

City Council Chamber, City Hall, Tuesday, July 26, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 26, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director Mr. Jose Soto, Assistant Agenda Director present.

At 1:53 p.m. Mayor Pro Tem Alvarado stated that Council Member Sekula-Gibbs would begin the presentations; and Council Member Sekula-Gibbs stated that it was her pleasure to present a Proclamation to a notable genius and invited Mr. Kayvan Mashayekl and members of the crew and cast to the podium. Council Member Sekula-Gibbs stated that he was writer, director and producer of a movie called "The Keeper" which was a film telling a story of a financial immigrant from Houston who learned he was of direct descent to a eleventh century Persian scientist and poet and Houston was one of five locations for filming; and presented Mr. Mashayekl with a Proclamation for his film which had generated \$90,000.00 benefiting the Texas Children's Hospital; reminding all they were "Keepers of stories, traditions and beliefs" and proclaimed July 26, 2005 as "The Keeper Day" in Houston, Texas. Mr. Mashayekl stated that it was an honor to be present; and thanked all who shaped the City of Houston which brought him to make his film; and thanked and acknowledged all who worked on and took part in the film. Mayor White, Council Members Edwards, Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg invited Mr. Greg Marshal, the Director of Community and Government Relations, to the podium and stated that a couple of months ago in District C they broke the Guinness World Records in Nano Technology and invited Mr. Richard Smalley and Mr. Mafio Pasquallie along with the Director of the Center for Nano Science and Technology Mr. Wade Adams to the podium. Council Member Goldberg stated that what they were displaying was a small segment of the model which broke the world record, it was 360 meters long, taller than the tallest building in Houston; and presented them a Proclamation for carbon nanotubes being members of the family of carbon molecules, a unique form of carbon first discovered in Houston in 1985 at Rice University; that they weighed one-sixth as much as steel but 100 times stronger and they had potential to revolutionize energy production, storage and transportation with NASA being one who hoped to revolutionize rockets with it; and proclaimed April 22, 2005, as "Carbon Nanotube Day" in the City of Houston. Mr. Smalley stated that he was a Houstonian for almost 30 years now and this was a new polymer which conducted electricity and it would have a tremendous impact as it was developed for Houston and the State of Texas for new energy technologies and super strong materials and batteries; and presented certified pieces of the nanotube model for Council Member Goldberg and Mayor White. Mayor White, Council Members Edwards, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs complimented all of them for their work on behalf of the City of Houston and the world in reducing future energy needs. Mayor White, Council Members Edwards, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan invited Ms. Bapsy Sidhwa to the podium and stated that she was a distinguished international writer who had published four novels American Brat, Cracking India, The Bride and The Crow Eaters; that Cracking India was made into a film and she had received many awards; and presented her a Proclamation congratulating and commending her and proclaimed July 26, 2005 as "Bapsy Sidhwa Day" in Houston, Texas. Council Member Khan acknowledged all those present honoring Ms. Sidhwa and asked them to stand to be recognized; and Ms. Sidhwa stated that she was grateful to Mayor White, the City of Houston and the Houston City Council for honoring her so greatly and was humble to be in such good company today; and with all cities she had been in loved Houston. Mayor White, Council Members Goldberg Garcia and Green absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan congratulated Ms. Sidhwa and stated that she had been a great treasure to the Houston community and he wished her the very best. Mayor White, Council Members Goldberg Garcia and Green absent. Mayor Pro Tem Alvarado presiding.

At 2:18 p.m. Mayor Pro Tem Alvarado called the meeting to order and called on Father Kevin A. Collins of the Immaculate Heart of Mary which was within the Magnolia Park community to lead all in the prayer and Mayor Pro Tem Alvarado led all in the pledge. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

At 2:19 p.m. the City Secretary called the roll. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Council Members Khan and Quan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION ADOPTED.

Council Member Galloway moved to hear Ms. Ivy Spivey, Ms. Gwen Wolfe and Mr. Gary Bauch out of order, seconded by Council Member Ellis. All voting aye. Nays none. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0687 ADOPTED.

Council Member Wiseman stated that as a point of personal privilege she wanted to recognize the children in the Summer Page Program and introduced Amaya Valley, Charli Worrel, Jessika Cantu and Ashlee Cantu and asked them to stand to be recognized. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Ms. Ivy Spivey, 12410 San Lucia River Drive, Houston, Texas 77050 (281-590-8677) appeared and stated that today she was present with an Oak tree which was sold to her by Mr. Willie Hunter for \$25.00, but she had no idea it was the City's tree; that she called in and reported Mr. Hunter and he said she took it off her truck, but that was not true and he needed investigating; that he called Officer Hobb and said she took the tree. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Galloway, Ms. Ivy said it was a City tree; that it was sold to her off Homestead and Lee Road, but when she started noticing the trees down the street she realized it was a City tree; that Officer Hobb stated that they investigated and the gentleman working with Mr. Hunter admitted he did give her the tree but it was just a \$12.00 tree; and Ms. Ivy stated that it was the principal; that it was the City's tree; and she was told nothing could be done as no one saw anything; and Council Member Galloway stated that she would like a thorough investigation and report; and Mayor White stated that was fair and he appreciated her bringing it to their attention. Council Members Khan, Garcia, Ellis and Berry absent.

Upon questions by Council Member Quan, Ms. Spivey stated that she received a phone call from Officer Hobb and Mr. Hunter accused her of taking the tree; that the DA's Office said it was only \$12.00; that she made the complaint with Mr. Mayo; and Council Member Quan stated that if they were stealing from the City then they should be prosecuted; and Mayor White stated that a representative with HPD was present and it would be followed up on; and Ms. Spivey stated that she brought the tree back but she could not get her money; and Mayor White stated that he would bet Mr. Cantu could solve the problem; and thanked Ms. Spivey for the tree. Council Members Lawrence, Khan, Garcia, Alvarado, Ellis and Berry absent.

Ms. Gwen Wolfe, 1301 McKinney, Houston, Texas 77010 (713-545-2917) appeared, presented information to Council Members and stated that she was a reverse mortgage consultant with Wells Fargo Home Mortgage and was present as a result of Council Member

Green; that a reverse mortgage was a home loan for seniors over the age of 62 who owned their own home and lived in it as their primary residence; that the government allowed them to borrow a portion of the equity from the home and it could be used however they choose; that it was insured by FHA and governed by HUD; and Wells Fargo was the primary lender for that loan in Texas. Council Members Lawrence, Galloway, Khan, Holm, Garcia, Alvarado and Ellis absent.

Council Member Quan thanked Ms. Wolfe for coming and stated that he knew the department was looking at reverse mortgages and a representative from Hibernia Bank was present last week from New Orleans; and upon questions, Ms. Wolfe stated that they also gave a presentation to the Department of Housing last week. Council Members Lawrence, Khan, Holm, Garcia, Alvarado and Ellis absent.

Council Member Green stated that he did mention a meeting in the Sunnyside area on reverse mortgages and he wanted people to know what they were getting into, but he hoped she was not present because of him; and he wanted them to educate the people as well on reverse mortgage so they would know all ramifications. Council Members Khan, Ellis and Quan absent.

Mr. Gary Bauch, 13911 Murifield Village Drive, Houston, Texas 77069 (281-416-3922) appeared, presented information and stated that his purpose today was he was the regional manager for reverse mortgage for Wells Fargo for Houston and South Texas and as of August 1st he would be representing the State of Texas with Wells Fargo on reverse mortgages; that he understood there were unscrupulous lenders in the Sunnyside area and under the guise of reverse mortgage were making home equity loans, but on reverse mortgage there was no mortgage payment and until the senior either sold the home or until they passed away the home and equity was theirs and the equity actually went to the heirs or the estate. Council Members Wiseman, Khan, Ellis and Quan absent.

Council Member Green thanked Mr. Bauch for coming and stated that he wanted to make sure the homeowners who took advantage of this understood it; and he thanked him for them educating homeowners. Council Members Khan, Ellis, Quan and Berry absent.

Council Member Sekula-Gibbs stated that she appreciated them coming and clearing up some things on reverse mortgage such as they must be 62 or over and that they hold ownership; and upon questions, Mr. Bauch stated that there were no monthly payments and it was an adjusted rate and the interest rate was deferred until they sold the home, etc., the equity remaining when the heirs received it went to them or the estate whatever was established by the will. Council Members Khan, Ellis, Quan and Berry absent.

Mr. Vance Lane, 4406 Pineville, Houston, Texas 77388 (281-353-2055) appeared and spoke in opposition to Agenda Item 31 and stated that he owned a limousine company in Houston and was a part of the board of directors of the Limousine Association; that the Mayor stated they needed more targeted recruitment of likely corporate relocations and better coordination of economic development activities in the region and they agreed with that but a rate hike of 40% would not help that goal. Council Members Khan, Garcia, Ellis, Quan and Berry absent.

Mr. Michael Arrieta, 5411 Aspen, Houston, Texas 77081 (713-953-0022) appeared and spoke in opposition to Agenda Item 31 and stated that if it was Council's contention the taxi and limo industries were competitors when would a limousine booth be established at airports or downtown areas as taxis. Council Members Khan, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mr. Patrick Smith, 3505 Sage Road, Houston, Texas 77056 (713-553-1718) appeared and spoke against Agenda Item 31 and stated that he was a limo owner and driver in Houston and

was also against the rate hike and he wondered if the rate increase was discussed with members of the Greater Houston Convention and Visitors Bureau and if so were they in favor of it. Council Members Khan, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mayor White thanked Mr. Smith for coming and stated that they wanted to have the capacity within the community to service as many customers as they could at the peak and they did survey regulations in other cities; that taxis, limos and mass transit were all part of the picture and he knew there were different views, but appreciated his thoughts. Council Members Khan, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent.

Council Member Alvarado moved to hear Ms. Lucy Salazar, Elvira Casarares and Mr. Moses Villalpando after Mr. Michael Holt, seconded by Council Member Khan. All voting aye. Nays none. Council Members Wiseman, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent. MOTION 2005-0688 ADOPTED.

Mr. Josef Khanoyan, 9910 Mossy Tree Lane, Houston, Texas 77064 (no phone) appeared and spoke against Agenda Item 31 and stated that he was with Corporate Car Service in Houston and if you could get a taxi from the airport for \$22.00 their charge of \$70.00 would be almost double and that was excessive, over the edge and would drastically affect their business. Council Members Wiseman, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mr. Kevin Claypool, 4618 Park, Bellaire, Texas 77401 (713-218-7433) appeared and spoke against Agenda Item 31 and stated that he was representing some small three car operators; that when he first started he tried charging \$70.00 and his car stayed parked and now charging \$55.00 to \$60.00 it made a difference; and he understood with a contract in place you could grandfather in your cost, but he did not have those so he could not compete in that way either and he would basically be taken out of business. Council Members Wiseman, Holm, Quan, Sekula-Gibbs and Berry absent.

Mr. Jerry Brady, 827 East Rogers, Houston, Texas 77291 (713-696-0177) appeared and spoke in favor of Agenda Item 31 and stated that he was president of Liberty Cab Company and he supported the Director of F & A's recommendation 100% and complimented her and others on the wonderful job they did on meeting with everyone and coming up with this proposal to correct ground transportation problems. Council Members Wiseman, Quan, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Khan, Mayor White stated that the last limousine rate increase he believed was in 1989; and Mr. Brady stated that it was four years on the taxi rate; and Council Member Khan stated that it was 15 years to revise limo rates and most fuel cost was in the last four years and that needed to be taken in perspective. Council Members Quan, Sekula-Gibbs and Berry absent.

Mr. Rudy Bruhns, 1406 Hays, Houston, Texas 77009 (713-224-4445) appeared, presented information and spoke in favor of Agenda Item 31 and stated that Yellow Cab supported the F & A's recommendations and complimented the department on their work; that it had been four years since the last increase and gasoline prices had increased 46.4% since then; that increasing the limousine rate would distinguish differences between luxury limousine services and taxicab services; and urged passage of the ordinance. Council Members Quan, Sekula-Gibbs and Berry absent.

Council Member Galloway moved to hear Mr. Trent Winters out of order, seconded by Council Member Green. All voting aye. Nays none. Council Members Quan, Sekula-Gibbs and Berry absent. MOTION 2005-0689 ADOPTED.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) appeared, presented information and stated that he was present again regarding the elderly housing

program; that what he presented to Council was from the City regarding the Tier Programs and the money they gave in 2004 only had a quarter of it spent so something was wrong; that the city could help fix problems and were not doing it. Council Members Edwards, Alvarado, Sekula-Gibbs and Berry absent.

Council Member Quan stated that he appreciated him coming and holding Council responsible; that recently a job contract was approved so they could move faster; and he would make this an item for the next Housing Committee Meeting and they would ask the department to give a full report on repairs; and invited Mr. Winters to the meeting. Council Members Edwards, Sekula-Gibbs and Berry absent.

Mayor White stated that on problems with HUD he could not control the federal government and one issue had been them wanting the City to spend money on re-inspections of all done over the last five years or they would not get credit for money spent; that people were working long hours in Housing and now they had a more reasonable proposition, but he agreed nothing should be misrepresented. Council Members Galloway, Edwards and Berry absent.

Ms. Emily Hayes, 201 S. Heights Blvd., Houston, Texas 77007 (713-863-8012) had reserved time to speak but was not present when her name was called. Council Members Galloway, Edwards and Berry absent.

Mr. Joe Jordan, 2615 Waugh Drive, Houston, Texas 77006 (713-680-3181) appeared, presented information and spoke in opposition to Agenda Item 31 and stated that he was president of the Limousine Association in Houston and asked all members present to stand to be recognized. Mr. Jordan further stated that they were 100% opposed to the rate hike, it had not been raised since 1989 because there was no reason for it and why have a one day raise of 40%; that it would hurt them and the City of Houston and it was their position to file a federal lawsuit against the City of Houston if the 40% vote was approved as they felt they were in violation of the HOBBS Act, etc., and it was excessive restraint of commerce and only 9% of cities in America regulated limousines in any way; and encouraged a no vote. Mayor White, Council Members Galloway, Goldberg, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Khan, Mr. Jordan stated that they felt they could live with a 10% increase but corporations were already complaining about the rate of \$50.00 from the airport when a cab was \$20.00, they felt to be fair there should be a price margin but not 40% in one day. Mayor White, Council Members Galloway, Goldberg, Wiseman, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that he found it interesting they did not want a pay increase, most people said they wanted more and they were asking to not be forced to charge more; and upon questions, Mr. Jordan stated that there were 300 limousine companies in the City of Houston and about 70 belonged to their association and not one single limousine company has come before Council asking for a rate hike; that under the current program they could work with incoming conventions, but under the proposed ordinance it prohibits them from negotiating. Council Member Quan stated that he was in New York and a limo was \$30.00 and he was always knew a competitive market such as that worked so well that way; and Mr. Jordan stated that was how it should be here. Mayor White, Council Members Galloway, Wiseman, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Michael Rindenow, 5479 W. Sam Houston Parkway, Houston, Texas 77041 (713-464-3344) appeared and spoke in opposition to Agenda Item 31 and stated that he was owner of Hallmark Limousine and Towncar Service and the proposed fee would impair their ability to provide services they now provided; that letting the market determine the price was the way it should be; that they were a predetermined service and not competition to taxis, they had no booth at the airport or lines at hotels, etc.; and urged a withdrawal on rates. Mayor White,

Council Members Galloway, Holm, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that one problem with the ordinance was if a big corporation called and wanted a contract for so many rides it would still be \$70.00 a ride no matter how many rides the corporation wanted to contract for; and upon questions, Mr. Rindenow stated he was correct and F & A proposed to add on that if there was already a contract before the date of effectiveness they would allow those rates; and Council Member Goldberg stated that it seemed there should be a leeway within the ordinance for multiple contracts or multiple use, he did not see how that would hurt the cab industry; that he did want to correct something as they would not have to pay the \$70.00 plus tip the total price had to be \$70.00 so if they wanted to include gratuity, tolls, etc., in the price their ride could be less than the \$70.00; and Mr. Rindenow stated that he thought that would be a good idea but it was not spelled out in the ordinance, if it was then it would be clear that would be a way to go. Mayor White, Council Members Galloway, Holm, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Cheri Muenchausen, 22 South White Pebble Court, Spring, Texas 77380 (713-553-5755) appeared and spoke in opposition to Agenda Item 31 and stated that she owned a Towncar service in Houston and they did not advertise, they had a base of clients they used all the time and their clients were not happy with the proposed ordinance; that the \$70.00, two hour minimum was a problem and an example was they had a ride which was five minutes and under the proposed ordinance it would be \$70.00. Mayor White, Council Members Galloway, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Quan, Ms. Muenchausen stated that they had been charging a surcharge for fuel as it appeared necessary and at this time it was a \$2.00 per trip charge, depending on length of trip; and tipping was at the discretion of the customer. Mayor White, Council Members Galloway, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Edwards, Ms. Muenchausen stated that they had no meter and they had no minimum rate; that they had an agreed amount with major corporations they did business with, it was a flat set rate and if they kept the car there were additional charges; and Council Member Edwards stated that if something went wrong they would come to the City; and Ms. Muenchausen stated that the City did permit them but they thought the market should dictate the rate. Mayor White, Council Members Galloway, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that the City did regulate limousines and price was just one thing, but the \$70.00 could include the surcharge; and Ms. Muenchausen stated that they now charged \$50.00 because that was the minimum charge and the proposal was a significant increase. Mayor White, Council Members Lawrence, Galloway, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. J. W. Masseh, P. O. Box 742713, Houston, Texas 77274 (713-545-4777) appeared in favor of Agenda Item 31 and stated that he was president for independent cab drivers and initially they opposed the rate increase on the ground some protested the super shuttle, but they were now supporting the increase 100% under the condition it was the actual increase for them and not a zone rate; that they also wanted to pass their airport fee to the consumer and with gas going up they were asking for an additional \$2.00 per rider and that would compensate. Council Members Galloway, Goldberg, Garcia, Alvarado, Ellis, Sekula-Gibbs and Berry absent.

Council Member Khan stated that people taking cabs complained that the driver charged more than the zone rate and that also needed to be addressed; that taxi drivers he dealt with were honest and hardworking people proud of what they were doing and making guests to

Houston welcome and they should make the policy so they did not get a bad rep. Council Members Galloway, Goldberg, Garcia, Alvarado, Ellis, Sekula-Gibbs and Berry absent.

Mayor White stated that he thanked him for coming and as he would recall their first conversation about adjusting fares to take into the price increase; that he would ask they take into account the issues of structure of rates; that he knew many taxis had to wait a long time at airports and limos did not and they wanted to create a situation where people had options and where people performing the service were fairly compensated. Council Members Galloway, Goldberg, Garcia, Alvarado, Ellis, Sekula-Gibbs and Berry absent.

Mr. Richard Cowan, 8155 Hartford, Houston, Texas 77017-2230 (713-649-1112) appeared, presented information and appeared in favor of Agenda Item 31 and stated that he was owner of City Cab and City Towncar and was going along with F & A's recommendation; that he did want to reassure Council how important it was to change the limousine rate, he was appalled to hear the limo industry say they were not competing with taxicabs and yet two speakers said they wanted to take someone around the corner, etc., and that was for taxicabs; that they were supposed to charge per hour, not per trip and why were they advertising in phone books under taxicabs. Council Members Lawrence, Galloway, Goldberg, Garcia, Alvarado, Ellis, Sekula-Gibbs and Berry absent. ((NO QUORUM PRESENT))

Ms. Linda Pomerleau, 5218 Lacreek, Spring, Texas 77379 (281-320-0005) appeared and spoke in opposition to Agenda Item 31 and stated that she was owner of Gulf Coast Limousine Services in Houston and she had Towncars, limos and antiques and was totally opposed to the rate increase; that Council Member Goldberg mentioned if the rate went to \$70.00 then it would be a rolled in amount including gratuity, surcharge, etc., and most of her Towncar trips were between \$65.00 and \$70.00 and that was about what they normally charged, but to make her charge \$70.00 without a stipulation in the ordinance was wrong, they could not arbitrarily say they were interpreting the ordinance to include all Council Member Goldberg mentioned and felt that part of the ordinance should go back and be checked and if it was to be included it should be spelled out; that they also wanted provision for future convention work so they could be competitive and charge less than the \$70.00. Council Members Lawrence, Galloway, Ellis, Sekula-Gibbs and Berry absent.

Mr. Michael Holt, 1790 East Hardy, Houston, Texas 77073 (281-821-8989) appeared in favor of Agenda Item 31 and stated that the taxicab drivers did not have to be considered criminals with zone rates they could just honor the zone rate, the airport customer was a unique customer; that they were only asking for a separation of the market segment and if limo trips were supposed to be two hours then it should be two hours and if he had a good customer who did have a small trip they could comp it and make it up later; that larger companies did seem to abide by the rules but no one was watching the little companies and maybe next time the cab rate went up so should the limos, maybe there should be a parity difference of 40% between them. Council Members Lawrence, Galloway, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Ms. Lucy Salazar, 1416 Munger, Houston, Texas 77023 (832-466-4307) appeared and stated that she was present a year ago with concerns of the sidewalk in the 1400 block of Munger; that some have fallen because they were so broken and Mr. Cardova said they would be getting new sidewalks in her block on both sides along with wheelchair ramps, but today she received a call from Mr. Gary Norman saying there would be no new sidewalks only the ramps at the corner and that would do no good because the sidewalks were not walkable; and she was told it was their problem, they needed to fix their own sidewalks, but if one could afford to fix it and the next could not then a person in a wheelchair could still not use the sidewalk and many could not afford to fix them. Council Members Galloway, Sekula-Gibbs and Berry absent.

Council Member Alvarado stated that their office was familiar with this and Ms. Salazar did bring up a good point as there were two schools in the area and there was the transit center; that Munger was a major artery street and she knew they had talked about the sidewalk

ordinance but she did not agree with it as if some could fix it and others could not there was inconsistency and she hoped to take up the issue; and with her being told they would get the sidewalk and then told no they would not she did not know where the breakdown was but she hoped it could be resolved and also hoped she would get the sidewalk. Council Members Galloway, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Edwards, Ms. Salazar stated that she was given a name to call, Ms. Murray and she called her about the handicap issue but never received a return call and if they were going to not give them sidewalks then they should not put the ramps and save the money; that another person who never returned her call was Maria Rocha, the Mayor's community liaison. Council Members Galloway, Ellis, Sekula-Gibbs and Berry absent.

Upon questions by Mayor White, Ms. Salazar stated that she called Ms. Rocha after she left a year ago and called again a couple of months later and never received return calls; that Mr. Mike Cordova and Mr. Gary Norman had called her; and Mayor White stated that he would say to Mr. Norman that on sidewalk repair they needed criteria and he shared the concern that there were circumstances in which it was the public interest to do it and one circumstances would be pedestrian access review standard; and would like this case used as a laboratory case to come up with criteria such as proximity to a public facility such as METRO, a school, etc., and presence of handicapped residents and age of the sidewalk as some people were overdo for repairs in their neighborhoods, but Mr. Norman could look at that and then report back to him. Council Members Galloway, Wiseman, Ellis, Sekula-Gibbs and Berry absent.

Ms. Elvira Casarares, 1047 Zoe, Houston, Texas 77020 (713-673-6858) appeared and stated that three months ago the transformer light in her neighborhood burned down and now they were repairing, but when she bought her house years ago there were pipes in the alley for all utilities and now they were digging ditches, but she needed the pipe back; that Council Member Alvarado's assistant said the ditches and alley belonged to her and it did not belong to the city and they were responsible for the pipe; and the sidewalk from her house to the church had the pipes removed to and they also needed the pipe to cross over to the church. Council Members Galloway, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Alvarado stated that she and Ms. Casarares spoke with Mr. Gary Norman and there was question that Center Point may have right of way there with the culverts, but she was convinced it was not so she asked Mr. Norman to send someone out and reevaluate. Council Members Galloway, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Garcia stated that in regard to the comments the Heights had a lot of alleys and this brought to mind a discussion he was having with Mr. Norman on culverts and he felt it needed additional discussion; that he had someone with a cratering culvert and the policy was it was his responsibility to repair but he did not have the money for repairs on the drainage system so he would probably fill it with dirt or sand and that would impede the drainage and then they would have flooding. Council Members Galloway, Wiseman, Ellis, Sekula-Gibbs and Berry absent.

Mr. Moses Villalpando, 314 Lindale, Houston, Texas 77002 (713-699-4475) appeared and stated that Council Member Ellis's remarks to use HPD to attack the legal status of immigrants was in poor taste; that it was a political move for him, but consequences he started were troubling; that they should go after the coyotes instead of the immigrants, should every Hispanic looking person be questioned on residency, this was a Civil Rights violation; and urged Council Members to not use local services for something which was a federal issue. Council Members Galloway, Wiseman, Ellis, Quan, Sekula-Gibbs and Berry absent.

Council Member Edwards stated that when she first heard of this she thought of apartheid South Africa where everyone would have to carry a pass to show they were citizens of this country and then what happened if you did not have you pass; that it was a slippery slope and

she could not agree with him more; that if someone committed a crime and they were arrested then their immigrant status would be verified during that process; and would this be for immigrants from Britain, Ireland, Scotland and Canada or just Mexico; that if this was done police would be put into a dangerous situation and her issue on this was that if there was an immigration problem then there was an Immigration Service which needed to speak to the issue and not HPD. Council Members Galloway, Wiseman, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent.

Council Member Alvarado stated that she could not agree with him more, the City's job was not immigration and she would say Houston police officers had enough to do and she would rather see them fighting crime; that the whole issue of Minute Men was not welcome here in Houston; and as Council Member Edwards stated if people wanted immigration reform then they needed to call their members of Congress; that here at this table they had been very cautious about resolutions, what was passed and what they did intervene in and this was a federal issue and best left to Congress to deal with. Council Members Galloway, Wiseman, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent.

Council Member Garcia stated that having been on the streets and having understood issues confronting law enforcement officers over the years and racial profiling being the most recent they had advanced so much in law enforcement; and the vision he had was officers could randomly walk in the room or mount buses and start looking for documents and it would be a different country; that people thought crime would stop but it would not, crime was here before and it would still be here; that they should focus on local law enforcement and let federal agencies do their job. Council Members Galloway, Wiseman, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent.

Council Member Khan stated that society was better off because of people like him and he thanked him and asked him to keep it up; and he thanked Mayor White for his response; that it was very easy to go onto the slippery slope of dividing the community and they would not expect immigration officers to come and do police work. Council Members Galloway, Wiseman, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Edwards, Mayor White stated that maybe they should consider an ordinance where a whole part of the city could petition to remove the police force and they would have them do something else, but he did not think there would be many takers; and part of his remarks which had not gotten lost was their hands were full running the city and he could not run the state, country, etc., it was a federal issue; and as one human being to another he hoped if someone found more money to devote to immigration issues they would first go after some of the ruthless coyotes and others, he could not forget what happened in Victoria; and people were stripped of all their worldly goods by people who preyed on people and if there were more recourses he hoped they would be targeted and not the victims. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Ms. Kefflyne Harrington, 6419 Dellfern Drive, Houston, Texas 77035 (713-723-6021) appeared, presented information and stated that she was present regarding Agenda Item 19, funds allocated for playgrounds; that she was CEO and president of the Playa's Institute, a non profit organization which administered to needs of the inner-city community; that the notion of playground equipment within the district was an excellent suggestion they would like to respectfully offer an alternative solution which they thought would better reflect the diversity in the district and in lieu of equipment build a new community center park which provided basketball, soccer and walking trail; that she would like to offer classes and promote the joy of learning by teaching fundamental life skills and focus on academic classes. Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mayor White thanked Ms. Harrington for coming and sharing her information. Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Ms. Mamie Ndawah-Massauoi, 7261 Chasewood Drive, Missouri City, Texas 77489 (281-835-0554) appeared and stated that she was present representing the Second Chance Youth Center, a new organization of which she was the founder, and the purpose was to cater to ex-offenders; that they were dedicated to change ex-offenders and at-risk youth into productive citizens offering GED training, etc., and hoped the City of Houston would be able to help, there were many vacant houses and they needed a facility. Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Ndawah-Massauoi stated that the program was for parolees and people on probation along with people who had not yet gone into the system; and Council Member Edwards stated that you could not mix those populations so was she looking at separate facilities; and Ms. Ndawah-Massauoi stated that she was correct you could not have a residential facility for parolees in a residential area, she was referring to buildings; and Council Member Edwards stated that Over the Hill worked with ex-offenders and she believed it was in Council Member Alvarado's district, but it had been in the Third Ward for at least 30 years and they did such programs and may be beneficial in helping her, but she would like to speak with her about the program she was trying to run, it was very competitive and they were now more stringent on requirements for people running such type groups; and Ms. Ndawah-Massauoi stated that would be appreciated. Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mr. E. J. Agbonayinma, 8303 Southwest Freeway #202, Houston, Texas 77074 (832-746-3389) appeared, presented information and stated that he was present in support of Houston Media Source; that he had interviewed the Mayor and some Council Members and had the opportunity to educate the community; and urged a vote in their favor. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Mr. Agbonayinma stated that he had been on Houston Media Source for almost five years now; that he had a live program and had debates and if not for Houston Media Source he may be able to reach out but it would take trying much longer. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Dr. Maria Stowe, 5701 Council Grove Lane, Houston, Texas 77088 (281-820-5502) had reserved time to speak and when her name was called left the chamber and said "adios". Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 2820 Palm 2B, Houston, Texas 77004 (713-723-3453) appeared, presented information and stated that he was present to update the Black Museum situation; that he thanked Council Member Edwards for providing him information to get in contact with Mr. Smith, but at this point they had not selected an executive director and had no staff so he did not know about their funds; but it would be \$40,000,000.00 to develop the project and in Baltimore they had already completed such a project for \$134,000,000.00. Mr. Omuari discussed where the funding sources would come from and that it would not be a financial obligation to the City and if it overran it could be done in phases; that his company was not architectural and all was concept. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO

QUORUM PRESENT)

Ms. Daintha Krieger, 1405 High Park #2, Houston, Texas 77006 (713-523-3089) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Rashan Turner, 14727 Larana, Houston, Texas 77083 (281-250-9377) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Thomas Nixon, P. O. Box 70463, Houston, Texas 77270-0463 (832-541-7171) appeared, presented information and stated that he was an officer with the Houston Police Department and served evening shift; that he had been employed 10 years and seen an encroaching menace of incompetence from individuals whom he watched get promoted through the ranks and today was present regarding one in particular who he believed to be a threat to the department and citizens, David Cutler; that recently he retired and was named as civilian supervisor over the Houston Emergency Communications Center and he wanted to go over some of David Cutler's style of management such as his last position as assistant chief where he was specifically assigned to command the communications division and during his tenure certain problems developed that to this day perplex many officers who must deal with the consequences of his mismanagement; that when a citizen called the dispatch center for help the call takers who received the 911 call were limited to eighty seconds, the call taker had one minute and twenty seconds to find out who the person was, where they were calling from, what was happening, how desperate the situation was and if there were any other outstanding circumstances such as ambulance needed, etc., David Cutler knew the rule and in fact enforced it; that Jeff McShan a reporter for KHOU exposed the ludicrous rule and it was finally addressed; and Mr. Nixon continued to give examples and wanted to know how he should be expected to be a competent civilian supervisor. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that he could give his information to Mr. Cantu. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Mr. Nixon stated that he was an officer and worked the streets, the central patrol evening shift, and if he would go to the KHOU website he would see two stories involving him one dealing with radios and frequency towers which were failing; that the radios officers present were carrying were Motorola radios and second generation 12 to 15 years old when their service life was seven years so they had exceeded twice their service life. Council Member Khan stated that these were serious issues he raised and he hoped someone would follow-up on them. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that she appreciated him coming; that some amendments were suggested for the budget which may bring that forward a little more and replace radios, but they always liked hearing from officers on the street. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Damon Gilmore, 4207 Beran Drive, Houston, Texas 77045 ( 281-468-5575) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Roland Curry, 8707 Cowart, Houston, Texas 77029 (713-673-5486) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Rosemary Curry, 8707 Cowart, Houston, Texas 77029 (713-673-5486) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Carolyn Johnson, 10800 Kipp Way, Houston, Texas 77099 (713-932-9725) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Douglas Nichols, 2418 Broad, Baytown, Texas 77521 (no phone) appeared and stated that he was present on a matter of communication and stalking; that his name was in danger with a communication system and he was ready to fight; that dope dealers had put an attempt on his life and he needed Council's support and needed compensation for his loss. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Louise Whiteford, 726 Britmore, Houston, Texas 77079 (713-464-3028) (substituted for Ms. Mary Jo Vague) appeared and presented information and stated that she was president for Texans for Immigration Reform; that she was in a dilemma, the administration was not interested in doing anything at the border and she was also a vigilante who had now joined the Minute Men and read from information presented which stated that they had found a rape tree, after coyotes got women across the border safely on U. S. soil they would gang rape them to show they had total control and hung their panties in a tree as a sign of conquest, but she took them down; that if women were young and pretty they were kept in houses of prostitution where their families had to buy them out or work their way out; that border patrol did not get support and the situation got worse and worse; and in Texas illegal aliens cost the taxpayer millions yearly. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Theresa Keys, 8606 Ardley Circle, Houston, Texas 77088 (832-230-5154) appeared and stated that last night there was a confrontation where a group of 20 children terrorized her house; that she called police numerous times and there was no response for approximately two hours and when they did respond they said they had run short on workers for the second shift; and she wanted refuge and to know why police were not out for their protection. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Keys stated that she lived in a home and when they came after midnight it was when a new shift came on and she was having to shield herself with 20 guys throwing rocks and bricks and her daughter had to fight one of the girls to get them away; and Council Member Edwards stated that the officer present could probably help her best, but she was sorry for what happened. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that Captain Jones was present and would assist her. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Michael Berger, 6530 Westview, Houston, Texas 77055 (713-686-7034) appeared and stated that he was present regarding a huge house going up at 6613 Saxet; that he was trying to keep the same size homes in Westview Terrace and he would like an ordinance to protect small houses. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Berger stated that they did have deed restrictions and that a department was looking into it; that they could have two story homes, but he did not know about the amount of feet and he had presented a drawing; and Council Member Edwards stated that Chapter 42 may help with prevailing lot size, but they could not go tell people what size house they could build unless it was in the restrictions; and upon questions, Ms. Wiginton stated that she would have to get a copy of the plan and then could follow-up. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions of Mr. Berger regarding whether a one story building could just be replaced with a large building or if a public notice was required Mayor Pro Tem Alvarado stated they would inquire with Planning and someone would get with him. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (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. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. C. J. Harrison, 2615 McGowen, Houston, Texas 77004 (713-654-7772) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Germaine James, 16647 Gold Ridge, Houston, Texas 77053 (281-416-3922) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was President of the United States and continued to express his personal opinions until his time expired. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was God and continued to express his personal opinions until his time expired. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 4:57 p.m. City Council recessed until 9:00 a.m., Wednesday, July 27, 2005. Mayor White, Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, July 27, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, July 27, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Financial Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present.

At 8:30 the City Secretary read the descriptions or captions of items on the Agenda.

At 9:22 a.m. Mayor White called to order the meeting of the City Council and stated that the first order of business was the Mayor's Report and invited Ambassador Arthur L. Schechter and Doctor Kathryn Stream to the Council table for the presentation.

**MAYOR'S REPORT** - International Travelers Task Force

Ambassador Schechter and Doctor Stream reviewed a report titled Report of the Mayor's Taskforce on International Travelers City of Houston", a copy of which is on file in the City Secretary's office. Ambassador Schechter and Doctor Stream were questioned at length by Members of Council.

**CONSENT AGENDA NUMBERS 1 through 61**

**MISCELLANEOUS** - NUMBERS 3 and 6

3. RECOMMENDATION from Director Houston Airport System for expenditure for specialized training to be conducted by **TEXAS A&M UNIVERSITY** for Aircraft Rescue and Fire Fighting at George Bush Intercontinental and William P. Hobby Airports - \$100,100.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2005-0690 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.1603 per square foot for properties connecting to the 8-inch water line constructed by **BERTHA PEREZ** located along Intervale Street - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2005-0692 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item No. 42 out of order, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2005-0692 ADOPTED.

Council Member Alvarado moved to suspend the rules to consider Item No. 1 out of order, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2005-0693 ADOPTED.

42. ORDINANCE appropriating \$400,000.00 out of the Low Income Housing Fund (Fund 872) and approving and authorizing first amendment to Land Assembly Grant Agreement between the City of Houston and the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** - was presented.

Council Member Edwards stated that she wanted to thank Mr. Tinnermon and Ron Green for helping them work through how they could move forward on the LARA acquisitions.

Council Member Quan stated that the item came before their committee yesterday and he wanted to thank the administration as well for being cooperative and working with the Council and the committee regarding concerns as they moved forward on the LARA Program, that Chairman Collins had agreed that at the next meeting of the Neighborhood Housing and Redevelopment Committee they would do a full presentation before they looked to acquire other properties to make sure that Council had a say and that other areas which were not originally anticipated were included and that they get community input from those areas, that he applauded the administration for reducing the amount initially requested from \$1.2 million to \$400,000.

Mayor White stated that the change had been made and it was agreed to by Mr. Tinnermon, that they did not need to make an amendment to the item, that in the document submitted it was \$400,000.

A vote was called on Item No. 42. All voting aye. Nays none. ORDINANCE 2005-0902 ADOPTED.

1. REQUEST from Mayor for confirmation of the reappointment of the following to the **COASTAL WATER AUTHORITY'S BOARD OF DIRECTORS**, for terms to expire March 31, 2007:  
Position Three - **MR. DIONEL E. AVILES**  
Position Four - **MR. KURT F. METYKO**

- was presented, moved by Council Member Khan, seconded by Council Member Garcia. All voting aye. Nays none. MOTION 2005-0694 ADOPTED.

Mayor White and Members of Council stated that they wanted to say thank you to the distinguished individuals who served on the very important board for their region.

**ACCEPT WORK** - NUMBERS 7 through 12

7. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$793,869.00 and acceptance of work on contract with **PRIME CONTRACTORS, INC** for Electrical Improvements at Wortham Theater Center, GFS B-0062-02-3 - 04.87% over the original contract amount - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0695 ADOPTED.
8. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$100,355.50 and acceptance of work on contract with **ARROW SERVICES, INC** for Asbestos Abatement & Masonry Repair at Police Administration Building, GFS G-0072-09-5 00.98% over the original contract amount - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0696 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$9,949,206.14 and acceptance of work on contract with **BRH-GARVER, CONSTRUCTION, L.P.** for Austin Street Paving and Drainage Improvements, Contract 3, GFS M-0244-03-3 (N-0671-03) - 01.12% under the original contract amount - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0697 ADOPTED.

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,115,245.70 and acceptance of work on contract with **JALCO, INC** for Telephone Road No. 1, Lear Drive and Beaver Drive Lift Station Replacement, GFS R-0267-30-3 (4275-18) - 01.48% over the original contract amount - **DISTRICTS B - GALLOWAY and I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0698 ADOPTED.

**PROPERTY** - NUMBERS 13 through 17

13. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Hamid R. Shotorbani, on behalf of Autofit, Inc. (Fakhredin Emadi, president), for abandonment and sale of a 10- to 15-foot-wide sanitary sewer easement in exchange for the conveyance to the City of a 15-foot-wide sanitary sewer easement, out of Lots 23 and 24, Little York Subdivision, Parcels SY5-067 and DY5-034 **STAFF APPRAISERS - DISTRICT H - GARCIA** - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0699 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from William R. Zweifel, on behalf of International Seal Company, Inc. (Ludger Neuwinger-Heimers, president) for abandonment and sale of 15-foot-wide sanitary sewer easement, located at 1242 Kress Street, within the Harris and Wilson Two League Grant, Abstract No. 32, Parcel SY5-070 - **STAFF APPRAISERS - DISTRICT I - ALVARADO** - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0700 ADOPTED.
15. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY3-024, located at 747 Edgebrook Drive, owned by Vincente Castillo, for the **EDGEBROOK DRIVE PAVING PROJECT**, CIP N-1304-01-1 - **DISTRICT E - WISEMAN** - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0701 ADOPTED.
16. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel DY4-013, located at 1010 State Highway 6 North, owned by Kensinger Properties, Ltd, a Texas limited partnership [POSHK, Inc., a Texas corporation (Stuart R. Kensinger, President) General Partner], for the **IH-10 AT HIGHWAY 6 WATERLINE EASEMENTS PROJECT**, CIP S-0900-96-3 - **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0702 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 18 through 29

18. ORDINANCE appropriating \$108,430.00 out of Parks Consolidated Construction Fund for Swimming Pool Re-Plastering for the Building Services Department, CIP F-0580 - was presented. All voting aye. Nays none. ORDINANCE 2005-0903 ADOPTED.
- 18a. **JAMAIL CONSTRUCTION** for Swimming Pool Re-Plastering Services through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) for the Building Services Department - \$108,430.00 - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0703

ADOPTED.

19. **TOTAL RECREATION PRODUCTS, INC** for Playground Equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative (BuyBoard) for the Building Services Department - \$146,533.50 - Parks Consolidated Construction Fund - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0704 ADOPTED.
20. **PHILPOTT MOTORS, LTD** for a Pickup Truck through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Cooperative Purchasing for the Finance & Administration Department - \$26,132.00 - Grant Fund - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0705 ADOPTED.
21. **FISHER SCIENTIFIC** for Equipment and Supplies through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for the Houston Fire Department \$195,325.00 - Grant Fund - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0706 ADOPTED.
22. **TEXAS FIRE RESCUE, INC D/B/A FIRE APPARATUS SPECIALISTS, INC** for Automotive, Fire Truck Replacement Parts and Repair Services for the Fire Department - \$454,000.00 - General Fund - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0707 ADOPTED.
25. **X-NET SYSTEMS, INC** for Laptops, Personal Computers, and Projectors through the City's Master Agreement with the Texas Department of Information Resources, Contract No. C56844, for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for the Police Department - \$153,832.70 - Police Special Services and Asset Forfeiture Funds - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0708 ADOPTED.
26. **CST ENVIRONMENTAL, INC** for Asbestos Abatement, Demolition and Site Clean-up Services for Police Department - \$34,577.00 and contingencies for a total amount not to exceed \$36,305.85 - Dangerous Building Consolidated Fund - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0709 ADOPTED.
29. **LANSDOWNE-MOODY CO., L.P.** for Equipment, Mower and Tractor Replacement Parts and Service for Various Departments - \$920,994.00 - General, Enterprise and Fleet Management Funds - was presented, moved by Council Member Wiseman, seconded by Council Member Khan. All voting aye. Nays none. Council Member Quan absent. MOTION 2005-0710 ADOPTED.

**ORDINANCES** - NUMBERS 30 through 61

32. ORDINANCE approving and authorizing the sale to the State of Texas of a 0.0047 acre (203 square foot), more or less, parcel of land (a/k/a Parcel SY5-060; State Parcel 720), being in the northerly portion of a 0.137 acre tract in the John Austin Survey, A-1 and located in the 1600 block of Montana Street in consideration of the State's payment of \$2,538.00 to the City; **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. ORDINANCE 2005-0904 ADOPTED.

36. ORDINANCE issuing permit to **TEXAS WOMAN'S UNIVERSITY**, a Public Institution of Higher Learning for building, constructing, maintaining, using, occupying, operating and repairing steps, a raised plaza (patio), a retaining wall and a pedestrian walkway within the 6700 block of Fannin Street and Old Main Street and out of the Pleasant W. Rose Survey, Abstract 645; such area being within public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. ORDINANCE 2005-0905 ADOPTED.
46. ORDINANCE approving and authorizing contract between the City and **SMART ELECTRIC, INC** for Utility Services for the Convention and Entertainment Facilities Department - was presented. All voting aye. Nays none. ORDINANCE 2005-0906 ADOPTED.
48. ORDINANCE amending Ordinance No. 2000-0807 to increase the maximum contract amount and approving and authorizing the first amendment to contract #C51941 between the City of Houston and **BAYLOR COLLEGE OF MEDICINE, DEPARTMENT OF FAMILY AND COMMUNITY MEDICINE** for Psychological Services for the Houston Fire Department; providing maximum contract amount - 6 Years - \$600,000.00 - General Fund - was pulled from the agenda by the administration and was not considered.
49. ORDINANCE amending Ordinance No. 2002-0740 to increase the maximum contract amount for contract between the City and **DATA COMM BUSINESS SYSTEMS, L.L.C.** for Communications Technician Services for the Information Technology Department - \$347,906.25 - Central Service Revolving Fund - was presented. All voting aye. Nays none. ORDINANCE 2005-0907 ADOPTED.
50. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **AABBOTT-MICHELLI TECHNOLOGIES, INC (formerly known as AABBOTT SCALES, INC)** for Calibration and Repair for Truck Platform Scales for the Public Works & Engineering Department approved and authorized by Ordinance No. 99-523 - was presented. All voting aye. Nays none. ORDINANCE 2005-0908 ADOPTED.
51. ORDINANCE appropriating \$29,187.90 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **BERNSTEIN PERWIEN PROPERTIES, A Texas Partnership**, for Construction of Water and Sanitary Sewer Lines to serve development located on the Old Katy Road, CIP S-802-31-03 & R-802-31-03 - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. ORDINANCE 2005-0909 ADOPTED.
54. ORDINANCE appropriating \$5,884,762.00 out of Airports Improvement Fund and \$7,350,000.00 from Federal Aviation Administration Grant Funds and awarding construction contract to **W. W. WEBBER INC** for Reconstruction of Runway 4-22, Storm Drainage Improvements and Storage Maintenance Facility at Ellington Field, CIP A-0470, (Project 606); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by such funds **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. ORDINANCE 2005-0910 ADOPTED.
56. ORDINANCE appropriating \$2,181,410.00 out of Parks Consolidated Construction Fund, awarding construction contract to **CARRERA CONSTRUCTION, INC** for Construction of West Little York Park; GFS F-504B-02-3; setting deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; providing funding for engineering and testing services, construction management and

contingencies relating to the construction of facilities financed by the Parks Consolidated Construction Fund **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. ORDINANCE 2005-0911 ADOPTED.

57. ORDINANCE awarding construction contract to **FOUR SEASONS DEVELOPMENT CO., INC** for Diez Park; GFS F-504C-26-3; setting deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies, engineering testing services, and construction management relating to construction of facilities financed by the Community Development Block Grant Funds - \$247,000.00 Grant Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2005-0912 ADOPTED.
59. ORDINANCE appropriating \$44,708.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Reconstruction of the City's Sanitary Sewer Lines in Downtown/Midtown Transit Streets Program, GFS R-0537-09-3 (SB9037-03); under construction contract with **METROPOLITAN TRANSIT AUTHORITY** (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2005-0913 ADOPTED.
60. ORDINANCE No. 2005-885, passed second reading July 6, 2005  
ORDINANCE granting to **O. P. ENTERPRISE WASTE SERVICES, INC, a Texas Corporation**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. ORDINANCE 2005-0885 ADOPTED THIRD AND FINAL READING IN FULL.
61. ORDINANCE No. 2005-886, passed second reading July 6, 2005  
ORDINANCE granting to **REPUBLIC WASTE SERVICES, L.P., a Texas limited partnership**, the right, privilege and franchise to collect, haul and transport solid waste and industrial waste from commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions **THIRD AND FINAL READING** - was presented. All voting aye. Nays none. ORDINANCE 2005-0886 ADOPTED THIRD AND FINAL READING IN FULL.

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

**MISCELLANEOUS**

2. RECOMMENDATION from Director Affirmative Action and Contract Compliance for approval to set Affirmative Action Goal for participation of Disadvantaged Business Enterprises in DOT/FAA funded contracts from October 1, 2005 through September 30, 2006, in compliance with DBE Ordinance 99-893 and DOT/FAA mandated requirements - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Quan stated that he knew this was just a goal that they set but he was a little disturbed by the fact that it seemed they were retreating annually from their MWBE goal, that they were down to 19.7%, that it was not a trend he liked to see, that he expected that they would achieve more than that goal.

Council Member Galloway stated that they had the same concerns during the committee meeting that was held and an explanation was given and based on the calculation that was

what it ended up being, that Mayor White stated that they were really going to look into the participation and make sure they were holding everyone's feet to the fire because they wanted to make sure they had more minority participation.

Mayor White stated that they had the commitment, that there were some highly technical issues when they got into it and they probably had the most knowledgeable team in the Country with Ms. Laws and Mr. Hall, that he did not want anybody to get the impression that there was any intent or spirit to retreat from the commitment to Affirmative Action. Council Member Holm absent.

A vote was called on Item No. 2. All voting aye. Nays none. Council Member Holm absent. MOTION 2005-0711 ADOPTED.

4. RECOMMENDATION from Director Building Services Department for approval to delegate authority to the Director Building Services Department to utilize alternative delivery method for the Kendall Branch Library Replacement (E-0094) - **DISTRICT A - LAWRENCE, G - HOLM** - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Holm absent. MOTION 2005-0712 ADOPTED.
5. RECOMMENDATION from Director Finance & Administration Department for approval of the Fiscal Year 2006 Budgets for Reinvestment Zone Number Four, City of Houston, Texas, (Village Enclaves), Memorial Heights Redevelopment Authority (TIRZ No. 5), Reinvestment Zone Number Six, City of Houston, Texas (Eastside), Gulfgate Redevelopment Authority (TIRZ No. 8), South Post Oak Redevelopment Authority (TIRZ No. 9), City Park Redevelopment Authority (TIRZ No. 12), Old Sixth Ward Redevelopment Authority (TIRZ No. 13), and Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward) - was presented, moved by Council Member Khan, seconded by Council Member Quan.

After discussion by Council Members, Council Member Ellis stated that there was one budget that they were encouraged to pass, the Fourth Ward Zone, and he understood there seemed to be some issue with a couple of the Council Members so they removed that zone for approval of the budget, that he hoped it would be on the fast track as far as resolving the issues they had because they had a real estate company that was trying to do the development in that zone, that he wanted to encourage his colleagues to work out the problems they had.

A vote was called on Item No. 4. All voting aye. Nays none. MOTION 2005-0713 ADOPTED.

### **ACCEPT WORK**

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,425,465.80 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Replacement in Westbury West Subdivision, GFS S-0035-98-3 (WA10739) - 00.39% over the original contract amount - **DISTRICT C - GOLDBERG** - was presented, and tagged by Council Members Galloway and Green.

After discussion by Council Members, Council Member Green stated that he would like to meet with the contractor or Public Works regarding Item No. 11. Council Member Khan requested that his tag be added to Item No. 11 and Mayor White stated that Item No. 11 had been tagged by Council Members Galloway, Green and Khan.

12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,389,977.06 and acceptance of work on contract

with **LAYNE-TEXAS, a Division of LAYNE CHRISTENSEN CO.** for Construction of Park Glen Plant No. 1 Water Well No. 2, GFS S-0100-13-3 (WA10734) - 01.52% under the original contract amount - **DISTRICT F - KHAN** - was presented, moved by Council Member Khan, seconded by Council Member Quan.

Council Member Galloway stated that Layne-Texas, a Division of Layne Christensen Co., was rated outstanding because they really went over their MWBE goal.

A vote was called on item No. 12. All voting aye. Nays none. MOTION 2005-0714 ADOPTED.

### **PROPERTY**

17. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel A97-235, located at 8181 Fannin Street, owned by Monadock Texas, L.P., a Texas limited partnership, [Texas GP Properties LLC, a Delaware limited liability company, its sole General Partner, (Monadock Property Trust, LLC, a Delaware limited liability company, its sole member, Archstone-Smith Operating Trust, a Maryland real estate investment trust, Managing Member)] for the **TMC, GREENWAY PLAZA, GALLERIA AREA HIKE AND BIKE TRAIL PROJECT**, CIP N-0420-14-2 - \$155,523.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT D - EDWARDS** - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Goldberg stated that he would tag Item No. 17, that they did not know where the bike project was going, and he did not know why they would buy land when they did not have the whole thing designed yet.

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

23. **TEXAS DEPARTMENT OF STATE HEALTH SERVICES** for payment of Annual Certification/ Recertification Testing of Emergency Medical Technicians and Paramedics for the Fire Department - \$100,000.00 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Quan stated that at the budget hearing they had a discussion regarding education and training of the personnel and a task force was to be formed and asked Mayor White if he knew where they stood on that, and Mayor White stated that he would look into that and report back to Council Member Quan.

A vote was called on Item No. 17. All voting aye. Nays none. MOTION 2005-0715 ADOPTED.

24. **APPLIED BIOSYSTEMS** for Reagent Kits, Software and Software Training for Genetic Analyzers for the Houston Police Department - \$204,460.00 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Sekula-Gibbs.

Council Member Sekula-Gibbs stated that she would like for someone to give her some information on the purpose of the kits, did it mean that they were moving forward on re-opening the DNA section of the Crime Lab and Mayor White stated that they would get that report to her.

Note: MOTION 2005-0716 omitted in error.

27. **AZTECA SYSTEMS, INC** for Infrastructure Management System Software Maintenance Service for the Department of Public Works & Engineering - \$110,000.00 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member

Alvarado. All voting aye. Nays none. MOTION 2005-0718 ADOPTED.

28. **ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE, INC** for Geographic Information Systems Software Maintenance Service through the City's Master Agreement with the Texas Department of Information Resources, Contract No. C56844, for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code for the Department of Public Works & Engineering - \$112,933.16 - Enterprise Fund - was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-0719 ADOPTED.

## **ORDINANCES**

30. ORDINANCE **AMENDING CHAPTER 36 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Membership of the Board of Public Trusts - was presented, and tagged by Council Members Galloway and Wiseman. (Note: Council Members Galloway and Wiseman released their tag later in the meeting.)
31. ORDINANCE **AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Vehicles for Hire; containing other provisions relating to the foregoing subject; containing a savings clause; providing for severability - was presented.

After discussion by Council Members, Council Member Quan stated that he would tag Item No. 31.

33. ORDINANCE approving and authorizing the sale to Harris County, Texas, of a tract or parcel of land containing 5,274 square feet, more or less, being a part of and out of Lots 1 and 8, Block 2, Herman Park Court, as per map or plat of said subdivision recorded in Volume 482, Page 94 of the deed records of Harris County, Texas, and being designated by the City as Parcel SY5-061, for and in consideration of the payment to the City of Houston of \$16,266.00 by Harris County, Texas, and other good and valuable consideration; subject to the terms and conditions of the conveyance - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. ORDINANCE 2005-0914 ADOPTED.
34. ORDINANCE issuing permit to **1417 CONGRESS PARTNERS, LTD.**, for constructing, maintaining, using, occupying, operating and repairing a second story balcony containing 1,100 square feet, more or less, supported by twelve footings and eight support columns in the Congress and La Branch Street rights of way, above the street level, across, along, under, and upon the street at 1417 Congress and 216 La Branch, such areas being within the public street rights-of-way of the City of Houston, Texas and abutting Block 25, S.S.B.B.; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2005-0915 ADOPTED.
35. ORDINANCE issuing permit to **GRAMERCY COURT, LTD.**, for using, occupying, operating, maintaining and repairing a waterline within the 2600 block of Gramercy Street, a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT C - GOLDBERG** - was presented and tagged by Council Member Ellis.

Council Member Ellis stated that he was opposed to the item, that they owed about \$25,000 in back taxes and he would like to see some type of payment plan set up prior to the next meeting.

37. ORDINANCE approving and authorizing five (5) year lease agreement between the **SOCIETY FOR THE PERFORMING ARTS, a Texas non-profit corporation**, as tenant,

and the City of Houston, Texas, as landlord, for 3009.81 square feet of space at 615 Louisiana Street, Houston, Texas, also known as Jones Hall, at a monthly rental of \$1,443.14 during the first year and with subsequent rental increases in accordance with increases in the consumer price index, for use as general office space related to the Performing Arts and for ticket sales - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2005-0916 ADOPTED.

38. ORDINANCE approving the issuance of notes by the East Downtown Redevelopment Authority **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. ORDINANCE 2005-0917 ADOPTED.
39. ORDINANCE approving and adopting an updated ongoing Service and Assessment Plan for and on behalf of the **LAMAR TERRACE PUBLIC IMPROVEMENT DISTRICT NO. 2** covering the period 2005 through 2014 pursuant to Chapter 372 of the Texas Local Government Code **DISTRICT C - GOLDBERG** - was presented, and tagged by Council Member Galloway. (Note: Council Member Galloway released her tag later in the meeting.)
- 39a. ORDINANCE appropriating \$250,025.26 out of Fund 253, Lamar Terrace Public Improvement District No. 2 Fund, for payment to **ST. GEORGE PLACE REDEVELOPMENT AUTHORITY** pursuant to Ordinance No. 2003-0432 - **DISTRICT C - GOLDBERG** - was presented, and tagged by Council Member Galloway. (Note: Council Member Galloway released her tag later in the meeting.)
40. ORDINANCE approving and authorizing primary interlocal cooperation agreement together with a project agreement both between the City and **FORT BEND COUNTY** for Mosquito Control Activities - **DISTRICTS D - EDWARDS; F - KHAN and G - HOLM** - was presented. All voting aye. Nays none. ORDINANCE 2005-0918 ADOPTED.
41. ORDINANCE approving and authorizing sixth amendment to the contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to extend the term and provide up to an additional \$19,058.00 of Community Development Block Grant Funds for the continuing operation of homeless services database and provisions of other homeless related information services - was presented. All voting aye. Nays none. ORDINANCE 2005-0919 ADOPTED.
43. ORDINANCE amending Ordinance No. 2005-0276 to further increase the maximum contract amount to contract between the City of Houston and **DENTON, NAVARRO, ROCHA & BERNAL, P.C.** for Professional Services in Negotiating on behalf of the City a Collective Bargaining Agreement between the City and the **HOUSTON PROFESSIONAL FIRE FIGHTERS ASSOCIATION** - \$75,000.00 - General Fund - was presented. All voting aye. Nays none. ORDINANCE 2005-0920 ADOPTED.
44. ORDINANCE amending Ordinance 2004-640 to increase the maximum contract amount for contract between the City of Houston and **GREENBERG TRAUIG, LLP** for Professional Legal Services - \$100,000.00 - Property and Casualty Fund - was presented. All voting aye. Nays none. ORDINANCE 2005-0921 ADOPTED.
45. ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty - was presented.

Council Member Quan stated that at Lee High School they had an episode where three of their students had been hit by cars, that as they knew Hillcroft was a really busy street, that they had been trying to see what could be done to help with that situation, that as a possible speed zone, that he knew their policy at the City was unless it was an elementary school they would

not consider that and he asked that they look at realities, where there was a high school there or not if people were being hit by cars they needed to consider that as a place where they might need to put a speed zone, and Mayor White stated that he knew Council Member Khan had expressed concern about Lee High School, as well as other people, that there may be places where they should have crosswalks, that they had to be thinking about the full range of options they had to make things safer, that there were going to be more and more places in the City where they wanted to be both pedestrian friendly and have mobility where they would be needing to look for crosswalks and what the cost of that was and where they fit into the overall CIP Program.

Council Member Garcia suggested that if Council Member Quan was going to tag the item then maybe they could have a Public Safety meeting on the item, that he would not mind holding a special hearing on it and bringing HISD, Traffic and Management from Public Works to tell them their science and approach on addressing it. Council Member Alvarado absent.

Council Members Quan and Garcia stated that they would tag Item No. 45. Council Member Alvarado absent.

Council Member Khan stated that he wanted to thank Mayor White for paying attention to the Lee High School situation. Council Member Alvarado absent.

Mayor White stated that maybe they could help him think of an interim solution and he had asked Mr. Norman to take back the notes, that he had asked people to sketch out for him the criteria for school crossing guards and cost for a crosswalk.

47. ORDINANCE approving and authorizing contract between the City of Houston and **AMERICAN MEDICAL RESPONSE** for Emergency Medical Transportation Services for the Houston Fire Department - was presented, and tagged by Council Member Garcia.

After discussion by Council Members, Council Member Sekula-Gibbs asked if Council Member Garcia had a time set for the Public Safety Committee addressing the matter, and Council Member Garcia stated that they were working on getting the date together. Council Member Galloway absent.

52. ORDINANCE approving and authorizing an agreement between the City of Houston and **JEFFERSON WELLS INTERNATIONAL, INC** for Professional Accounting and Auditing Services for the Houston Airport System - was presented. All voting aye. Nays none. Council Member Galloway absent. ORDINANCE 2005-0922 ADOPTED.

53. ORDINANCE appropriating \$441,000.00 out of Houston Airport System Consolidated 2001 NON-AMT Construction Fund and awarding construction contract to **SILVA INC** for Runway 9-27 Repairs at George Bush Intercontinental Airport/Houston, CIP A-0451, (Project 603A); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by such fund - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2005-0923 ADOPTED.

55. ORDINANCE appropriating \$837,500.00 out of Police Consolidated Construction Fund and approving and authorizing Professional Architectural Services Contract between the City of Houston and **3D/INTERNATIONAL, INC** for Design of Mounted Patrol Facility - Relocation, GFS G-0117-01-2; providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - was presented.

After discussion by Council Members, a vote was called on Item No. 55. All voting aye.

Nays none. ORDINANCE 2005-0924 ADOPTED.

58. ORDINANCE appropriating \$3,035,915.00 out of Street & Bridge Consolidated Construction Fund No. 437, \$776,875.00 out of Water & Sewer System Consolidated Construction Fund No. 755, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for Pech Road Reconstruction from Westview Drive to Long Point Road, GFS N-0754-01-3 and S-0500-29-3 and R-0500-28-3 (SB9094); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund No. 437 and the Water & Sewer System Consolidated Construction Fund No. 755 - **DISTRICT A - LAWRENCE** - was presented.

After discussion by Council Members, a vote was called on Item No. 58. All voting aye. Nays none. Council Member Ellis absent. ORDINANCE 2005-0925 ADOPTED.

### **NON CONSENT AGENDA** - NUMBER 62

#### **PROPERTY**

62. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and recommended by the Joint Referral Committee, on request from Scott Prine of Mustang Engineering, LP, on behalf of The Dow Chemical Company, Inc. (L. A. Simper, manager of rights of way) for abandonment and sale of Harbor Oaks Drive, from River View Drive south to its cul-de-sac terminus, located in Greentree Place Subdivision, Parcel SY5-063 - **TWO APPRAISERS and one ALTERNATE APPRAISER - DISTRICT G - HOLM** - was presented. Council Member Ellis absent.

Council Member Holm named Mr. Tom Kvinta and Mr. Michael Copland as appraisers and Mr. Bill Kvinta as alternate appraiser, and moved adoption of the recommendation, seconded by Council Member Khan. Council Member Ellis absent.

Council Member Quan stated that usually if the property was going to be under \$25,000 he thought they used their own staff appraisers, and Ms. Stein stated that it was expected to exceed \$25,000. Council Member Ellis absent.

A vote was called on Council Member Holm's motion to appoint appraisers. All voting aye. Nays none. Council Member Ellis absent. MOTION 2005-0719 ADOPTED.

Council Member Galloway stated that she would release her tag on Item Numbers 39 and 39a.

39. ORDINANCE approving and adopting an updated ongoing Service and Assessment Plan for and on behalf of the **LAMAR TERRACE PUBLIC IMPROVEMENT DISTRICT NO. 2** covering the period 2005 through 2014 pursuant to Chapter 372 of the Texas Local Government Code **DISTRICT C - GOLDBERG** - was again before Council. All voting aye. Nays none. Council Member Ellis absent. ORDINANCE 2005-0926 ADOPTED.

- 39a. ORDINANCE appropriating \$250,025.26 out of Fund 253, Lamar Terrace Public Improvement District No. 2 Fund, for payment to **ST. GEORGE PLACE REDEVELOPMENT AUTHORITY** pursuant to Ordinance No. 2003-0432 - **DISTRICT C - GOLDBERG** - was again before Council. All voting aye. Nays none. Council Member Ellis absent. ORDINANCE 2005-0927 ADOPTED.

#### **MATTERS HELD** - NUMBERS 63 through 65

63. ORDINANCE appropriating \$1,400,840.00 out of Street & Bridge Consolidated

Construction Fund, awarding contract to **JERDON ENTERPRISE, L.P.** for Safe Sidewalk Program E1 Project, GFS N-0610A-E1-3 (SB9136-01); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering, testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - EDWARDS; G - HOLM and H - GARCIA - (This was Item 25 on Agenda of July 13, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. Council Member Ellis absent.

Council Member Galloway stated that she tagged the item because of the minority participation and the explanation that she got from the Deputy Director was that the eligible bidder be on the TXDOT pre-qualified list as a contractor, that she knew they were putting sidewalks on the feeder roads of the freeways and asked if TXDOT contributed financing to any of the project or was it all City, and Mayor White stated that he did not know and asked if there was anyone present who knew, and was told that it was all City, that the director stated that he did not think there would be a change in the cost if they send it back out for bids since it came in at over a million dollars, and she thought that was where they had a breakdown and they were getting less and less minority participation because they were not following what they should as a means, if it came in as above a million then they should have sent it back out so they could have made it inclusive for MWBE participation, that it may have taken a little bit longer but at least they would have had their goals set. Council Member Ellis absent.

Mayor White stated that they had seen this come up at least three or four times in the last four or five weeks and there ought to be a way that they would have contract language that said if it came in over a million, depending on the amount, then people would know what rules applied.

A vote was called on Item No. 63. All voting aye. Nays none. Council Member Ellis absent. ORDINANCE 2005-0928 ADOPTED.

64. ORDINANCE appropriating \$1,786,100.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Safe Sidewalk Program 01 Project, GFS N-0646H-01-3 (SB9185-1); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA - (This was Item 26 on Agenda of July 13, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. Council Member Ellis absent. ORDINANCE 2005-0929 ADOPTED.

65. ORDINANCE appropriating \$1,473,313.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **SPAWGLASS CIVIL CONSTRUCTION, INC** for Safe Sidewalk Program 02 Project, GFS N-0646H-02-3 (SB9185-2); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA - (This was Item 27 on Agenda of July 13, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. Council Member Ellis absent. ORDINANCE 2005-0930 ADOPTED.

Council Members Galloway and Wiseman stated that they would release their tags on Item No.

30.

30. **ORDINANCE AMENDING CHAPTER 36 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Membership of the Board of Public Trusts - was again before Council. All voting aye. Nays none. Council Member Ellis absent. **ORDINANCE 2005-0931 ADOPTED.**

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

Council Member Goldberg stated that last week Lakewood Church dedicated the Compaq Center and it became a church and it was a great opening and ceremony attended by the Governor of Texas and Ms. Nancy Polosi, a Member of Congress, that it was going to be called the Central Campus and was a beautiful facility and one that he thought would attract a lot of people to the City of Houston, that he congratulated Joel and Victoria Olsteen. Council Members Lawrence, Khan, Ellis, Green and Berry absent.

Council Member Goldberg stated that Council Member Galloway brought up an issue that he thought bared looking into, that they had a situation similar where TXDOT was working on Shepherd, they reconstructed the street and also did the sidewalk, that the City was responsible for sidewalks and the City paid TXDOT to do the sidewalks yet they did not do it, they claimed that the City's design did not meet ADA qualifications and were not sure they did, yet the City paid them and there needed to be a reconciling of money because they owed the City \$800,000 and had not paid the money back for not doing the sidewalks, and in addition to that there was a punch list that was an argument between Public Works and TXDOT whether or not they finished the punch list, that he had asked the administration and F&A to look into the accounting, \$800,000 was a lot of money, and if they were due that money they were supposed to get it back. Council Members Lawrence, Khan, Ellis and Green absent.

Council Member Goldberg stated that they had formed Planning Commission committees and he did not have a very good understanding of the new committees and asked if the meetings were to be held in public, were they to find out what their agenda was because he was told of meetings they had on issues in their district and he had no notice of it, that they claimed it was on their website and that was their notice and he did not think that was enough and thought that at least they should notify Council Members of what their agendas were going to be and it should be open to the public, that they were making a lot of policy decisions that the Council Members did not have input and did not even know about, that he hoped they would give them better notice. Council Members Lawrence, Khan, Ellis and Green absent.

Council Member Goldberg stated that he wanted to congratulate one of the constituents in District C, Mr. Allen Waghalter went above and beyond the duty of a normal constituent and it had to do with bandit signs, that the signs were being put up in the esplanade so he took pictures of the guy who did it and got the prosecutors to prosecute the case and showed up in court and presented the judge the pictures and testified and was able to get a conviction, that he did it all on his own time. Council Members Lawrence, Khan, Ellis and Green absent.

Council Member Goldberg stated that he wanted to remind them all that the Telecom Bill was still up in the Legislature and they really had to keep track of it, that he thought it would really hurt the City if it passed and hurt their franchise revenue, that it was now called House Bill 1379. Council Members Lawrence, Khan, Ellis and Green absent.

Mayor White stated that both houses did pass the special session and during the session one company hired 120 lobbyists, over the opposition of municipalities, they wanted to use public streets for free, but then the final issue they were able to reconcile. Council Members Lawrence, Khan, Ellis and Green absent.

Council Member Goldberg stated that he was glad to see Mayor White's response to an investigative report on Channel 2 regarding the scanners, that they talked about the fact that the

City could get scanners for free to scan pets in BARC for microchips, that he thought statewide 5,000 pets were identified with chips and rescued and returned to their owners. Council Members Lawrence, Khan, Ellis and Green absent.

Council Member Goldberg stated that he wanted to congratulate the West University Place Little League Challenger Division, that they were invited by the President to come to the White House and play tee ball, that it was a great opportunity for them and the trip was free for the players and their families and they got to attend a Houston Astros game against the new Washington Nationals and got an autographed baseball from the President and had their picture taken with him, and there were some Hall of Fame All Stars there, that he wanted to congratulate the team players and their team manager, Bobby Lapin. Council Members Lawrence, Khan and Green absent.

Council Member Wiseman stated that with respect to TXDOT and their ability or inability to work with the City, they had a situation in Kingwood along Highway 59, that they were hearing from constituents complaining about the situation, they could not get onto the freeway from Kingwood right now, they either had to go up to Porter or down to Humble, the traffic jams were becoming a nightmare, there was a section of the feeder road that was down to one lane, that she would like to see if they could work together to attempt to reason with TXDOT with what they were doing, that she feared the worse with respect to emergency response if the emergency response units could not get through that traffic, that she thought a very easy temporary on ramp could be done, and Mayor White asked Mr. Norman, Public Works, if somebody could report back to him, that he needed somebody to look at the specifics on that. Council Members Lawrence and Green absent.

Council Member Wiseman stated that yesterday the United States returned to space, that she could not have been more proud and everything went off very well, that she wanted to thank her colleagues on Council who were present to join them in the moral support and celebration of the wonderful staff at Johnson Space Center, Council Members Garcia and Holm. Council Members Lawrence and Green absent.

Council Member Galloway stated that she had some concerns as it related to some constituents in her area as well as some organizations that she belonged to, that a group of people toured the Harris County Jail and they found out during the tour that it was noted about the over crowding and her question was if the fire inspectors inspected all buildings including the County buildings and jails for fire hazards as it related to occupancy, and Mayor White stated that he knew there were some public facilities which they did not, but he would find that out for her. Council Members Lawrence and Green absent.

Council Member Galloway stated that she had an outcry in her community, especially in the older neighborhoods, about the market rates for their properties at the appraisal district, that it seemed some of it was not fair and the market rate was really going up, that many places were tripled and there was no selling or buying in the various communities, that she had some great concerns about that and did not know what they as a City could do, that they were thinking about putting in a jurisdiction protest because it was in the older neighborhoods. Council Members Lawrence and Green absent.

Council Member Edwards stated that she wanted to congratulate her grandson, Nosacaray, who was 13 years of age, that he had the opportunity to join the Houston City Slickers Soccer Team and in the first game he scored two goals, that she was proud of him. Mayor White and Council Members Lawrence and Green absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that she wanted to salute the North Montrose Community, especially the civic association, who celebrated their 25 the anniversary last night. Mayor White and Council Members Lawrence, Goldberg, Khan and Green absent. Mayor Pro

Tem Alvarado presiding.

Council Member Edwards stated that she was handing out some cards, that Mr. Gene Moore Jr. at Saint Agnes Church, in District D, had been producing the celebration for 5 years, that his average attendance was about 5,000 to 6,000 young people, that it was a two day function, that it was entertainment and seminars where they gave them information about voting registration and health awareness and a lot of things that their young people did not get access to and this year they were looking to have 10,000 young people at Saint Agnes Church, that she wanted to congratulate Mr. Moore and the young ministers that he worked with across the State, that the Power of Life Celebration would be Friday and Saturday, July 29 and 30, 2005 at Saint Agnes Church located at 3730 South Acres Drive. Mayor White and Council Members Lawrence, Galloway, Goldberg and Green absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that the second Montrose Task Force meeting regarding the homeless and conditions in the Montrose area would convene tomorrow night, Thursday, at 6:30 p.m. at the West Gray Multi Service Center, 1475 West Gray, that they were encouraged and really impressed with the work that this community task force was doing to bring solutions to the problems and challenges they were facing in the Montrose area. Mayor White and Council Members Lawrence, Galloway, Goldberg and Green absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that one concern she had was that there were a lot of streets in District D that were occupied by long term renters, that people had rented properties for 30, 40 and 50 years and also large apartments in District D, that they had a lot of apartment dwellers, and they did not have the right to participate in getting their streets repaired because they were not the property owners, that she would like to work with someone to look at how they could amend that ordinance, so that long term renters could have the opportunity to speak to the condition of their streets and be part of the solution of getting the streets fixed. Council Members Lawrence, Galloway, Goldberg, Ellis and Green absent.

Council Member Edwards stated that the furor that was started by the Supreme Court with their ruling on the eminent domain situation and the subsequent bill that was passed in their Legislature regarding that, she was told by a State Representative that the eminent domain bill they passed exempted the State of Texas and the Texas Medical Center and she would like for someone to find out if that was the case and why would they be exempt. Council Members Lawrence, Galloway, Goldberg, Ellis and Green absent.

Council Member Garcia stated that he wanted to share his comments, prayers and excitement with the astronauts, that it was a special moment for him, that he was with his daughter and as they were watching the launch it occurred to him that she was watching some great American history, that during the launch the room fell silent and everybody was very emotional, that he wanted to congratulate those brave men and women on Discovery. Council Members Lawrence, Galloway, Goldberg, Ellis and Green absent.

Council Member Garcia stated that while the Astros were in Washington, D. C. playing the Nationals they took time out of their busy schedule to visit the recently wounded veterans. Council Members Lawrence, Galloway, Goldberg, Ellis and Green absent.

Council Member Garcia stated that he was saddened by the fact that there was a young life lost to a drowning but was particularly impressed and motivated by the Public Works employees who tried to save that life, the Public Works employees were Raymond Johnson, William Young, Gerald Lamar, Clifton Jones and Gregory Tuft , that it was Clifton Jones and Raymond Johnson were the two who worked to administer CPR and first aid to the child, that he wanted to thank them for doing the right thing and jumping at the opportunity to try to save a life. Council Members Lawrence, Galloway, Goldberg, Ellis and Green absent.

Council Member Holm stated that for the last several months there had been a street parking issue in District G that the Planning Department and her office had tried to address, that she thought several years ago there was an ordinance passed to protect residential communities from a surrounding commercial areas or a school area and they created the Residential Parking Ordinance and right now that was the only tool they had, that she wanted to recommend that they look at expansion and reevaluating those parking ordinances, that she had talked a little bit to the new director and she was also willing to embrace it. Council Members Lawrence, Galloway, Ellis and Green absent.

Mayor White stated that the Mayor Pro Tem had been working with a variety of stake holders and Ms. Rambo to create a new institutional structure that would allow them to address the issue and as a result he knew there was an ordinance that had been or would be drafted which he thought was due to go to Chairman Berry's committee on August 11, 2005. Council Members Lawrence, Galloway, Ellis and Green absent.

Council Member Holm stated that last week at the TPC meeting one of the things that they mentioned was the I-45 plan and expansion of that, that over and over again she thought that one of the things that they saw it was not necessarily the plan sometimes but the process, that Council Member Garcia who also served as an alternate on the TPC was present and offered to be of assistance and she thought it was a real key opportunity for the City to be the facilitator as the elected person to represent the people as they moved forward, that she hoped the Mayor would really encourage with TXDOT that the City play more of a role; that she also wanted to say that with Metro, Mr. Frank Wilson was in the meeting two night ago with Afton Oaks and he to had openly embraced the fact that sometimes it was not the plan but the process. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Holm stated that she wanted to thank Mayor White for embracing and taking the leadership on a new designation in their Historical Preservation Ordinance, that they had gone through a process to designate what was going to be called a protected landmark which gave a property owner the choice of permanently protecting their property so that it could be sustained if it met certain criteria, that it went through the Quality of Life committee for discussion and last week it went before the Houston Archeological and Historical Commission and was unanimously supported and tomorrow it would go before the Planning Commission and shortly thereafter it would come back before Council for approval. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Holm stated that yesterday she did share in mission control with her colleagues, Council Members Wiseman and Garcia, and it was a powerful experience, that they wished God speed to the crew and on their journey, and at the same time they had in the Medical Center in the last two weeks Texas Childrens Hospital was named the fourth out of the top ten facilities for it's work with children and it's leadership, medical staff and community and M.D. Anderson was again rated in the top two for the work it did. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Alvarado stated that as to the parking issue Council Member Berry agreed to hold the ordinance, they did have a final draft of the ordinance and they were trying to schedule meetings with Council Members prior to that meeting on August 11, 2005 their prompt response would be greatly appreciated. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Alvarado stated that she wanted to welcome the Texas Association of Mexican American Chambers of Commerce, known as TAMAC, they were holding their annual convention in Houston and they would have for the first time a Houston Hispanic female who would be sworn in as the Chair for the organization so they would salute Ms. Paula Mendoza and she invited all of them to attend some of the festivities that would be taking place, that they could contact her office or Council Member Garcia's office for that. Council Members Lawrence,

Galloway, Garcia, Ellis and Green absent.

Council Member Alvarado stated that she wanted to congratulate the Dixie Little League and the Magnolia Little League in her neighborhood, they were formed to put together a 15 year old and 16 year old league and they were playing in Tyler, Texas today to compete in the State sectionals and they wished them luck, they were coached by HPD Officer Chris De Alejandro. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Alvarado stated that she was saddened to hear of the passing of Mr. Rafael Fleagal, the former concert master of the Houston Symphony for the past 25 years and also served as a member of the Music Faculty at the University of Houston, Houston Baptist University and Rice University, that her condolences went out to the family. Council Members Lawrence, Galloway, Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs stated that the 15<sup>th</sup> Annual Houston International Jazz Festival would be co-chaired by herself and Council Member Berry and Congresswoman Shiela Jackson Lee, that there would be some excellent music played by junior high and high school students who were delightful and very talented, that it would be on Sunday, August 7, 2005, from 11:00 a.m. to 1:00 p.m. at the Wortham, that if they were interested they could contact Willie Fontenot at 713-520-5920, that it was masterminded by Mr. George Thomas, General Manager of The Choice, KTSU, 90.9 Radio. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs stated that on Saturday, July 30, 2005, they would have the Alief Health Fair and Resources Fair for the civic community at 7720 Boone Road at Notre Dame Catholic Church from 9:00 a.m. to 2:00 p.m., for more information they could contact her office. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs stated that Houston would be honored to be hosting Dr. Elizabeth Duke who was the administrator for HERSA, Health Resources and Services Administration, that it was a very important opportunity for Houston to showcase the need that they had in terms of health requirements, that she would be at the Hyatt Regency at 7:30 a.m. for a breakfast and then they would have a news conference with her at the Houston Community Health Center, the Denver Harbor Clinic, in the La Roca Church area on Halo at 10:00 a.m. and they could contact her office for further information. Council Members Lawrence, Galloway, Goldberg, Ellis and Green absent.

Council Member Khan stated that he wanted to thank the Parks Department and Director Joe Turner, they were holding a community meeting tonight for Boone Road Park development at Notre Dame Church at 7720 Boone Road at 7:00 p.m. Council Members Lawrence, Galloway, Goldberg, Ellis and Green absent.

Council Member Khan stated that they would have the Alief Health Fair would be on Saturday, that he wanted to acknowledge the effort of the Alief Super Neighborhood Council who had been working very hard, that they could go to [www.AliefSuperNeighborhood.org](http://www.AliefSuperNeighborhood.org) to get more information. Council Members Lawrence, Galloway, Goldberg, Wiseman, Ellis and Green absent.

Council Member Khan stated that there was a story in the Chronicle today, that it was a marketing effort by Alief ISD, that they enrolled about 46,000 students in Southwest Houston and was the most diverse school district in the City, that the marketing theme was "Alief, a Great Place to Learn", that he wanted to thank Alief ISD Superintendent, Mr. Louis Stoner and all the people who were involved in the marketing campaign to boost the image of Alief. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Khan stated that a construction company who was doing a lot of projects

around the City, CTI, had filed for bankruptcy and one of the projects they were working on was the Dunlap project and those neighbors were very frustrated because all the work was started and left in the middle, that there were safety and flooding concerns, that he wanted to thank Director Marcotte who would be joining him to hold a public meeting on August 4, 2005 to address the concerns of the neighborhood, that they would also be addressing what were the efforts for completing the project and what was the timeline for the completion, that it would be at Bayland Community Center, located at 6001 Bissonnet at Bayland Park. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Khan stated that a lot of people were trying to improve the image of the Gulfton area, that Neighborhood Centers started a newsletter promoting the Gulfton area and the first addition had a story on Dr. Azave who had a clinic on Hillcroft in the Gulfton area and they were doing a lot of good things and that was where the new multi service center was going up also, that it would really improve the image of Gulfton. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Khan stated that their C3 cleanup was scheduled for August 30, 2005. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Khan stated that Police Chief Hurtt had agreed to do another townhall meeting on crime, that it would be on September 19, 2005 at Nortre Dame Church. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Quan stated that yesterday at their Neighborhood Housing and Redevelopment committee meeting one of the things that passed through the committee was the action by the Houston Airport System, that Mr. Cherry, Cherry Demolition, had come before Council previously and talked about the fact that they had a number of homes on property that the airport was acquiring that were being demolished and that those homes could in fact be used to address affordable housing issues, the Houston Airport System had worked closely with them and had now made the homes available to community development corporations for a cost of \$1 each, they had a meeting scheduled for interested CDCs to go over the potential homes to see about moving them to property and lots where they could really help the community, that he wanted to commend HAS for their efforts. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Quan stated that community leader Mr. Lupe Fraga had recently been appointed to the Board of Texas A&M University and a reception was being held for Lupe this evening, that he had been a great contributor to the community. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Quan stated that on Friday night his second daughter, Chrissy Quan, would get to throw out the first pitch at the Astros game. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Quan stated that on August 2, 2005, would be the National Night Out and hoped that many neighborhoods around the City would participate in that. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Quan stated that he wanted to mention the passing of a real sweet community woman, Ms. Vera Kline, that she was very active in Southwest Houston, Southwest 2000 and was a docent for the Holocaust Museum, that she and her husband Ike served the community for many years. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Berry stated that Item Numbers 20 and 21 were requested to be untaggable, that he would hope that the word would go forth and thought it had to come from

Mayor White, that whether it was Purchasing or one of the individual departments, that they took it seriously, that typically they had been working on those things for six months, that it forced them to cram for the exam. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Berry stated that Thursday, July 28, 2005 was the TIA committee meeting and it would be on the Airport Duty Free Concession at George Bush Intercontinental Airport. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Berry stated that there was a nice story in the Houston Chronicle about Council Member Garcia and thought it was a model for all of them about the cleanup work that he was doing in his district as part of the 3C effort, that he had created community alliance for responsibility, empowerment and safety, that he used campaign funds to buy a tractor, shovels, safety glasses and other essentials and used Harris County Probation community service volunteers and offered homeless clients at the Open Door Mission on Harrisburg a letter of recommendation for perspective employers in exchange for their help. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Berry stated that Chief Lumpkin was doing a great job in a new department and was doing it on the backs of really good people in his department, that they called Inspector Michael La Chapelle about a house that was in bad shape and he managed, using probationers, to get the grass cut, that they appreciated it. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Berry stated that they were working on some eminent domain language that they hoped to work with the Legal Department and get their opinion. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs and Green absent.

Council Member Edwards stated that the Office of the Mexican Consulate General was in her district and they traditionally had a lot of long lines in the area outside, and there was a homeowner in the area that was charging people two dollars to use their bathroom and charging them to make a phone call, that she knew people had the option as to whether or not they wanted to do that, and they had a copy machine that they used and charged exorbitant rates on and her question was when they started charging did it make them a business and did it affect their impact fees as far as water, that it looked bad for the City for a resident to be charging people who were trying to get their lives together, that she needed help in how to handle it, that Ms. Gafrick was working with her on it, that she felt very uncomfortable with that type of activity going on. Council Members Lawrence, Galloway, Goldberg, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:16 p.m. Council Members Lawrence, Galloway, Goldberg, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary