

City Council Chamber, City Hall, Tuesday, September 13, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 13, 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. and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Debra Dillard, Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director; Mr. Jose Soto, Assistant Agenda Director present. Council Member Ronald C. Green absent on personal business.

At 2:04 p.m. Mayor White stated that Council would begin presentations and called on Council Member Edwards. Council Member Edwards stated that once again they had the honor of presenting three outstanding city employees the Bravo Award and would be celebrating Mr. Scott Mellott of the Fire Department, Mr. Clarence Mitchell with Aviation and Ms. Katherine Swilley with the Police Department. Mayor White invited Mr. Scott Mellott to the podium and stated that he worked diligently as a firefighter and friend to family members of firefighters who died in the line of duty and Chief Boriskie applauded him for being an asset and friend and presented Mr. Mellott his Bravo Award; next Council Member Edwards invited Mr. Clarence F. Mitchell to the podium and stated that he was an airport security officer at Hobby Airport and had continuously been recognized for his outstanding performance in providing superior customer service to travelers and on one occasion put himself in harm's way and presented Mr. Mitchell his Bravo Award; and Mayor White then invited Officer Katherine A. Swilley and those present with her to the podium and stated that Officer Swilley was asked to tackle a problem in serving arrest warrants in the courtroom whereas on numerous occasions motorists who were ticketed came to court with outstanding warrants and Officer Swilley developed a plan and netted more than \$178,773 in fines the first month, resulted in 362 arrests and cleared 894 cases and presented Officer Swilley her Bravo Award. Officer Swilley stated that she could not have done it alone; that people were as good as their leaders and asked Capt. Perry and Lt. Kelley to stand; and stated that without the bailiffs she would not be able to make any arrests and all should give them a hand. Council Members Quan and Berry absent

Council Member Galloway invited Mr. Bud Johnson to the podium and stated that he was a warrior from way back; and presented him a Proclamation for his impressive career in journalism and proclaimed September 13, 2005, as "Bud Johnson Day", in Houston, Texas. Mr. Johnson thanked the Mayor and Council for the Proclamation. Council Member Berry absent

Mayor White stated that it was his pleasure to present the next presentation to Officer Izaguirre who became a Houston Police Officer in 1999 patrolling the Second Ward and by his show of concern developed a trusting relationship and became a role model; and presented a Proclamation to Officer Izaguirre, a Houston Hero, and proclaimed September 13, 2005, as "Officer Ignacio Izaguirre Day", in Houston, Texas. Officer Izaguirre thanked God for all his blessings and stated that he was very proud to be a Houston Police Officer, this was a great honor. Council Member Berry absent.

At 2:28 p.m. Mayor White called the meeting to order and called on Council Member Wiseman who led all in prayer and in the pledge. Council Member Berry absent.

At 2:09 p.m. the City Secretary called the roll. Council Member Green absent on personal business. Council Member Berry absent.

Council Members Alvarado and Galloway moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Berry absent. MOTION ADOPTED.

MATTER HELD

1. ORDINANCE approving and authorizing one or more contracts to provide for the disbursement of per diem payments to shelter-providers for a specific period of time, subject to certain limitations; making findings and provisions related to the subject; and declaring an emergency - Not to exceed \$500,000 - Hurricane Katrina Aid and Recovery Fund - POSTPONED BY MOTION #2005-884, 9/8/05 – was presented.

Mayor White stated that the topic would be addressed in some items coming out of the Legal Department and the County would be addressing similar issues with FEMA reimbursement, as well as work being done in other counties which helped to obtain a common objective in sharing the maximum FEMA reimbursement. Council Member Berry absent.

Council Member Alvarado moved to refer the item back to the Administration, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Berry absent. MOTION 2005-0885 ADOPTED.

Mayor White stated that there may be more things in progress and they would try and get them on the Agenda as quickly as possible to make sure no one slipped through the cracks and with no compromise to the taxpayers. Council Member Berry absent.

Council Member Edwards moved that the rules be suspended for the purpose of hearing Mr. Michael Lee at the top of the speakers list, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0886 ADOPTED.

Council Member Lawrence moved that the rules be suspended for the purpose of hearing Mr. Jack Lee at the top of the list for three minute non agenda speakers, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0887 ADOPTED.

Council Member Ellis moved that the rules be suspended for the purpose of hearing Ms. Annie Marie Delgado at the top of the non agenda speakers, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0888 ADOPTED.

Council Member Holm moved that the rules be suspended for the purpose of hearing Mr. Brandt Manchen and Dr. Nadine Jarmon after Ms. Annie Marie Delgado, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0889 ADOPTED.

Council Member Galloway stated that as a point of privilege she wanted to announce Council Member Green was the proud Papa of a young son today and would not be present. Council Member Berry absent.

Mr. Michael Lee, 5504 Ardmore, Houston, Texas 77021 (713-748-6973) appeared and stated that the Mayor's Office had asked the South McGregor Civic Club to present an alternate plan for their vision dealing with the Columbia Tap and basically they were asking it not to be extended from South McGregor to Dixie Drive and the only difference in their plan was that temporarily they would not locate the bike trail behind several residents, but the problem was still neighborhood security and the connection to Dixie Drive; that the City traffic study showed heavy bicycle traffic on Dixie which met the truck traffic but he received through the Traffic department the study which showed about three bicycles per day on Dixie and about 400 trucks

per day so something was incongruous with the City's need to connect to Dixie; that they were also asking for a separate pedestrian bridge over Brays Bayou to be deleted and incorporate a new bridge over Brays at Ardmore Street as it would capture pedestrian traffic from both the east and west side of the bayou. Council Members Galloway, Khan and Garcia absent.

Upon questions by Council Member Lawrence, Mr. Lee stated that the alternate trail was the same distance as the proposed trail connecting to Dixie and they were told it was temporarily not being put behind the homes; that the proposed trail area was owned by Houston Belt and Terminal. Council Members Galloway and Khan absent.

Upon questions by Council Member Edwards, Mr. Lee stated that they were told in a meeting with Mr. Marcotte that they would propose the trail not be put behind the homes but they desired it to be behind the homes in the future, this would be temporary; and Council Member Edwards stated that she would have to check because they did not normally do plans based on temporary moves; and Mayor White stated that she was exactly right and they would have to go back to Council, or whatever, there was nothing saying it was temporary and if it was in the contract they would strike it out of there. Council Members Galloway and Khan absent.

Mr. James Moore, 4900 Floyd, Houston, Texas 77007 (832-687-2510) appeared and stated that when community access television first started he understood it was free for the public, but today they paid hundreds of dollars to put on a show with training, etc., community access should be more accessible not less accessible; that an amendment by a Council Member was proposed so all programming would have staff review prior to transmitting, but in the Houston Library he had copied pictures from books which were disturbing and one was a man masturbating, a transsexual with a dead fetus, and continued to go over pictures and further stated that they were in and paid for by the Houston Library and if they opened this "Pandora's Box" where else would they go. Council Members Lawrence, Galloway, Khan and Garcia absent.

Mr. Josh Bullard, 3328 McGowen, Houston, Texas 77004 (281-236-7518) appeared and stated that on Item 20 it seemed LARA just did not get enough, why buy private property, the group was so small and they needed to be kept on a small leash; that they were currently being audited and it was not complete so why appropriate \$800,000.00 more for them; that Council Member Edwards was adamant about not giving them power to buy; and he could not see them not going through a clear checks and balances process. Council Member Garcia absent.

Council Member Quan stated that there were concerns at the committee meeting and the money was running out and they wanted it before Council; that tomorrow Mayor White would make a presentation on how the LARA program was working and Council would be able to ask questions or vote at that time. Council Member Garcia absent.

Ms. Annie Marie Delgado, 4136 Beech Avenue, Palm Beach Gardens, Florida 33410 (561-346-4473) appeared and stated that she thanked Mayor White for his leadership and the Council Members with respect to Hurricane Katrina hitting their doorstep; that at the request of her Mayor she came to Houston as they put together a variety of country clubs to consider hiring people and they had come up with 125 jobs and housing; that she did thank Council Member Ellis and his staff for helping her get set at the GRB, but it was slow coming and she hoped they could help her in getting the word out; that they did have the vouchers set up to get them out, but she found many of those who were Spanish only got news from the Spanish stations and she was asking help from that media in getting the word out also and would like to be able to go to the hotels they were housed to give information. Council Member Galloway absent.

Mayor White stated that they would get her a list of hotels. Council Member Galloway absent.

Council Member Ellis thanked Council Member Delgado for coming and trying to assist in getting jobs; and upon questions, Council Member Delgado stated that they had all jobs from engineers to bus boys; that they had housing for them and even had homes for those with families and Continental would be flying them with their voucher; and upon further questions by Council Member Ellis, Council Member Quan stated that he thanked her for coming also and if she would be present Saturday they were having a job fair at a community college and Palm Beach was a wonderful option; and they would get information to her. Council Member Galloway absent.

Council Member Garcia thanked Council Member Delgado for coming and stated that they had been working diligently with the consulates office trying to get word out; that the Mexican Red Cross had not been applauded enough, working around the clock; and he thanked her for her leadership here and would give her his card. Council Member Galloway absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Delgado stated that her number was 561-346-4473 and her E-mail would be adelgado@bluebuzz.net; and she was on the third floor at the George R. Brown Convention Center, room 304. Council Member Galloway absent.

Council Member Khan stated that it was great the way the whole country came together and they appreciated her coming; that he would ask for a comment from the Mayor as to when the emergency needs were addressed and jobs were found, the similar leadership was what it would take for all people to be placed in jobs; and he would like him to share information; and Mayor White stated that there were hundreds or thousands employed locally and tens of thousands who evacuated here and he was not discouraging anyone from taking an initiative, but he did convene a meeting yesterday for Houston's existing residents to make sure they were not pushed out of line for employment and for the new residents; that all new civic processes be improved and it included CEO's of large private sector employers, the leadership of the Greater Houston Partnership, and of the AFL/CIO, the Urban League, etc., so employers throughout the nation offering jobs could be loaded there; that three taskforce came from this, one to link all websites, second was to come up with a coordinated training plan, third was a whole series of jobs, the more the better, and facilitating background checks and drug testing and it was all in progress. Council Member Galloway absent.

Mr. Brandt Mannchen, 5431 Carew, Houston, Texas 77096 (713-664-5962) appeared, presented information to Council Members and stated that he was present representing the Houston Sierra Club and wanted to speak on supporting and fully staffing the Bureau of Air Quality Control in the City of Houston's Health Department; that it was the only agency whose primary mission was to protect Houstonians from air pollution; that they did not blame Mayor White for not signing the contract with the Texas Commission on Environmental Quality and understood the importance the Mayor placed on the City of Houston's responsibility to initiate enforcement action against air polluters and they supported that, but they believed there was still an opportunity for accommodation between the two parties and they supported no downsizing of the bureau of air quality control, to fully fund and fully staff the bureau in 2006 and 2007, a statement to the BAQC from Mayor White about his commitment to the bureau and the Sierra Club offered their assistance in developing a new air pollution program at the BAQC; and encouraged the Mayor to give Houstonians the gift of life, a breath of fresh air. Council Members Galloway and Ellis absent.

Council Member Alvarado stated that they had tried hard to have a contract with the TCEQ, but what they wanted was really meaningless and stripped away the City's enforcement authority and she hoped they would talk with state legislatures and have TCEQ enter into a more meaningful agreement with the City; and Mr. Mannchen stated that they had contacted the TCEQ and would continue. Council Members Galloway and Ellis absent.

Council Member Edwards moved that the rules be suspended for the purpose of adding Ms. Krystal Muhammad and Mr. Sean Jackson to the list of speakers, seconded by Council

Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Galloway and Ellis absent. MOTION 2005-0890 ADOPTED.

Mayor White stated that Dr. Jarmon was now the City's colleague, she was head of the New Orleans Housing Authority and had been working with the City of Houston as a member of the team and if there was a motion by consent she could introduce her colleague. Council Members Galloway and Ellis absent.

Council Member Alvarado moved that the rules be suspended for Dr. Jarmon to introduce her colleague, seconded by Council Member Sekula-Gibbs; and Mayor White stated that if there was no objection it would be done by consent. Council Members Galloway and Ellis absent.

Dr. Nadine Jarmon, appeared and stated that with her was Deputy Director of the Housing Authority, Mr. Eugene Jones, and she wanted to take the opportunity to thank the Mayor and Council for having them; that she was an evacuee and the Executive Director of the Housing Authority in New Orleans; that as an evacuee she did choke up at times, but as her role as deputy director she needed to come give thanks for allowing them to come to Houston; that the Housing Authority of New Orleans had over 9,000 Section 8 vouchers and over 6,000 hard public housing units, over 17,000 who had now migrated here; that she thanked all who embraced them; Mr. Etuk allowed them to operate a sub station out of their brand new building on relocation efforts; Mr. Walsh allowed them at the table for every meeting with FEMA; the County was great and so was Rep. Sheila Jackson Lee; that as an evacuee she spent four days on the roof of her building until a boat came and then a bus and then to the Dome; that sometimes her Deputy Director did have to speak for her, this was more than numbers or money, it was severely impacted people; and she wanted to come and thank each personally for reaching out to the New Orleans community. Council Members Galloway and Ellis absent.

Mr. Jones, Deputy Director of New Orleans Housing stated that on behalf of HANO, Dr. Jarmon and Dr. Moon they were a team graciously hosted here by Mr. Etuk of the Houston Housing Authority and treated very well; that they were included in all meetings and were only present to help. Council Members Galloway and Ellis absent.

Mayor White stated that it was this City's honor to have them and thanked them for coming. Council Members Galloway and Ellis absent.

Council Members thanked Dr. Jarmon and Mr. Jones for coming and sharing and stated that they were neighbors and guests and wanted to make sure they were treated right. Council Members Galloway and Ellis absent.

Mr. Ovide Duncantel, 8002 Crestwick Dr., Houston, Texas 77083 (281-561-6606) had reserved time to speak but was not present when his name was called. Council Members Galloway and Ellis absent.

Ms. Hedi Sweetnam, 3015 Richmond, Houston, Texas 77098 (713-522-0590) appeared, presented information and stated that she was executive director of Blueprint Houston, a nonprofit independent organization committed to working with Houston to develop a comprehensive plan for the long-term future of this city, its quality of life and economic prosperity which required evaluating growth and they would be holding a public workshop Saturday at the Hilton Hotel at the U of H jointly sponsored by the Houston Galveston Area Council and themselves and called Envision Houston; and they were inviting the Mayor and Council to participate from 8:30 a.m. to 12:30 p.m. and encouraged all to participate. Council Members Galloway and Ellis absent.

Council Member Lawrence stated that she was looking forward to their participation; and upon questions, Ms. Sweetnam stated that it would be at the University of Houston Hilton located at 4800 Calhoun; and Council Member Lawrence stated that she did thank them for all

they were doing. Council Members Galloway and Ellis absent.

Ms. Robin Holzer, 1306 Fairview, Houston, Texas 77006 (713-301-5716) had reserved time to speak but was not present when her name was called. Council Members Galloway and Ellis absent.

Ms. Lesly Van Dame, 2902 Briarhurst Dr., No. 1004, Houston, Texas 77057 (713-789-2263) appeared and stated that she was present to support Mr. Brandt Mannchen's recommendation that they right size the Bureau of Air Quality Control and wanted to express her great appreciation on the decision to retain their right to enforce air quality standards; and urged a right decision. Council Members Galloway, Goldberg, Holm and Ellis absent.

Mayor White stated that he wanted to pass out to Council at this time information so they would have the school enrollment figures for the areas; that most have been doing well but the numbers were climbing significantly each day and he did encourage them to be in school so they would not have to be caught up on so much; that there would be adjustment issues and incidents, but he was glad they were able to respond; and Council Member Lawrence stated that enrolment figures for private schools were astonishing also; and she did compliment all school districts for making the children feel welcome and continuing their education. Council Members Galloway, Holm and Ellis absent.

Ms. Treneka Houston-Lewis, 5801 W. Sunforest Dr., Houston, Texas 77092 (713-680-9114) had reserved time to speak but was not present when her name was called. Council Members Galloway, Goldberg and Ellis absent.

Mr. Frank McGhee, Jr., 7707 Bankside Dr., Houston, Texas 77071 (713-271-5525) appeared and stated that he was pastor of St. Paul Baptist Church and was present with Endeavors in Excellence; that he helped provide them counseling service and the major aspect he wanted to share was to encourage the Council to support Endeavors and invite them to 1919 Northwest Loop, Suite 190, 8:30 a.m. to 5:00 p.m., Monday through Friday. Council Members Galloway, Goldberg and Ellis absent.

Mayor White stated that they did appreciate him coming and all that they had accomplished. Council Members Galloway, Goldberg and Ellis absent.

Ms. Krystal Muhammad, who was previously added to the speakers list, appeared with others and stated that they were present in reference to issues not being addressed; one being that tomorrow Frances Newton was still scheduled to be executed, but the main issue was the conditions in which those from New Orleans were being treated and there one question was where were all the White persons from there being held and what conditions where they being placed under in receiving assistance from FEMA because some people were in places three days standing in lines and tensions for African Americans were growing; that a riot at Jones High School broke out between students because children were displaced and not receiving correct treatment; that they were also being told people would be forced out by September 18th because of games and they wanted to know if it was true and where would they go. Council Members Lawrence, Galloway, Goldberg, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Edwards, Ms. Muhammad stated that they were given dates of September 18th and 25th; and Council Member Edwards stated that there had been no date for anyone to be put out as for as she knew and she had been attending meetings. Council Members Lawrence, Galloway, Goldberg, Sekula-Gibbs and Berry absent.

Mayor White stated that she had raised three issues, first the facility and the Red Cross cards and they had done every thing they humanly could do; and Ms. Muhammad stated that they did not believe so. Mayor White stated that they had asked Red Cross and National Red Cross to set up facilities outside the area and allow cards and checks to be provided, which was

normally not done, that they had numerous volunteers and many city employees to do as much as possible; that they identified facilities and Red Cross had a shortage of cards and Mr. Fontaine had done a great job working over night with the National Red Cross audit to allow more checks to be issued at locations, but originally at St. Agnes and then taken other places and they had them waive those procedures and allow FEMA registration; that the stumbling block was how many cards they had and their capacity to write checks; that he could not direct the National Red Cross to create debit cards, he tried, Red Cross had done a lot and he wanted more; that one function was to get people registered with FEMA so they could get checks mailed to them and hundreds, if not thousands, were waiting with PCPs to help them often between 7:00 p.m. and 7:00 a.m. at the NAACP, the Urban League, LULAC, ACORN, etc., just to get them registered and he would encourage other organizations to do the same; that her other issue was the goal of allowing people to live outside the shelter environment and people were working overtime and a record number were in apartments, people were not going to be taken and drug out of facilities but there were goals to get them out as soon as possible; and Ms. Muhammad stated that there were going to be gangs breaking out and they were concerned and also where were the White citizens being housed; and Mayor White stated that the City of Houston had not discriminated against people based on anything and there were thousands of people of all races in homes of friends, relatives, etc.; and Ms. Muhammad stated then he was saying all Whites were in homes of friends; and Mayor White stated that he did not say that; Ms. Muhammad stated that they were computer literate and if they would get some they could do it, they were willing to assist; and Mayor White stated they would take them up on their offer so if they would set something up or provide shelters they would take them up on it. Council Members Galloway, Goldberg, Quan and Berry absent.

Council Members thanked Ms. Muhammad for coming and giving input and stated that all was being done for all displaced and they wanted all to remain peaceful with smooth transitions; and asked for her continuing help and leadership. Council Members Wiseman, Ellis and Berry absent.

Mr. Sean Jackson, who was previously added to the speakers list, appeared and stated that he was an evacuee and living in the domes; that he had a first hand look and the hospitality was gone; that numerous people were telling the children to get and last night they tried locking the doors at the Reliant Center where he was housed; that a girl was supposedly raped last night, but no one supposedly saw anything; that a man worked for Reliant and was by the showers all day; that he pulled people from the armed services aside and said children were taking a shower and he was all up in there with them; that a child went to him also and told him the man was in there just looking at them and he did not understand Spanish, but when he went to his comrade, another officer, by looking at his expression he did not care, but he told them that the man kept staying around in the showers and if he went in there and saw him he was going to hurt him because he knew what he was doing and they were supposed to be U. S. officers, but they all just flocked together around the bathrooms and the man was still in there; that tensions were very high now and people were placing hands on them. Council Members Wiseman, Ellis and Berry absent.

Council Member Khan stated that any criminal incident was horrible and should not be allowed; that people were living in shelters together and it was not a picnic so there was bound to be a lot of tension and that was why the Mayor's goals were set to get them out and living in private residences; and he felt the leadership should be commended, because the Mayor recognized it, his hat was off to those from New Orleans for not having more incidents and they were trying to get them out and in places of dignity; and Mr. Jackson stated that he had been telling everyone he was a certified carpenter and had cards in his pocket and they should get him to a union and he could get a job; and Mayor White stated that he met with representatives of the Carpenters Union earlier in the morning and they were preparing for a shortage of carpenters because they were going to be at the frontline of rebuilding a great American city and his skills were needed; and someone should get him transported to the Hall. Council Members Wiseman, Ellis and Berry absent.

Council Member Quan stated that they took what he said seriously and Mayor White was pushing people and trying to find locations for them; and upon questions, Mr. Jackson stated that in New Orleans he lived with his girlfriend; and Council Member Quan stated that there were lots of options and they wanted all to see them; that jobs were also being offered in other cities; that right now the limit for an apartment was two weeks and they knew that was not enough; and he would see what they could do; and Mayor White stated that Mr. Jackson communicated effectively and there was a housing center at Reliant and they were putting one at the George R. Brown and options were being added daily, point one was that when he left today he could look at the agreement they reached which provided extension of the hotels and motels spaces, they would be reimbursed; that also people with skilled trades were going to be very needed and important in the rebuilding efforts, there would be lots of carpentry and Mr. Fontaine was trying at this time to get in touch with the Carpenters Union; and they were trying to make sure nothing slipped through the cracks with bad communication. Council Members Wiseman, Ellis and Berry absent.

Council Member Edwards stated that maybe Mr. Fontaine could meet with them and get something set up in the process; and Mr. Fontaine stated that Mr. Jackson had an appointment at 8:30 a.m. tomorrow morning for a job; and Council Member Quan stated that he liked Council Member Edwards suggestion for Mr. Fontaine to meet with the group and talk about ongoing efforts. Mayor White, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Jack Lee, 2475 Underwood, Houston, Texas 77030 (713-539-3922) appeared and stated that he was representing the affected portions of Acres Homes, Oak Forest and Candlelight Estates with regards to the Roslyn Bridge under plans on South Rosslyn; that they did intend to make a presentation at the Regulatory and Planning Development Committee at the next meeting refuting the arguments of the Legal Department and would also present alternatives to placate the City's fears of litigation; that among alternatives the neighborhoods did offer to purchase one of the lots from the developer so he would not suffer a hardship for being a good neighbor; that he responded to Legal and touched on the limited relevance of cases the City cited and as yet they had not responded; and he had also E-mailed all Council Members. Mayor White, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that at his previous presentation he asked for a Legal opinion which they gave him stating there would be reversed condemnation and therefore the bridge should be built; and Mr. Lee stated that they did not say reverse condemnation, but said it would expose the City to various legal issues and cited cases and in his response he discussed the merger of all properties under one ownership which was relevant and at this time was waiting for response from Legal; and Council Member Quan stated that at least a channel of communication was ongoing and to keep them informed. Council Members Galloway, Wiseman, Ellis and Berry absent.

Council Member Lawrence thanked Mr. Lee for coming and stated that hopefully Legal could work this out without going back to court; that the neighborhoods were very active and with his leadership she hoped it could be solved; that the builder was permitted before Mayor White came, but she would appreciate Legal being responsive to him. Council Members Galloway, Wiseman, Holm, Ellis and Berry absent.

Council Member Goldberg moved that the rules be suspended for the purpose of hearing Ms. Gloria Udoh and Ms. Eva Cotton at this time, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Galloway, Edwards, Wiseman, Holm, Ellis and Berry absent. MOTION 2005-0890 ADOPTED.

Ms. Glory Udoh, 12119 Fondren Bend Dr., Houston, Texas 77071 (713-705-4155) appeared and stated that she wanted to thank all for what they were doing and was present representing the mentally ill and had brought with her water, olive oil and salt; that the water was a symbol of thanks; salt a signification that the people here in Houston were the salt of the earth; that the oil was a symbol of sanctification; that she believed in prayer and wanted to say no one would have believed what had been done here in this time; that children were important and she thanked Mayor White for paying attention to them and she would like a space to provide counseling. Council Members Galloway, Edwards, Wiseman, Holm, Ellis and Berry absent.

Mayor White thanked Ms. Udoh for coming with such a positive infectious attitude. Council Members Galloway, Edwards, Wiseman, Holm, Ellis and Berry absent.

Council Members thanked Ms. Udoh for coming with her positive attitude and for her work; and stated that many at the Council table were trying to make the new guests to the city feel welcome and hoped others understood everything that could be done was. Council Members Galloway, Edwards, Wiseman, Holm, Ellis and Berry absent.

Ms. Eva Cotton, 15330 Ella Blvd., Houston, Texas 77090 (832-286-1965) appeared and stated that she was proud to call Mayor White her Mayor; that she was the public relations part of Endeavors, an organization in existence five years with an objective of job placement for those with disabilities and there were many disabilities, some hidden and some visible, two of whom were present with them today; they provide them transportation also and she committed to join Ms. Thelma Scott in her fight because of the work she was doing and they were set up at the Reliant Center for job placement and many did want to return to the workforce; that they now had 300 applicants and they were ready to put them to work and needed to contact employers, transport them to interviews, provide them job training and job coaching; and today was appealing for funds for their organization. Council Members Galloway, Edwards, Wiseman, Holm, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Council Member Quan stated that they had asked about funding and he knew the Mayor had empowered a board for the Katrina relief fund and they just met so as programs such as theirs seek funding was there a way to apply; and Mayor White stated that those who provided shelter, housing for people with special needs would be at a premium and if someone had housing for someone with special needs characteristics there would be plenty of opportunities; and Council Member Quan stated that he honored the work she and Thelma and the group were doing, Katrina was unexpected and not planned for and he was trying to find funding which would be available to them and they would be glad to give her the Job Fair information; and Commissioner Thelma Scott stated that they had adopted the couple from New Orleans who were present with them and they would be working one on one with them trying to find housing and assistance. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Council Member Khan stated that someone from his office was coming at this time with the Job Fair information for them. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Ms. Tamera Bailey, 5607 Waltrip, Houston, Texas 77087 (832-654-1220) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Mr. Steven Williams, No Address, (No Phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Ms. Tracy Kristynik, 19611 River Rock, Katy, Texas 77449 (281-345-8802) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Ms. Nancy Reifler, Post Office Box 721463, Houston, Texas 77272 (281-494-3398) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Ms. Vonnie Houston, 1319 Wichmann, Houston, Texas 77007 (713-880-8357) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Mr. Stephen Onibayo, 1319 Wichmann, Houston, Texas 77007 (713-880-8357) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Ms. Tracy Leonia, 1316 Wichmann, Houston, Texas 77007 (713-869-8680) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Ms. Oreather Valentine, 10522 Juniper Glen Dr., Houston, Texas 77041 (713-849-6858) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Ms. Rosie Thompson, 9200 Bissonnet, No. 1007, Houston, Texas 77074 (713-988-5245) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Ms. Dorothy Rucker, 16000 Cotillion, No. D13, Houston, Texas 77060 (281-260-7092) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Mr. Mirza Negron, 26 Federal Plaza, New York, New York 10278 (212-542-7600) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Berry absent. (NO QUORUM PRESENT)

Mr. James Morgan, 7211 Tickner, Houston, Texas 77055 (832-228-6548) appeared and stated that he was a small builder in Houston and his wife was in public affairs for an oil company so he knew of all the coordination which went on during a disaster such as Katrina; that he had volunteered a lot and the City of Houston had done an outstanding job; that so many came to help they had to turn them away and it was all races and ages and he believed they took their lead from the Mayor and Council; that from his standpoint it was an unbelievable

job done by the City and citizens and he felt they had a unique job to expand on this and they looked like the best governmental body in the nation from any standpoint at this time so maybe they could move and get state or federal funding to move forward on development. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Alvarado, Ellis and Berry absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Mr. Morgan stated that he was a small home builder; and Mayor White stated that he felt he was right, there was opportunity for them to do things; and upon questions, Mr. Morgan stated that he built from \$150,000 to \$400,000 homes, with a lot in the First Ward now; and Mayor White stated that there were many where that price range would be high; that Houston was one of the few places in the country where the middle class could live in the city limits and he would like him to spread the word that they should do something here and get things done; that there was no sense to have so much undeveloped land in the city when people were needing houses; that builders did need to make a margin but they wanted to move on a real variety of price range homes; and Mr. Morgan stated that he thought it could be done. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis and Berry absent. (NO QUORUM PRESENT)

Ms. Betty Ross, 5606 Hickman, Houston, Texas 77027 (281-222-5219) appeared, presented information to Council Members and stated that she liked to focus on the positive and knew they were struggling with this recent tragedy; that she did applaud Mayor White for all that was being done; and people were pointing fingers and saying things, but she was educated in art, small engine repair, etc., what she presented showed what she had to offer; and wanted to know if she could be included in the recovery efforts; that her heart went to children. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he did not know the website here, but the SBA was composing a list on reconstruction sites and would post it and she could check that listing. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Ellis and Berry absent. (NO QUORUM PRESENT)

Mr. Tim Campbell, 208 Caylor, Houston, Texas 77011 (713-928-6119) appeared, presented information and stated that he lived at 4326 Brookfield Drive, 77045 and also had a residence at 208 Caylor and today was present as he had spent a week going to the GRB for volunteer work and it was a very positive experience; that he bonded with evacuees and was proud of his city, but on the 8th day he arrived at the center and was booted out by a religious group, he found other volunteers who were also booted out by the Second Baptist Church; that his comments were in writing and continued to review his information regarding Second Baptist Church. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado asked Mr. Campbell if he was taking names of children and Mr. Campbell stated that he arrived at the GRB at 6:00 Thursday, September 8th; that a school teacher said to him his students wanted to write the children at the GRB and so he put up a note for him which stated if students would like to get letters from students in Mr Duvalle's class at Runnels School to put there name and four students signed the list; and asked what was the point of her question, it was a question with a malicious intent. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis and Berry absent. (NO QUORUM PRESENT)

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

Mr. Ernest Clark, 9919 Richmond, No. 733, Houston, Texas 77042 (512-297-9839) had

reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis and Berry absent. (NO QUORUM PRESENT)

Mr. Dell York, 8833 Gulf Freeway, Houston, Texas 77017 (832-439-4135) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Ellis and Berry absent. (NO QUORUM PRESENT)

Mr. John Mezick, 6633 W. Airport, No. 1304, Houston, Texas 77035 (713-283-9518) appeared and stated that he wanted to congratulate Mayor White on the entire way he had approached the situation and it gave him new hope in him as the time; that before when he was present the Mayor had not seemed to moved by his subjects of abortion, homelessness, etc., that this was not the fault of anyone such as the President, etc., but everyone's fault for not following the laws given to Moses; and urged that Mayor White call the President for him to get to the nation and tell each every morning and every night was a state of prayer. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. (NO QUORUM PRESENT)

Mr. Terrence Finner, 4130 Ebbtide, Houston, Texas 77045 (281-568-8587) appeared and stated that he was fired by the City of Houston for theft by public service and then went to court and found not guilty; that when he was found not guilty he called his superiors in Public Works and Engineering asking for his job back and was told no; that this was his second time before the Mayor and Council and he wanted to know why; that now he had ten days to get his family out of his house and he had worked for the city fourteen years and was out on injury at the time he was fired; that he wanted to know where his justice was. Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Mr. Finner stated that he went to Civil Service before his trial and was fired before he went to trial; that they said he was soliciting and accepted money; that his trial was on theft by public service and the witnesses was one a convicted trial rapist and one transient and they had lied for him, but he was no thief, he worked since he was twelve and he wanted to be vindicated; and Mayor White stated that so far they had not second guessed Civil Service determinations; that he did hear him; and upon further questions, Mr. Finner stated that he worked in the Sewer Department; and Mayor White stated that it would not be his inclination to go behind the record and redo Civil Service cases, he was trying to think if there was a reason he would because he did not want to make every employment decision in the City of Houston; and Mr. Finner stated that he understood that, but he was injured on the job and had a pin in his arm and he could not afford it but went to jail to prove he was innocent and now was being evicted out of his home with his four kids and he wanted justice. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. (NO QUORUM PRESENT)

Council Member Quan stated that you are supposed to be presumed innocent until proven guilty and now he was proven innocent and it seemed he was still sentenced as if he was guilty; and upon questions, Mr. Heilman stated that it appeared in the criminal process the burden of proof was not met by the state, but on employment process the Civil Service Commission had determined the standard for indefinite suspension was met and they were holding firm on the issue; and Council Member Quan stated that he understood, but it did seem there was a man who put in a lot of time with the City and found innocent and was trying to make a living for his family and would like to know if this could be reconsidered in any way; and Mayor White stated that he would talk to him, but he would say it would be a pretty hard burden to sway him on a particular case, but he would invite Council Member Quan to get the Civil Service record and read the hearing; that he could run the City one of two ways, micro manage and pretend he knew everything or try and hire the best and ask that they do the right thing in compliance with procedures, but if he wanted to read it and visit with him on it then he would be happy to do that;

and Council Member Quan stated that on this case he would read it and see what transpired and try and get with the Mayor; and Mayor White stated that he was not saying what he would do, but he would meet with him; and Mr. Finner stated that the equipment he would have taken to do what he was accused of he was not even operating and no way he could have done it; and Council Member Quan stated that he would get the record and Mr. Finner should make an appointment with him and bring his attorney if he needed to as he would be glad to meet with him as well. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mr. Raymond Patlouany, 6927 Heron, Houston, Texas 77087 (713-644-0492) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mr. J. Garrison, 12728 Hollandale, Houston, Texas 77082 (281-556-5195) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Ms. Julia Hebard, 3100 Richmond Avenue, Houston, Texas 77098 (713-933-2252) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Ms. Yuwen Sun, 4042 Belle Park, Houston, Texas 77072 (281-914-0383) appeared, presented information and stated that this week a delegation from Shanghai was visiting Houston and City officials and businesses were excited about opportunities in Jinshan District, Shanghai where guests came from, but the delegation was led by Hao Tiechuan, governor of that district and he was the deputy director of the Propaganda Department of the Communist Shanghai Chinese Party Committee which crackdown on Falun Gong with violence and attacked the U. S. in an article for supporting the Dalai Lama, Taiwan, the democracy movement and Falun Gong; that human rights should be an important consideration when doing business with China because it was controlled by the Communist Party with total disregard for human rights; and they should always check their human rights record before inviting them. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mr. John Ryan, 8370 Westview, Houston, Texas 77055 (no phone) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mr. Raymond Mbala, 5959 Westheimer, Ste. 212, Houston, Texas 77057 (469-556-7299) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mr. Cristobal Patino, 8800 Broadway, Ste. 5179, Houston, Texas 77061 (713-528-1625) appeared and stated that he overheard Council Member Garcia wanting to know the capacity of the Astrodome and as a tenure employee he knew they could seat and hold 65,000, 75,000 comfortably in the stadium and hold 55,000 under the Fire Code with no problem so he did not know why they said only 25,000 and he thought they should open it up to more; and the Astrodome was the only stadium in the country that could withstand winds in excess of 250 knots and two other stadiums had collapsed; and they should keep her as she was going to come in handy. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

The City Secretary stated that Ms. Robin Holzer was now present and would be called after Mr. Burger. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mr. Michael Berger, 6530 Westview, Houston, Texas 77055 (713-686-7034) appeared and stated that he used to work for the Parks and Recreation Department and did something he should not have done; that he was told to resign or have charges against him so he resigned, but he was wanting to get back with the City and was told there was something in his folder and he would not be hired; and he was hoping someone would give him a second chance. Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Ms. Robin Holzer, 1306 Fairview, Houston, Texas 77006 (713-301-5716) appeared, presented information and stated that she chaired the Citizens' Transportation Coalition and was present to echo comments of Ms. Heidi Sweetnam, director of Blueprint Houston and to encourage the City to participate in the Envision Houston Region process starting Saturday; that the CTC wholeheartedly endorsed the process; that the Regional Transportation Plan or RTP assumed that unplanned development would continue across the region and to serve the development more infrastructure was needed and Houstonians would drive more and not less, but citizens spoke out and asked for something different and called for changes; that H-GAC responded and as a result the next transportation plan would be different; that it would start this Saturday at 8:30 a.m. at the UH Hilton and for the first time the H-GAC was inviting communities to shape the vision for the next long-range plan and it would be one of five workshops and results would be used to shape the next plan and the CTC did endorse and hoped the Mayor and Council would come out and encourage constituents to attend also; and urged that all do their part and make it a success. Council Members Lawrence, Galloway, Edwards, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that at the original Blueprint Meeting the more participation the better, but what they really needed was specifics; that they had the I-45 issue and they were going to start seeing a flagging interest in the stakeholders interest as generalities, but he wanted her to communicate he was keenly interested, but in specifics; and they wanted to protect neighborhoods, but not discriminate against those arriving in the next five years, not every neighborhood wanted a major thoroughfare, but then how did they make the best use of existing right-of-ways without making those to the north or south have to wait or go along speed bumps; that those were the issues needing the most help; and Ms. Holzer stated that in looking for specifics the next process would be TxDOT would be talking about the 290 corridor the first week of October and the Envision was to help shape long-range goals; that Blueprint wanted to spend more time with families and less in cars and affordable housing near where people work was another way besides expanding, just to put direction. Council Members Lawrence, Galloway, Edwards, Khan, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he wanted the arrest of Mayor White and others; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omari, 2820 Palm 2B, Houston, Texas 77004 (832-767-0870) appeared and stated that he was present regarding the Black Museum issue; that there was still no director and he wondered if it was a political illusion. Mayor White, Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Commissioner Thelma Scott, 1919 N. Loop West, Ste. 190, Houston, Texas 77008 (713-869-9377) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Edwards, 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 Ali; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Edwards, 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 Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 5:24 p.m. City Council recessed until 9:00 a.m., Wednesday, September 14, 2005. Council Member Green absent on personal business. Mayor White, Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, September 14, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, September 14, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D. and 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. Council Member Ronald C. Green absent on personal business.

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

At 9:29 a.m. Mayor White reconvened the meeting of the City Council and stated that the first order of business was a Mayor's Report. Council Members Lawrence, Galloway, Edwards, Holm and Garcia absent.

Mayor White stated that he was going to do one information item that he thought would be very helpful to his colleagues, that he thought this item could assist each of the Council offices and would take just a minute because they needed the Council offices who were an important source and information to constituent services of the item, that on the issue that they discussed on Friday of how to provide assistance to their constituents who were straining to just make ends meet because they had extended the generosity of their homes to the Katrina victims and it was not to, at all, discourage or say that people had to be compensated for charitable acts, that there were inquiries that various Council offices had received by people who were providing home shelters, that they agreed with Council Member Quan and his point that five organizations, which happened to have capacity to respond immediately, were the organizations through which they were giving the grocery cards that could provide some relief to the individual home shelters and as their individual Council offices got inquiries from constituents, whose houses and household budgets were bursting at the seams until people got their FEMA and Red Cross checks this week, than the organizations which were mobilized, the Urban League, Catholic Charities, ACORN, LULAC and the NAACP were in the position with the cards, that 300 home shelter families had been serviced, that the individual organizations themselves could be a vehicle used by the individual Council offices. Council Members Lawrence, Galloway, Edwards, Holm and Garcia absent.

MAYOR'S REPORT - Project Houston Hope - Land Assemblage

Mayor White stated as to Project Houston Hope - Land Assemblage they had partners in the effort, they had a team and valuable members of the team included Mr. Steve Tinnermon and Mr. Alan Parker, Ms. Leah Stoler, Mr. Bill King, Ms. Senfronia Thompson, Mr. Anthony Hall, Mr. John Walsh, Mr. Michel, City Attorney, Mr. Mike Marcotte, Director of Public Works, Mr. Milton Wilson, Director, Houston Housing and Community Development and Mr. Brian Lumpkin, Neighborhood Protection and others were a working group, that it was an extraordinary high priority for the administration, the quiet work was being done now and part of the reason it was quite was when they were assembling land they did not have a big construction crane or front end loader, although they were cleaning up a lot of lots, and second, was that there were some issues where time was the enemy of preserving neighborhoods with historical character, time delays favored the people using places as crack houses and people who were speculators who may have no interest in preserving the character of a neighborhood, so time was their enemy on it and he wanted to impress that because they had a lot of stake holder involvement and especially on the process, that they were in the process now on requesting some funds that they needed in order to proceed unless people wanted what was happening in the past to occur in a lot of the neighborhoods, that he did not mention Mr. David Collins, Chair of the LARA Board and the LARA Board Members, that various individuals had been invaluable in this particular process, that he wanted to give an overview of some of the categories of property, some things that had been done and the next steps, that there were 217 original LARA properties in two designated areas in Project Houston Hope One, that they put in process in February 2005, which included a few that had been in process before, 1,478, the Project Houston Hope Two - Opportunities Owned, were the ones that had started through the process but still needed stake holder involvement and some of the other jurisdictions, there were 1,233, that a number of those properties had been acquired in each of those designated areas, that there had been 83 lots purchased and had been 48 lots that were taken by strike off, where nobody was a bidder on those, and the average cost of the 131 LARA owned lots were \$6,269.00 per lot, that he thought that the most cost effective money that they could possible pay was for some land acquisition within limits, that in the Houston Housing Authority and just one project that they went through a pro forma, which was given to him as a representative project for large multi family the total all end costs were \$93,000 per unit, that their goal was to put people in single family houses at between \$720 per month and \$900 per month, that it was not to say based on the reaction of the community and their desires that there may be some more multi family component or quadraplex or duplex, if the neighborhoods wanted it, that opinions were divided in some neighborhoods, but he was telling them where the heart of the issue was, and he could get there and move people, that there were people who were in multi family moving into home ownership situations through a combination land acquisition, down payment assistance and some of the loan programs, that they spent almost as much in monthly rent for a small multi family as they could put them in single family on a monthly payment basis but it would not occur if they did not have the land and it would occur if they paid an excessive amount for the land and it would not occur if it were entirely free market processes where they did not have some plan to make sure they had affordable housing in some of the neighborhoods, if they did not think the City should be in the housing business then they should abolish the Houston Housing Authority, that if they did want to be in the housing business then this was a way they could do so cost effectively in a way that preserved and built tax paying neighborhoods, that on the three areas that he talked about on the tax delinquencies the average tax delinquency on the first 217 LARA lots was 19 years and the average tax delinquency on the Houston Hope One was 17.6 years and the average tax delinquency on the Houston Hope Two was 18 years, and there was no real prospect for the tax payments on them unless they could get the lots back in use by others, that their policy was if something was run down, was hurting the neighborhoods, the neighbors wanted them out, an abandoned structure or lot, not paying taxes, they wanted it to be put to productive use consistent with the desires of the neighbors, that second, they were going to work with efficiency and speed in taking those lots that had not been paying taxes, efficiency, good cost per square foot, and speed,

assembling some of those lots so that they could move out on some basis involving a plan and volume so that they could get affordable housing, and third, they were going to make investments in the public infrastructure and support system, that it included water sewer, streets, some sidewalk, etc., that they were in the CIP, that fourth, they were going to have open and competitive and transparent process that did not involve amateurs but involved a wide variety of builders working with community organizations to get the ground broken sooner rather than later on housing that met the criteria that he identified and was consistent with some of the preferences in the neighborhoods dealing with design features, that they were going to work with other community institutions, including schools, that some of those would be acquired through three vehicles, one was LARA, and it would be based on a variety of considerations, such as the market values in the area, that second was the land bank and third was there may market transactions that they would enter into, for example there may be a lot next door that was for sale or could be acquired for a reasonable price and they would get more housing and better if both lots were in the same RFP process to get affordable housing there, with discipline and price limits so that they could get the most bang for the buck.

Mayor White was questioned at length by Council Members and stated that the proposal that a number of Council Members had come up with was to create advisory committees for each of the principal neighborhoods that would be within not only for LARA but also land bank advisory committees; that they were not doing eminent domain, if someone was not interested in selling their property and were current on their property taxes they would leave them alone, that he would be happy to add additional slots to the LARA Board, and Council Member Edwards stated that she would like to see if they could put together three to four workshops that dealt with taking their vision for how they wanted their community to look like and put it into a workable plan, and Council Member Lawrence stated that because they were not going after homesteads there were people out there that were deliberately not paying their taxes because they knew that in 15 to 20 years it would be dropped, that she would like for this to be brought into the loop or at least looked at legally; and Mayor White stated that where people had bought some lands in their auctions to calendar it and if they did not pay their taxes seeking to flip it, that the moment they missed that tax payment the City should take it back.

Council Member Quan moved to suspend the rules to consider Item No. 20 out of order, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0892 ADOPTED.

Council Member Galloway moved to suspend the rules to consider Item No. 42 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0893 ADOPTED.

Council Member Quan moved to suspend the rules to consider Item Numbers 35, 35a, 35b, 35c and 35d out of order, seconded by Council Member Quan. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0894 ADOPTED.

Council Member Sekula-Gibbs moved to suspend the rules to consider Item No. 48 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0895 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item No. 45, 46 and 47 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0896 ADOPTED.

20. ORDINANCE appropriating \$800,000.00 out of Low Income Housing Fund (Fund 872) and

approving and authorizing second amendment to Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority ("LARA") to (1) increase funding; (2) authorize LARA to make direct purchases of vacant, non-homestead properties adjacent to or located near tax-delinquent properties which the City has designated for Affordable Housing Development; and (3) authorizing LARA to amend its corporate documents as may be necessary or appropriate - was presented. Council Member Khan absent.

Council Member Goldberg stated that in the backup it talked about the administrative costs being 15% or \$272,000 and he had two questions on that, was it a cap or was it an amount or the 15%, and Mayor White stated that there were certain costs that had been borne by Planning and Legal and others for administrative costs on LARA and in the RCA it referred to 15% allocation for administrative and operating costs and asked if that was done by formula or based on actual operating costs or was it a cap. Council Member Khan absent.

Mr. Hall stated that he did not know but would find out before the Council meeting was over, that they knew the percentage was the percentage applied in the first contract where the \$525,000 was given but they still did not know on what calculation it was based on. Council Member Khan absent.

Council Member Goldberg moved to consider Item No. 20 prior to the Matters Held category, and also had one additional question as to where was the money coming from, the administrative costs, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0894 ADOPTED.

42. ORDINANCE repealing Ordinance No. 2004-0885 and appropriating \$509,338.00 out of the TIRZ Affordable Housing Fund (Fund 872) and approving and authorizing grant agreement between the City and NEW VISION COMMUNITY DEVELOPMENT to finance a portion of the costs to acquire land upon which will be constructed a seventy-one unit Elderly Housing Complex located at 1580 Greensmark Drive - DISTRICT B - GALLOWAY - (This was Item 33 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY) - was presented.

Council Member Galloway stated that after getting some information on the item it was a very good project for District B as it related to the seniors and hoped that once the project got completed that the seniors would know that they had some very fine housing available for them, so she encouraged her colleagues to support the item. Council Member Khan absent.

A vote was called on Item No. 42. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1048 ADOPTED.

35. ORDINANCE enlarging the boundaries of Reinvestment Zone Number Three, City of Houston, Texas, (Main Street/Market Square TIRZ) - DISTRICT I - ALVARADO - (This was Item 21 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and GARCIA) - was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1049 ADOPTED.

35a. ORDINANCE approving a third amended Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square TIRZ); authorizing the City Secretary to distribute such plans; determining the portion of tax increment the city will pay from the area annexed into the zone - DISTRICT I - ALVARADO - (This was Item 21A on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and GARCIA) - was presented. Council

Member Khan absent.

Council Member Alvarado stated that she had a written motion to amend Item No. 35a and it was basically a technical amendment, that the County changed their formula in the way they would participate so it was basically a change in the method of calculation but at the end of the day their contribution remained the same, that the item that they voted on unanimously yesterday had just a little bit different language on their calculation for their formula and participation and so in order for both of them to be the same she offered the following written motion to amend Item No. 35a, and Mayor White stated that the administration had no objection to that. Council Member Khan absent.

“WRITTEN motion by Council Member Carol Alvarado to amend item No. 35A on the City of Houston City Council Agenda of September 14, 2005 by substituting pages 54 – 57 of Exhibit “A” to Item 35A with the attached pages 54 – 57.” Council Member Khan absent.

Council Member Galloway stated that she had tagged the item last week as well because she had wanted to check into the MWBE participation and she spoke with her colleague Commission Franco Lee, where the County had worked out an arrangement so it would apply for this project as well, and she would second Council Member Alvarado amendment.

A vote was called on Council Member Alvarado’s written motion to amend Item No. 35a. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0898 ADOPTED.

A vote was called on Item No. 35a as amended. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1050 ADOPTED.

35b. ORDINANCE approving an Economic Development Program for Reinvestment Zone Number Three, City of Houston, Texas (Main Street/Market Square TIRZ) - DISTRICT I - ALVARADO - (This was Item 21B on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and GARCIA) - was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1051 ADOPTED.

35c. ORDINANCE approving and authorizing first amendment to interlocal agreement between the City of Houston, HARRIS COUNTY and REINVESTMENT ZONE NUMBER THREE, CITY OF HOUSTON, TEXAS (MAIN STREET MARKET SQUARE TIRZ) relating to the participation of Harris County in the Reinvestment Zone - DISTRICT I - ALVARADO - was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1052 ADOPTED.

35d. RECOMMENDATION from Director Planning & Development that City Council authorize permits for the following in connection with the construction of the Houston Pavilions Project: air rights, vault rights, and extension of canopies, balconies, and awnings beyond the property line and servicing the ground floor level of the project - DISTRICT I - ALVARADO - was presented, moved by Council Member Alvarado, seconded by Council Member Quan. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0899 ADOPTED.

After discussion by Council Members, Council Member Garcia stated that he would appreciate a discussion on where they were moving with the TIRZ. Council Member Khan absent.

48. ORDINANCE authorizing the Mayor of Houston to extend or continue a proclamation of a Local State of Disaster for the City of Houston beyond the seven

day period after the proclamation was issued, making certain findings related thereto, and declaring an emergency – was presented. Council Member Khan absent.

Council Member Sekula-Gibbs stated that in the item Mayor White was requesting an extension of the Emergency State of Disaster Declaration and believed there was no ending date and asked if Mayor White had an ending date and was it something that would be important to FEMA and would they be jeopardizing in any way their funding reimbursement if they did not put in place an ending date, and number two, she wanted to comment that there was a survey published in today's Chronicle that indicated that overall citizens were extremely pleased with the handling that Mayor White did of the Katrina disaster, that they all knew that the hurricane season was relentless and that it continued to come year after year, so they had to recognize that not only did they have to handle this disaster but they had to handle the disasters that were coming next month and the following month and would like to ask for a summary or presentation by either Mr. Dennis Storemski, Public Safety and Homeland Security Director or Ms. Sharon Knolls, the Emergency Management Coordinator, to come and tell them just what their emergency plans were. Council Members Khan and Berry absent.

Mayor White stated that on whether there was a deadline and if it would not jeopardize FEMA reimbursement, he requested Mr. Michel to comment on the legal significance of the ordinance if adopted, and Mr. Michel stated that they had to do it because the Government Code allowed Mayor White to initially declare the emergency but required that to extend beyond seven days the governing body had to approve it and what it did was give the Mayor the authority to extend it without limitations as he determined, that the Mayor could declare the emergency for a period of time and after that, if the situation still continued, and if they would like to continue it the Mayor could issue another one, the ordinance was granting the Mayor the authority to continue beyond the seven days. Council Member Khan absent.

Mayor White stated that as to the question of preparedness for a storm for their own citizens, he thought Council Member Garcia, at some time the Public Safety Committee within one week if they could cut Mr. Storemski and a little others a little slack as they worked though next week, that the whole Nation was going to learn, one of the issues was going to be evacuations and it was not an easy issue and there was not one answer. Council Member Khan absent.

Council Member Garcia stated that they had a very good and informative Public Safety meeting on Monday and they really harped on the issue of evacuation mainly because Council Member Edwards had it on the forefront of her mind for quite some time and it had nothing to do with Katrina and Mayor White was right it was a situation that had helped to awaken their officials to how much more work needed to be done and there were opportunities that had been discovered and were discussed as to where and how they could identify neighborhoods with their most vulnerable citizens and how they could work to keep them safe and evacuate them effectively, that he had those discussions with both Mr. Storemski and both Chiefs in urging for that continued creative thinking, that he would be more than happy to follow through with that, that he had asked both Chiefs to provide a report within 30 days as to more concrete evacuation plans. Council Member Khan absent.

Council Member Edwards stated that she appreciated their efforts, that in addition to what had already been stated she would like to have specific questions addressed in that dialog, one, were there any dedicated funds for maintenance of evacuation roads because that was one of her main concerns, for people who were homeless or disabled, that one of the things that they were trying to get started in their community was that civic clubs were the first troops on the ground in the communities and if they could get a counting of people in their civic club jurisdiction that were disabled and what was the condition of their own civic club area, that would help to decentralize it and not leave on the shoulders of Council Member Garcia but to give people the importance of them being in charge of their community and seeing what was

going on in their community, that had been something that civic clubs had been willing to do, and it gave them a position of empowerment and somewhat in control of what was happening in their community. Council Member Khan absent.

Council Member Holm stated that she thought that under the TPC there was actually additional funding and points scored for those roads that were evacuation routes. Council Member Khan absent.

A vote was called on Item No. 48. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1053 ADOPTED.

45. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-172C, owned by Union Pacific Railroad Company, a Delaware corporation, for the COLUMBIA TAP HIKE AND BIKE TRAIL PROJECT from Polk Avenue to Dixie Drive, CIP N-0420-22-2 - DISTRICT D - EDWARDS - (This was Item 49 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBERS GALLOWAY, GREEN and EDWARDS) - was presented, moved by Council Member Alvarado, seconded by Council Member Quan. Council Member Khan absent.

Council Member Edwards stated that she would like to thank everyone who had tried to assist them in the effort and to work with the people in South MacGregor, that she appreciated the fact that they were able to find a way to bring the route from behind their houses but was not satisfied with it being on the street and going to Dixie, she thought that Dixie was a dangerous place to have a bike trail so she was going to be voting no on the issue but appreciated the work of the people who had done it and looked forward to working to move the project forward and to make sure that all issues were always addressed. Council Member Khan absent.

A vote was called on Item No. 45. Council Members Edwards, Quan and Galloway voting no, balance voting aye. Council Member Green absent on personal business. Council Member Khan absent. MOTION 2005-0900 ADOPTED.

46. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for condemnation of Parcel AY2-173 and AY2-173A, located in the 2300 block of Dixie Drive, owned by The Grocers Supply Company, Inc., a Texas corporation, Jim N. Arnold, Vice President Real Estate and Store Development, for the COLUMBIA TAP HIKE AND BIKE TRAIL PROJECT, CIP N-0420-22-2 DISTRICT D - EDWARDS - (This was Item 51 on Agenda of September 7, 2005, POSTPONED BY MOTION #2005-858) - was presented.

Council Member Edwards stated that the same comments on Item No. 45 she would also make on this particular issue, that once again she appreciated the work that was done and the support they had for the community but still thought they could have come up with a better or different route. Council Member Khan absent.

A vote was called on Item No. 46. Council Members Edwards, Lawrence, Quan and Galloway voting no, balance voting aye. Council Member Green absent on personal business. Council Members Khan and Garcia absent. MOTION 2005-0901 ADOPTED.

47. RECOMMENDATION from Director Finance & Administration that City Council approve a motion granting a variance to 3520 Old Spanish Trail from the 1,000-foot distance requirement of Section 3-2(e) of the Code of Ordinances relating to the sale of alcoholic beverages, under the condition that such location's alcoholic beverage permits remain in good standing with the Texas Alcoholic Beverage Commission and that the premises will not be open for business during the hours that school is in session at Thompson Elementary School - (This was Item 52 on Agenda of September 7, 2005, POSTPONED

BY MOTION #2005-859) - was presented. Council Members Khan and Garcia absent.

Council Member Edwards moved to refer Item No. 47 back to the administration, seconded by Council Member Ellis.

After discussion by Council Members, Council Member Lawrence stated that when the item came to committee she had asked for backup and that was back in April 2005, then she put it in form of a written memo in May 2005, and then she tagged the issue two weeks ago, four months and she still did not get a simple letter, she had to go to the superintendent herself and ask for a letter, that what went to the school was to some real estate man asking if the four things she made as statements were true, not to elaborate, basically their Legal Department said, just to tell them if they were true, they were things like, was the school going to close after the year 2005, that yes it may close in 2020, they were redundant questions, that she never had gotten the information she had asked for, that she asked for a letter from the superintendent or a school board member on the status of the school, four and a half months she did it in one day and got it, that she got the original copy back in two days, then last week she asked for a list of variances given at the Council table of bars that they had given variances to, for instance there was a pizza parlor that they gave a variance to serve beer and wine, she had yet to get that, that she made it a point that she would like it before the Wednesday vote, that continuously Legal, to her, was not doing their job. Council Members Khan and Garcia absent.

Mayor White asked Mr. Michel why could that information not be received by Council Member Lawrence, and Mr. Michel stated that what he heard from the meetings, and had confirmed with the Agenda Director and what he had in writing, there were three different requests, one was the request in terms of the equal protection issue if they granted the variance and he provided a memo prior to the time the item came up and then a second memo last week, the second issue had to do with was in fact going to move and that was the email dialog with the real estate professional and the third issue, which was raised by Council Member Holm, would HISD provide a letter of support, that he spoke with the superintendent and told him what his staff had told him, which was they did not think HISD would do that, they did not have a mechanism for doing it other than going to the board and they would not provide it, that was what the superintendent told him and he showed him the email communication and those were the three things that he was looking at, that he did not have a request to seek a letter from HISD, if he missed something along the way he had gone back and had not seen that. Council Members Khan and Garcia.

Mayor White stated that it emphasized the norm and they always wanted to give good customer service, the point was well taken by some of those within the Legal Department and if they were going to function effectively they were going to have to communicate well concerning what their expectations were back and forth, that on the letter of support he was not sure that they were in the business of supporting or not supporting. Council Members Khan and Garcia.

Council Member Holm stated that if what they requested was not able to be produced to at least give them some feedback so they knew what the status was. Council Members Khan and Garcia.

Council Member Edwards stated that she understood the concerns of the District Council Members, she had similar concerns, but she still stated that this bar did not present that issue, that she talked to the superintendent and he said he really did not know the whole story of the incident, that he thought it was a new bar and did not know it was an old bar, that she hoped when they had the committee meetings and talked about things like these that those questions be brought up at that time and they could talk about it before they got to Council, that Mr. Gray was very appreciate of the Council's efforts and they were going to open and try to work it through without the liquor license, that he was still going to operate the business. Council Members Khan and Garcia.

After further discussion by Council Members, Council Member Lawrence stated that she would still like that list of the bars that they had given variances to and the names of them and what they served, and a vote was called on the motion to refer Item No. 47 back to the administration. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Khan, Garcia and Ellis absent. MOTION 2005-0902 ADOPTED.

Council Member Galloway moved to suspend the rules to consider Item Numbers 25 and 41 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Khan, Garcia and Ellis absent. MOTION 2005-0903 ADOPTED.

25. ORDINANCE appropriating \$146,318.84 out of TIRZ Affordable Housing Fund (Fund 872) and approving and authorizing Settlement Agreement with LARUS BUILDERS, INC in connection with Design and Construction of certain public improvements in support of the provision of affordable housing – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Khan and Garcia absent. ORDINANCE 2005-1054 ADOPTED.

Council Member Quan stated that he appreciated Council's support on the item, it was hard to build affordable housing and Larus Homes had been a leader in the area, that it had been a long standing dispute and he was pleased that they were able to finally resolve the item, that it was hard for people to do business with the City of Houston when they were not sure they were going to get paid at the end of the day. Council Members Khan and Garcia absent.

41. ORDINANCE consenting to the addition of 65.4274 acres of land to PINE VILLAGE PUBLIC UTILITY DISTRICT, for inclusion in its district - (This was Item 29 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY) – was presented.

Council Member Galloway moved to postpone Item No. 41 for two weeks, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Khan and Garcia absent. MOTION 2005-0904 ADOPTED.

CONSENT AGENDA NUMBERS 2 through 34

MISCELLANEOUS - NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.32 per square foot for properties connecting to the 8-inch sanitary sewer lines constructed by MR. RALPH R. KELLER III located along Acorn Lane DISTRICT E – WISEMAN – was presented, moved by Council Member Quan, seconded by Council Member Holm. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Khan and Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0905 ADOPTED.

ACCEPT WORK - NUMBER 4

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$667,873.37 and acceptance of work on contract with TRIMBLE & STEPHENS CONSTRUCTION SERVICES, INC d/b/a STEPHENS CONSTRUCTION SERVICES for Parks Master Plan - Bid Package 8 River Oaks Park, Tanglewood Park and Waldemar Park, GFS F-504C-20-3, F-504C-15-3 and F-504C-21-3 - 04.68% over the original contract amount DISTRICT G - HOLM – was presented, moved by Council Member Quan, seconded by Council Member Holm. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Khan and Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0906 ADOPTED.

PROPERTY - NUMBERS 6 through 8

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert V. Johnson, for abandonment and sale of a portion of a 15-foot-wide alley, from Sandman Street ±50 feet west, in exchange for the conveyance to the City of a full-width sanitary sewer easement, located in Block 107, Brunner Addition, Parcels SY6-012, SY6-017, DY6-007 and DY6-008, STAFF APPRAISERS - DISTRICT H - GARCIA – was presented, moved by Council Member Holm, seconded by Council Member Quan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Khan and Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0907 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Randy Meador and Samantha Meador, declining the acceptance of, rejecting, and refusing the dedication of a portion of Beverly Street, from East 7th Street ±125 feet north, located within the Studes Second Addition, Parcel SY6-016 - DISTRICT H - GARCIA – was presented, moved by Council Member Holm, seconded by Council Member Quan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Khan and Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0908 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY3-010, owned by Royal B. Long and Brian Long, for the ALMEDA SIMS WASTEWATER TREATMENT PLANT EXPANSION AND BUFFER ZONE PROJECT, CIP R-0298-01-2 - \$1,470,782.00 - Enterprise Fund - DISTRICT D - EDWARDS – was presented, moved by Council Member Holm, seconded by Council Member Quan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Khan and Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0909 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 9 through 14

9. EMERGENCY VEHICLES OF TEXAS for Aircraft Rescue and Fire Fighting Vehicles for the Houston Airport System - \$3,557,420.00 - Enterprise Fund – was presented, moved by Council Member Holm, seconded by Council Member Quan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Khan absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0910 ADOPTED.
10. AMEND MOTION #2005-333, 4/13/05, TO PURCHASE two additional Lighted Runway Closure Markers for Houston Airport System, awarded to FLIGHT LIGHT, INC - \$33,600.00 - Enterprise Fund – was presented, moved by Council Member Holm, seconded by Council Member Quan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Khan absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0911 ADOPTED.
14. TOTER INCORPORATED for Automated Refuse Carts from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Solid Waste Management Department - \$397,212.80 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Holm, seconded by Council Member Quan. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Khan absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0912 ADOPTED.

ORDINANCES - NUMBERS 19 through 34

19. ORDINANCE making certain findings and approving the permanent use by the Harris County Flood Control District of 1.2743 acres of land out of Mason Park and 2.7278 acres of land out of Gus Wortham Park and Golf Course for Flood Control and Drainage purposes consisting of Channel improvements to widen and/or deepen Brays Bayou; said findings made after a public hearing held at 9:00 a.m. on Wednesday, August 24, 2005, in the City Council Chambers, Second Floor of City Hall, Houston, Texas, pursuant to the provisions of Chapter 26, Texas Parks and Wildlife Code; and making other findings and stating other matters generally relating thereto DISTRICT I - ALVARADO – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Goldberg and Khan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1055 ADOPTED.
30. ORDINANCE approving and authorizing lease agreement between the City of Houston and UNITED STATES POSTAL SERVICE at William P. Hobby Airport - DISTRICT I - ALVARADO – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Goldberg and Khan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1056 ADOPTED.
32. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to Professional Engineering Services Contract between the City of Houston and TSC ENGINEERING COMPANY for Engineering Services in connection with the new perimeter fence and obstruction removal at William P. Hobby Airport (Project No. 576), CIP A-0439 - DISTRICT I - ALVARADO – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Goldberg and Khan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1057 ADOPTED.
34. ORDINANCE appropriating \$518,600.00 out of Parks Consolidated Construction Fund, awarding construction contract to RESICOM, INC for Construction of Gutierrez Park, GFS F-504C-19-3; 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; providing funding for engineering and testing service, construction management and contingencies relating to the construction of facilities financed by the Parks Consolidated Construction Fund - DISTRICT I - ALVARADO – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Members Goldberg and Khan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1058 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of additional allocation of \$33,000.00 to existing contract awarded to HOWELL MIMS ASSOCIATES, L.L.C. to provide project management and oversight of the Comprehensive Process Management System - Building Inspection Fund – was presented, moved by Council Member Quan, seconded by Council Member Holm. Mayor White and Council Member Khan absent.

Council Member Holm stated that this was a contract to extend and add more money to the Howell Mims contract, that on January 5, 2005 they were asked to extend and spend an additional \$95,000 to fulfill the contract and they approved it and she had the scope of work and under Article III, Section 31 it said the City should pay Howell Mims for its services at hourly rates and it should be effective for 12 months following the agreement, the payment terms of 3.2 said the City should pay the fees set in Example C up to \$95,000 for the services, that Howell Mims warrants that it could provide all services set out in A and B and services required under

Sections 23 and 25.1 for the amount not to exceed \$95,000, her question was if they had a contract to provide services for \$95,000 why would they be spending more money and she would tag the item, and Mayor Pro Tem Alvarado stated that they would get somebody to respond to her. Mayor White and Council Members Wiseman and Khan absent.

ACCEPT WORK

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,877,174.78 and acceptance of work on contract with KINSEL INDUSTRIES, INC for Neighborhood Street Reconstruction Project No. 439 (NSR 439), GFS N-0372-01-3 (SB9000) - 01.80% under the original contract amount - DISTRICT E - WISEMAN – was presented, moved by Council Member Quan, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Khan absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0913 ADOPTED.

PURCHASING AND TABULATION OF BIDS

11. ORDINANCE appropriating \$48,414.00 out of General Improvement Consolidated Construction Fund for Emergency Mold Remediation Services at the Fifth Ward Multi-Service Center for the Building Services Department - DISTRICT B- GALLOWAY– was presented. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Khan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1059 ADOPTED.
- 11a. HAZARD ASSESSMENT LEADERS, INC d/b/a HAL, INC for Mold Remediation Services at the Fifth Ward Multi-Service Center for the Building Services Department - DISTRICT B - GALLOWAY – was presented, moved by Council Member Quan, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Green absent on personal business. Mayor White and Council Member Khan absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0914 ADOPTED.
12. TYLER MOTOR COMPANY, INC d/b/a HALL BUICK PONTIAC GMC - \$7,189,805.30 and MARTIN APPARATUS, INC - \$1,715,301.60 for Firefighting Trucks through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Fire Department Fire Consolidated Construction Fund and Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. Council Member Khan absent.

Council Member Galloway stated that on Item No. 12 she had spoken about it for quite some time as it related to the apparatus that were being purchased and for what area, that at one of the fire stations that was in District B the apparatus they received was old and it continued to break down, that every time she saw where they were purchasing various apparatus none of them were going to those stations, they had never received any type of brand new apparatus in order to take care of the poor neighborhoods, that she hoped they could be fair when they allocated the apparatus to various fire stations, and Mayor White stated that they would check on it. Council Members Edwards and Khan absent.

A vote was called on Item No. 12. All voting aye. Nays none. Council Members Edwards and Khan absent. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Edwards and Kahn absent. MOTION 2005-0915 ADOPTED.

13. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston, and the CITIES OF BELLAIRE and WEST UNIVERSITY PLACE to establish the West Loop Quiet Zone along the Union Pacific Rail Line - DISTRICTS C - GOLDBERG and G – HOLM - was presented, and tagged by Council Member Galloway. Council

Member s Edwards and Khan absent. (Note: Council Member Galloway released her tag later in the meeting.)

- 13a. JERDON ENTERPRISE, L.P. for Railroad Crossing Quiet Zone Safety Improvements for Department of Public Works & Engineering - \$180,180.00 and contingencies for a total amount not to exceed \$189,189.00 - General Fund - was presented, and tagged by Council Member Galloway. Council Member s Edwards and Khan absent. (Note: Council Member Galloway released her tag later in the meeting.)

ORDINANCES

15. ORDINANCE AMENDING CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to the filing of Financial Disclosure Statements; containing other provisions relating to the foregoing subject; providing for severability; providing an effective date – was presented. Council Members Edwards and Khan absent.

After discussion by Council Members, Council Member Quan stated that this was an effort to consolidate under one filing as opposed to having two filings annually, that a lot of the same information that would be required in their October report they had already given in their May report so it would eliminate the necessity of the October report, that the State passed the new law in the last Legislative session so that they had to file under State law in April and prior to that they had to file in October under City rules, so it would eliminate the October filing. Council Member Khan absent.

A vote was called on Item No. 15. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1060 ADOPTED.

16. ORDINANCE amending Ordinance No. 85-842 relating to approval of Solid Waste Sponsorship Agreements – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1061 ADOPTED.
17. ORDINANCE authorizing publication of notice of intention to issue City of Houston, Texas Certificates of Obligation, Series 2005D, in a principal amount not to exceed \$60,000,000 for the purchase of materials, supplies, equipment, machinery, buildings, and land for authorized needs and purposes and for payment of contractual obligations for professional services in connection therewith; approving or declaring other matters incidental to the issuance and sale of such certificates; making various findings and provisions related thereto; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Members Khan and Sekula-Gibbs absent. ORDINANCE 2005-1062 ADOPTED.
18. ORDINANCE approving and authorizing the sale to CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC, of an aerial easement above a tract of land containing 634 square feet, more or less, being out of a tract of land containing 1.0148 acres, more or less, located at 201 McKee Street, South Side Buffalo Bayou, John Austin Two League Grant, Abstract 1, Harris County, Texas; Parcel SY5-015; in consideration of its payment of \$15,850.00, and other consideration to the City - DISTRICT H – GARCIA – was presented, and tagged by Council Member Goldberg. Council Members Khan and Sekula-Gibbs absent.
21. ORDINANCE approving and authorizing the submission of the budgets for Bureau of Nutritional Services, Women and Children (WIC), Tuberculosis, Title V-Part A, Associateship for Family Health Services, and the Immunization Program for the 2005-2006 contracts with the Department of State Health Services (TDH Contract No. 7460011640-06); authorizing the Director of the Health & Human Services Department to

accept the initial funding and applicable contract change notices and expend approved funding; to accept any supplemental change notices during the grant period; declaring the city's eligibility for such grants; authorizing the use of interim funding from the General Fund, not to exceed 15% of the requested level of funding for the WIC Program, and declaring intent to reimburse the General Fund from proceeds received from the Department of State Health Services for the WIC Program; authorizing the Director of the Health & Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1063 ADOPTED.

22. ORDINANCE appropriating \$4,559,810.00 out of Equipment Acquisition Consolidated Fund and authorizing the issuance of a purchase order to DYONYX, L.P. through the City's Master Agreement with Texas Procurement Center, L.L.C., for Phase Two of the City's Network Implementation Project – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1064 ADOPTED.
23. ORDINANCE amending Ordinance No. 97-543, which authorized contract between the City and ZUMMO & MIDKIFF, L.L.P. (Formerly ZUMMO & SCHIRRMEISTER) for Legal Services relating to the defense of the City's Sexually Oriented Businesses Ordinances - \$125,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1065 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City of Houston and HOWREY LLP for Legal Services - \$150,000.00 - Property and Casualty Fund – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1066 ADOPTED.
26. ORDINANCE approving and authorizing lease agreements between the City of Houston and the UNITED STATES DEPARTMENT of HOMELAND SECURITY - CUSTOMS AND BORDER PROTECTION, THE UNITED STATES DEPARTMENT OF HEALTH AND HUMAN SERVICES - FOOD AND DRUG ADMINISTRATION and the UNITED STATES DEPARTMENT OF THE INTERIOR - U. S. FISH AND WILDLIFE SERVICE for certain space at George Bush Intercontinental Airport/Houston - DISTRICT B - GALLOWAY – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1067 ADOPTED.
27. ORDINANCE approving and authorizing lease agreement between the City of Houston and NORTH AMERICAN CONTROLS CORP. at Ellington Field - DISTRICT E - WISEMAN – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1068 ADOPTED.
28. ORDINANCE approving and authorizing the execution of a transfer agreement and lease agreement DTFASW-05-L-00093 for Runway 22 Medium Approach Lighting System Runway Alignment Indicator Light Site at Ellington Field between the City of Houston and the UNITED STATES OF AMERICA, DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT E - WISEMAN – was presented. All voting aye. Nays none. Council Member Green absent on personal business. Council Member Khan absent. ORDINANCE 2005-1069 ADOPTED.
29. ORDINANCE approving and authorizing lease agreement between the City of Houston and ASTRO TECHNOLOGY INCORPORATED at Ellington Field - DISTRICT E - WISEMAN – was presented. Council Member Khan absent.

Council Member Berry stated that he was fine with the lease, got it looked fine, but wanted someone in the Real Estate section tell him how they arrived at those prices.

A vote was called on Item No. 29. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1070 ADOPTED.

31. ORDINANCE appropriating \$219,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and WASHINGTON GROUP INTERNATIONAL, INC for Professional Engineering Services in connection with Landside Roadway Improvements at George Bush Intercontinental Airport/Houston, (Project No. 418); CIP A-0487 - DISTRICT B - GALLOWAY – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1071 ADOPTED.
33. ORDINANCE appropriating \$995,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approving and authorizing second amendment to Professional Program Management Services Contract between the City of Houston and PIERCE GOODWIN ALEXANDER & LINVILLE, INC. (PGAL) (Approved by Ordinance No. 01-0863, Contract No. 53122) for Street & Bridge Program Management, GFS N-0668-06-2 (SB9061) – was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1072 ADOPTED.
20. ORDINANCE appropriating \$800,000.00 out of Low Income Housing Fund (Fund 872) and approving and authorizing second amendment to Land Assembly Grant Agreement between the City of Houston and the Land Assemblage Redevelopment Authority (“LARA”) to (1) increase funding; (2) authorize LARA to make direct purchases of vacant, non-homestead properties adjacent to or located near tax-delinquent properties which the City has designated for Affordable Housing Development; and (3) authorizing LARA to amend its corporate documents as may be necessary or appropriate – was again before Council. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1073 ADOPTED.

Council Member Galloway stated that she would release her tag on Item Numbers 13 and 13a.

13. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston, and the CITIES OF BELLAIRE and WEST UNIVERSITY PLACE to establish the West Loop Quiet Zone along the Union Pacific Rail Line - DISTRICTS C - GOLDBERG and G – HOLM – was again before Council. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1074 ADOPTED.
- 13a. JERDON ENTERPRISE, L.P. for Railroad Crossing Quiet Zone Safety Improvements for Department of Public Works & Engineering - \$180,180.00 and contingencies for a total amount not to exceed \$189,189.00 - General Fund – was again before Council, moved by Council Member Holm, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2005-0916 ADOPTED.

Mayor White requested a point of personal privilege and stated that numerous people wanted to raise funds for Katrina related relief, that he said to Ms. Christian that their number one priority had to be the evacuees so to gather a list of the people who wanted to entertain, that he had asked the County and some other people to do the same and communicate and prioritize, that he did not know all the economics of celebrity fund raising business but the issue came up that they wanted to raise money but they wanted the City to provide police support and fire and fire marshal support, that he encouraged donations to national organizations, but they

wanted some of the money to remain in the community for Houston's needs if they were using public facilities and public permitting, that the police and fire marshal's were strained, so to donate their public services where there was no response about whether they would consider keeping money within the community was something that he had an opinion on, and asked if it would be worthwhile if he could put together a one or two sentence resolution that by the end of the agenda that they might adopt, and asked how they should do it.

After discussion by Council Members, Council Member Galloway stated that it was a matter of posting, and Council Member Wiseman stated that the issue was whether or not the body would like to consider that but it was the legal posting requirement, they could not take up for consideration for a vote an item that did not meet the posting requirement, and Council Member Quan stated that Mayor White should circulate the administration's position so they could have informal discussion within the confines of the rules at some time they could give him at least feedback, and Mayor White stated that he would express the administration's position and circulate it.

MATTERS HELD - NUMBERS 36 through 47

36. WRITTEN Motions presented by Council Member Wiseman to amend Item 36A below:
"By copy of this memorandum, I offer the following amendments to Agenda Item 35, on the August 10, 2005, in reference to the contract between the City of Houston and Houston Media Source.

Amend Article III. Duties of Contractor, Section G to read:

At all reasonable times during the term of this agreement and for three years thereafter the Director and City Representatives shall have access to all books and records of Contractor related to the performance of this Agreement and may conduct any audit of such books and records as may deemed necessary and proper by the Director and/or City Representatives. Contractor shall make all information related to this Agreement available in Houston, Texas, to the Director and City Representatives upon request

Amend Article III. Duties of Contractor, Section H. to include:

Contractor shall be required to verify and maintain records of artist licensing agreements and/or proof of all copyright ownership. Such licensing verification must be approved prior to broadcast.

Houston MediaSource must obtain from every "producer" copies of execute license agreements and/or proof of copyright ownership for all programming broadcast on Houston MediaSource.

Amend Article III. Duties of Contractor, Section A (1) to include:

(d) Operational Controls shall include staff review of all programming, prior to transmittal via cablecast, to ensure compliance with all applicable laws, contracts, City Ordinances and the City's cable franchise agreements.

Amend Article III. Duties of Contractor to include:

Contractor shall provide written strategic plan within 30 days of the execution of this contract to include fundraising goals and objectives.

Amend Article III. Duties of Contractor, Section A (2) to read:

(b) to involve the community in the development and production of public access programming, including educational institutions located within the service area; and
(d) a plan of work to achieve the actions required herein shall be provided within 60 days of execution of this agreement.

Amend Exhibit "A" Policies and Procedures, section 1 to include:

(h) In connection with the performance of its obligations hereunder, Contractor shall

establish, implement and perform quality control and monitoring of programming contract compliance

Amend Exhibit "A" Policies and Procedures, section 2 (g) to read:

(g) Material that is indecent and/or obscene according to local community standards or is otherwise illegal, or non compliant with the City of Houston's Code of Ordinances

And

By copy of this memorandum, I offer the following amendments to Agenda Item 35, on the August 10, 2005, in reference to the contract between the City of Houston and Houston Media Source.

Amend Article VI. Section Q to include:

Contractor shall not delegate any portion of its performance under this agreement as it relates to Article III." – (POSTPONED BY MOTION #2005-773) – was presented.

Council Member Wiseman stated that as to the amendments that were presented at the last Council session at which this item was up for consideration, with the opportunity to work with the administration and the representatives of the Mayor they had gone through each amendment to fine tune it and change out some language, that she had circulated those written changes to the Council Members for consideration, that she appreciated that the administration was working with them in trying to address concerns, that she would like to add that it was her understanding that the amendment to amend "Article VI, Section Q - Contractor shall not delegate any portion of its performance under this agreement as it relates to Article III", it was her understanding that the administration felt that was most appropriate along with the amendment for D, which was amending Article III, Section A1 to include and at that point adding it on to D, that she appreciated the direction on that, that at this time she would circulate the changes to fine tune what they had worked together on, and they were written changes for consideration.

Council Member Wiseman offered the following written motion to amend Item No. 36 as follows:

"At all reasonable times during the term of this agreement and for three years thereafter the Director ~~and City Representatives~~ Council Members shall have access to all books and records of Contractor related to the performance of this Agreement. ~~and may conduct any audit of such books and records as may deemed necessary and proper by the Director and/or City Representatives.~~ Contractor shall make all information related to this Agreement available in Houston, Texas, to the Director and City ~~Representatives~~ Council Members upon request

Amend Article III. Duties of Contractor, Section H. to include:

Contractor shall be required to verify and maintain records of artist licensing agreements and/or proof of ~~all copyright~~ ownership. Such licensing verification must be approved prior to broadcast.

Houston MediaSource must obtain from every "producer" copies of ~~execute~~ executed license agreements and/or proof of ~~copyright~~ ownership for all programming broadcast on Houston MediaSource.

Amend Article III. Duties of Contractor, Section A (1) to include:

(d) Operational Controls shall include staff review of ~~all~~ programming, prior to transmittal via cablecast, to ensure compliance with all applicable laws, contracts, City Ordinances and the City's cable franchise agreements.

Amend Article III. Duties of Contractor to include:

Contractor shall provide written strategic plan within ~~30~~ 60 days of the execution of this contract to include fundraising goals and objectives.

Amend Article III. Duties of Contractor, Section A (2) to read:

(b) to involve the community in the development and production of public access programming, including educational institutions located within the service area; and

(d) a plan of work to achieve the actions required herein shall be provided within ~~60~~ 90 days of execution of this agreement.

Amend Exhibit "A" Policies and Procedures, section 1 to include:

(h) In connection with the performance of its obligations hereunder, Contractor shall establish, implement and perform quality control and monitoring of programming contract compliance

Amend Exhibit "A" Policies and Procedures, section 2 (g) to read:

(g) Material that is indecent and/or obscene according to local community standards or is otherwise illegal, or non compliant with the City of Houston's Code of Ordinances

And

By copy of this memorandum, I offer the following amendments to Agenda Item 35, on the August 10, 2005, in reference to the contract between the City of Houston and Houston Media Source.

Amend Article VI. Section Q to include:

Contractor shall not delegate any portion of its performance under this agreement as it relates to Article III."

Mayor White asked Council Member Wiseman if the written changes had been circulated and Council Member Wiseman stated yes, and Mayor White stated that the pending item was Council Member Wiseman's motion to amend her amendment which made certain changes which were indicated on the handout, and Council Member Wiseman stated that was correct, and Mayor White stated that he would state the administration's position, the substance of these amendments they agreed to with two exceptions that may be resolved with some discussion and one was the phrase "Amend Exhibit A Policies and Procedures, section 2 (g) to read: (g) Material that is indecent and/or obscene", that the words indecent and/or, at some point based on the advice of counsel and their deliberations there may be issues to where they could not agree to that change to the extent that it made all of the amendments invalid, and on the issue of "delegate", he thought they understood the intent but some discussion and clarification of the intent, that they would get around to those issues but with those exceptions, one of which was just clarification and discussion so that they would understand it.

Council Member Wiseman stated that what they could do was divide the question to consider that item separately and moved to divide the question to consider amendment (g), as presented in the written amendment, separately, seconded by Council Member Holm.

Mayor White stated that if there no was objection it was so ordered, and the pending issue then was all of the provisions up to that point.

Upon questions by Council Member Quan, Council Member Wiseman stated that as a

point of clarification on the issue, the purpose of the amendment was to make sure that Council Members, at any time that they were having to review and inquire as to the books and records of the contractor, she felt important to put the information in there, that as a matter of law, in their Charter, they had the authority as officers of the City to have access to any and all documents that related to the City of Houston, of course some of those were privileged documents and they could not make that available to anyone else, however as she had personally experienced in this situation simply requesting the documents had not resulted in the production of the documents, they had not been forthcoming with the documents so beyond the quarterly reports there were other documents that were produced by the contractor, of course there were issues such as even invoices, Council Members had the authority to request purchasing orders and invoices and the like and if the contractor seemed to be under a mistaken impression this was an effort to make it very clear that it was Council's authority, that with the amendment they were just spelling it out as they did with so many other provisions within their contracts, so it was not redundancy or putting in something that was unnecessary, it was just making it clear within the contract, that at the same time it was understood that the F&A Director had that authority as well besides officers of the City, so if they were going to put in a provision that addressed the authority of the F&A Director, which was already there, then there was nothing different to add Council Members on there as well, that the purpose for taking out the word copyright was the concern of the administration that ownership included an informal copyright law.

Mr. Michel stated that it was just a concern that it would not be read so narrowly as only to allow the federal filing and certification for copyright and would include common law copyright, someone's ability to prove it that way, that ownership would be more inclusive whether they went through the formal copyright procedures.

Upon further questions by Council Member Quan, Council Member Wiseman stated that the purpose of the amendment was to make clear that the responsibility lay with the contractor because they had seen instances already where pieces of work had been cable cast that the producer did not have the licensing rights to even put forward for cable casting, so it was important in accordance with FCC and in accordance with their own code, it was important that they make that specification clear in the contract.

Council Member Quan stated that they had all received a memorandum from Mr. Michel that said that under the current contract Houston MediaSource was in compliance with the law so it did not seem to add any more restrictions, and Mr. Michel stated that it was more of a clarification then adding a new obligation.

Mayor White stated that the pending item was the motion to amend Item No. 36 contained from the beginning of the three page written motion by Council Member Wiseman up to the last section, which referred to indecent or obscene.

A vote was called on Council Member Wiseman's motion to amend Item No. 36a. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2005-0917 ADOPTED.

Mayor White stated that the pending item was:

"Amend Exhibit "A" Policies and Procedures, section 2 (g) to read:

(g) Material that is indecent and/or obscene according to local community standards or is otherwise illegal, or non compliant with the City of Houston's Code of Ordinances", and stated that the administration objected to the language indecent and/or.

Council Member Wiseman requested a point of clarification and stated that they just approved the amendments as amended, and Mayor White stated amendments as amended,

and now the divided question, it was the matter that had been separated for consideration, which was (g).

Mayor White stated that they had adopted basically the handwritten amendments and asked if they should consider now amending, and Council Member Wiseman stated that they had divided the question so it had to be considered separately, and Mayor White stated that she was right, that they had amended the posted amendment with the conforming changes and then at the end, after they would go through all three they would vote on the amendment, and Council Member Wiseman stated that they would vote on the contract, and Mayor White stated that he correctly stated the pending item, which was the last item on the page.

After a lengthy discussion by Council Members, Council Member Quan moved to call the question, and Mayor White stated that if there was no objection it was so ordered.

Mayor White stated that the issue was the one part and they had one other amendment to the amendment, and a roll call vote was called on the divided portion of Item No. 36. (Amend Exhibit "A" Policies and Procedures, Section 2 (g)).

ROLL CALL VOTE:

| | |
|------------------------------------|---|
| Mayor White voting no | Council Member Garcia voting no |
| Council Member Lawrence voting aye | Council Member Alvarado voting no |
| Council Member Galloway absent | Council Member Ellis voting aye |
| Council Member Goldberg voting no | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting aye |
| Council Member Wiseman voting aye | Council Member Green voting absent on personal business. |
| Council Member Khan voting no | Council Member Berry voting aye |
| Council Member Holm voting aye | MOTION 2005-0918 FAILED |

Mayor White stated that the next item was the last item which was motion to amend Article VI Section Q.

Council Member Wiseman requested a point of order and stated that the vote was now on the main item, the contract with Houston MediaSource because the amendments prior had already been approved, the other amendment that was considered separate was voted down and now the pending issue was the main item and that was the contract.

Mayor White asked Council Member Wiseman what was her intention with respect to the amendments stating "contractor shall not delegate any portion of its performance under this agreement", had they considered it, and Council Member Wiseman stated that when the amendment was presented in written form it was included, the amendment was amended to say that that portion would go under Article III Section (d), it was a verbal amendment seconded by Council Member Holm, so it was included as a whole. (Note: no record was found of a vote being called on verbal amendment.)

Mayor White stated that the pending item was the ordinance as amended, the main item as amended.

36a. ORDINANCE approving and authorizing renewal contract for Programming Services between the City of Houston and HOUSTON MEDIASOURCE for Public Access Channel – (This was Item 35 on Agenda of August 10, 2005, POSTPONED BY MOTION #2005-774) - was presented as amended.

Council Member Wiseman stated that she appreciated very much the support of her colleagues on the amendments to attempt to bring a higher standard of quality with the programming, that the FCC made it very clear that they did not have to have public access

programming and if they wanted to minimize their risk for litigation they could eliminate it all together by not having a public access channel, then they would not have to worry about somebody suing them suggesting that their programming was being censored, if they did not have a channel all together then they did not run that risk, so she would say they eliminate the possibility of any litigation as to attempting to restrict the programming, that they were not attempting to do that, the City was not acting in the capacity as a government in attempting to bring quality programming, if so they would be making this requirement of every channel that cable cast through the local systems under their franchise agreements, but they did not it was only for their channel, that the FCC made it clear, that if there was any issue that anyone had with the PEG Channel they took it to the franchising authority, which was the City of Houston, because they left it up to the City, that was the whole reason, they left it up to the City, but since they decided that they would not set the standard she could not support it and would say not to have public access altogether, they would go ahead and eliminate that public challenge and would be voting no.

A roll call vote was called on Item No. 36a as amended.

ROLL CALL VOTE:

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|------------------------------------|--|
| Mayor White voting aye | Council Member Garcia voting aye |
| Council Member Lawrence voting no | Council Member Alvarado voting aye |
| Council Member Galloway voting aye | Council Member Ellis voting no |
| Council Member Goldberg voting aye | Council Member Quan voting aye |
| Council Member Edwards voting aye | Council Member Sekula-Gibbs voting no |
| Council Member Wiseman voting no | Council Member Green absent on personal business. |
| Council Member Khan voting no | Council Member Berry voting no |
| Council Member Holm voting no | ORDINANCE 2005-1075 FAILED |

37. RECOMMENDATION from Finance & Administration to award to CRANE WORKS, INC for Rental of Two Crane Trucks for Department of Public Works & Engineering - \$180,000.00 Enterprise Fund - (This was Item 17 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBER QUAN) - was presented, moved by Council Member Edwards, seconded by Council Member Garcia.

Council Member Quan stated that he had tagged the item last week because they were paying rental for two cranes at \$180,000 and thought that was pretty high, they could buy the cranes for \$250,000 but he had discussions with Public Works and they told him that these cranes break down and by renting, when they break down, they would automatically get another crane without having any down time so he was satisfied now that it was worthwhile.

A vote was called on Item No. 37. All voting aye. Nays none. Council Member Green absent on personal business. MOTION 2005-0919 ADOPTED.

38. RECOMMENDATION from Finance & Administration to award to CARDINAL HEALTH, INC for Medical, First Aid and Emergency (Just-In-Time) and Family Planning (340B Program) Supplies for Various Departments - \$9,326,636.12 - General and Grant Funds - (This was a portion of Item 19 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBER WISEMAN) - was presented, moved by Council Member Alvarado, seconded by Council Member Wiseman.

Council Member Wiseman moved to divide the question to separate out the items that fell under the 340B Program. Mayor White asked if there was a second on the motion and hearing none the motion died for lack of a second. Council Member Green absent on personal business. MOTION 2005-0920 DIED FOR LACK OF A SECOND.

A vote was called on Item No. 38. Council Members Wiseman, Berry and Ellis voting no,

balance voting aye. Council Member Green absent on personal business. MOTION 2005-0921 ADOPTED.

39. ORDINANCE AMENDING SECTION 2-28 OF THE CODE OF ORDINANCES, CITY OF HOUSTON, TEXAS, relating to Emergency Reassignment of certain employees under extraordinary or catastrophic circumstances - (This was Item 20 on Agenda of September 7, 2005 TAGGED BY COUNCIL MEMBER HOLM) - was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1076 ADOPTED.
40. ORDINANCE consenting to the creation of HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 461 - (This was Item 28 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY) - was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1077 ADOPTED.
43. ORDINANCE approving and authorizing an amendment to the Advanced Funding Agreement (approved by Ordinance No. 97-1042, Contract No. 38250) between the City of Houston and TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) for Columbia Tap Rails to Trails, GFS N-0420-22-2 (SB9155-01) - DISTRICTS D - EDWARDS and I - ALVARADO - (This was Item 47 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBERS EDWARDS, GALLOWAY, LAWRENCE and GREEN) - was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1078 ADOPTED.
44. ORDINANCE authorizing the purchase of land and improvements thereon out of Tierwester 1/4 League, A-75; James Holman Survey, A-323; G.P. Foster League, A-273; and D.W.C. Harris 1/4 League, A-325; Houston, Harris County, Texas, for the Columbia Tap Hike and Bike Trail Project, CIP N-0420-22-2; approving a Purchase and Sale Agreement with the owner of the land (Union Pacific Railroad Company) - \$3,900,553.00 Bond Funds - DISTRICT D - EDWARDS and I - ALVARADO - (This was Item 48 on Agenda of September 7, 2005, TAGGED BY COUNCIL MEMBERS EDWARDS, GALLOWAY and GREEN) - was presented. All voting aye. Nays none. Council Member Green absent on personal business. ORDINANCE 2005-1079 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Holm stated that with the Mayor's leadership and the leadership of her colleagues on Council and their community, over and over as they had addressed the most devastating natural emergency in the history of the Nation they all continued to get cards that the City looked good, that they had rallied to answer the emergency need in a way never before examined and happened, but the next phase may even be the hardest phase rather than the emergency and that was how they really would get back to business in Houston and how they looked at as many as 150,000 citizens and the impact they were going to have on the neighborhoods, education and their economy, so they had to address it and look at it and help their neighbors get back to and supporting the business of rebuilding the City of New Orleans so that they could go back to that. Council Members Lawrence and Ellis absent.

Council Member Khan asked that on Item No. 36a was there a provision for him to change his vote on the item, and Mayor White stated that there was no provision for people changing a recorded vote, that he could express on the record what his intention was and they could bring up, at another time, some item addressing the same issue so long as there were some parliamentary procedures on bringing up items that addressed certain issues, that right now the legal status was that they had not extended a contract for Houston MediaSource on the terms that were amended by Council and frankly they would take a look at where that put them and their legal status and whether or not anybody had a proposal around the table before they told Houston MediaSource to fire everybody and pull the plug, whether that was what the Council

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

Council Member Khan stated that he did not want Houston MediaSource to go out of business, he wanted Houston MediaSource to continue, that if there was no provision to change maybe he could bring it with some changes to the contract. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Council Member Wiseman requested a point of order and stated that the item had already been addressed and voted on, that Council Member Khan could not change his "no vote", he could change with the support of Council a "yes vote", an item that was considered before could not be brought up for reconsideration for 90 days, according to Council rules. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Mayor White stated that there may be procedures for addressing the issue of who and how does municipal access under the rights before they let the cable lapse and that was something that they would have to consider as a body. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Council Member Khan stated that he needed somebody to help him out, that there was still a lot of concern about the way the voucher system was working out for the evacuees, so if someone from the Housing Department could visit with him and give him the process as to what was needed in terms of someone trying to get an apartment through the voucher system. Council Members Lawrence, Wiseman, Ellis, Sekula-Gibbs and Berry absent.

Council Member Khan stated that he wanted Houston MediaSource to continue in the business and if there was any way to have the contract done he would appreciate help in that area. Council Members Lawrence, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Quan stated that he wanted to thank all of the citizens of Houston for their continued support of the Katrina victims and Mayor White in particular for his leadership in the area, that they had a job fair scheduled for Saturday at the Houston Community College on the West Loop, that as they looked to attending to the needs of the individuals from New Orleans he could not help but see the community will to reach out to people in need in general, that he had been working on an effort to end chronic homelessness in Houston and would like to later propose a resolution whereby they exert that same effort to end homelessness in their City that they were looking at for the individuals from New Orleans; that they had been talking also about an ordinance dealing with affordable housing and would like to get that in place to, that they saw what could happen when people were not prepared, so he thought that as they looked at the issue today they needed to be looking at the long term for citizens of Houston in the areas of affordable housing and ending homelessness. Council Members Lawrence, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Goldberg stated that he wanted to thank Mr. Richard Andrews and Mr. Freeman Atkins for the Council breakfast that they provided, that they were with Nutritious Catering and Whole Food Network, that they did a great job. Council Members Lawrence, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Goldberg stated that as to the Hurricane Katrina situation, he could just not give enough credit to the Mayor's staff who was asked to work far more hours than their 40 hours without any additional pay and also all the directors who was doing things that they normally did not do, that they were going up and beyond and learning things that they really were not supposed to have to learn and doing things that their job requirement did not require, that they should be commended in a right fashion. Council Members Lawrence, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Goldberg stated that he wanted to thank the Council for passing the quiet

zones, that it was with two other cities, and in sixty days they should have it, that it would increase property value within the City of Houston and probably more than pay for itself. Council Members Lawrence, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Goldberg stated that Astroworld was closing its doors and hopefully there would be some initiative to help a company relocate another amusement park in Houston and fill that void. Council Members Lawrence, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Council Member Galloway stated that she knew they had Council rules that governed when they could bring matters back upon the table but it was one thing about Council they always tended to waive their rules in case of something that really needed to take care of City business, so they could of course waive rules to bring items back to the table and was sure they could get the support for that because they did need to look at all the aspects of MediaSource and what it had contributed to the Houston community so she would be in support of waiving the Council rules because they waive their rules when they get ready on other matters. Council Members Lawrence, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent.

Mayor White stated that he thought it was very important that colleagues, even when they disagreed with colleagues, treat their colleagues with respect, that there had been on occasion, including in this case, where he tried to assist somebody in drafting something that he did not agree with but he wanted them to draft it in a way was artful and proper and perhaps over the next couple of weeks they would see and put to a test the public commitment that everybody would have with treating their colleagues with respect. Council Members Lawrence, Goldberg, Wiseman, Holm, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Galloway stated that she wanted to applaud the Mayor, his staff and the entire Houston community for the support they had given to their neighboring city of New Orleans in the Katrina effort. Council Members Lawrence, Goldberg, Wiseman, Holm, Alvarado, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Galloway stated that there would be an MWBE Committee meeting today at 2:00 p.m., that they had some information that she thought would be very helpful for those who were not quite familiar with the MWBE processing. Council Members Lawrence, Goldberg, Wiseman, Holm, Alvarado, Ellis, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she would like to also thank everyone on the Mayor's staff for the work they had done regarding Katrina and would like to also thank St. Luke's Methodist Church for their contribution to the community shelters, that was an issue they were still trying to get their hands around and how to get people who were in shelters and peoples homes and in community churches in the loop so they were still working on that she really wanted to thank HEB and Kroger for stepping up to the plate and providing services, that they had received in the community donations from as far away as South Africa, that she had a Council Member friend in Newark, New Jersey who had sent almost four flat loads of donations, new items and medicines and so forth, Council Member Jenkins of Newark, New Jersey, that it was a worldwide effort that was helping to support what was going on in Houston. Council Members Lawrence, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that the issue regarding Jones High School, the Black Social Works and Psychologists were really wanting to be a part of this and trying to help with the counseling that was to be made available to the parents and students on both sides of the issue, so they were trying to get them involved in the process, that she had given some information to Mr. Michael Moore this morning and hopefully that would be able to give them another layer of people to work and to bring some solution to the issue. Council Members Lawrence, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she was really disturbed regarding the vote that they took on Houston MediaSource, she was not attorney but it seemed to her to deny a contract based on what she heard at the Council table could put the City in some jeopardy. Council Members Lawrence, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that they spent an hour talking about Houston MediaSource and the word indecency and they spent less than five minutes about Frances Newton who was going to be killed today at 6:00 p.m., that if there was a matter regarding indecency or obscenity she thought that was it, that even if they had different opinions the fact that there was so much evidence, especially with the Houston DNA and Crime Lab being involved somewhat in the issue, it just seemed obscene. Council Members Lawrence, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that there was a lot to be said for the City of Houston and for Mayor White's leadership as well as the County and for City employees across the board, that he wanted to say thank you to Colonel Noriega for his leadership and by the same token he wanted to sing the praises of unsung heroes, Mr. Terrance Fontaine and Michael Moore, that he saw them right next to the Colonel doing quite a bit. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that Council Member Garcia had named some people but there were others where nobody would know what they did and when they did it in ways that people would find unbelievable, but it did include Mr. Pat Trahan and Ms. Linda Clark. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to remind them that on Friday would be POW and MIA Day and there would be a brief ceremony held in front of the reflection pool at 10:00 a.m. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that Saturday was Fiestas Patrias Day and Parade at 10:00 a.m. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he and State Representative Farrar co-hosted a meeting on the Studemont Reconstruction Project, that there had been challenges there between TXDOT and the contractor and the City and Mr. Mark Latham was also present to answer some questions, that he would urge Public Works that once they could work out the details with the contractor and get some specifics as to when the project would start to move if they could get it out to the community he thought they would appreciate it. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Alvarado, Ellis, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:32 p.m. Council Member Goldberg out of the city on city business. Council Member Khan out of the city on personal business. Mayor White and Council Members Lawrence, Edwards, Holm, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary