seminar, that it would be at 1:00 p.m., that Council Member Edwards would be representing Houston and would be one of the speakers at the seminar. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that the Association of Physicians of Pakistani Descent of North America Convention was starting tomorrow and would last from June 30, 2005 to July 4, 2005, that they wanted to thank Mayor White for representing the City at their main banquet on Saturday and everyone was looking forward to it, that there would be about 5,000 doctors and their family members visiting Houston, that he wanted to thank the efforts of members of the host committee in putting it together, and also wanted to thank Mr. Vacar, Airport System and HPD. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that when they celebrated the Fourth of July he hoped they would not look at it as just fireworks time and things of that nature, that he thought it was important for everyone to reflect what it meant to be an American. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:38 a.m. Council Member Berry absent on city business. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary