

City Council Chamber, City Hall, Tuesday, September 20, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 20, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Ms. Debra Dillard, Mayor's Citizens Assistance Office; Mr. Xavier Herrera Citizens Assistance Office; Ms. Marty Stein, Agenda Director; Mr. Jose Soto, Assistant Agenda Director present.

At 2:15 p.m. Mayor Pro Tem Alvarado stated that Council Member Berry would begin presentations. Council Member Berry stated that Houston was the energy capital of the world and all wanted to make sure opportunities were given to students in the community to make sure they could fill those roles and invited those present regarding the presentation to the podium. Council Member Berry stated that through a collaborative project Houston energy companies and Watson Wyatt worldwide developed the J. A. Energy Enhancement Program; that the program would be launched in October in several schools and presented them a Proclamation extending best wishes for a successful observance; and proclaimed September 20, 2005, as "Energy Education Week", in Houston, Texas. A spokesperson for the group stated it was an honor to kick off the week in Houston; that Baker Hughes employed about 5,600 employees in Houston and 60% had a background in engineering, accounting, etc., the energy industry was extremely technical and engineers were hard to come by so they were trying to attract young talent; and thanked all for the recognition. Mayor White and Council Member Goldberg absent. Mayor Pro Tem Alvarado presiding.

Council Member Garcia stated that he was honored to make the next presentation and invited Ms. Carmen Nuncio to the podium. Council Member Garcia stated that Ms. Nuncio was a parent volunteer at Thomas Jefferson Elementary; and presented her a Proclamation for volunteering 31 years in various schools and proclaimed September 20, 2005, as "Carmen Nuncio Day", in Houston, Texas. Council Members Goldberg, Edwards, Wiseman and Quan absent.

Mayor White stated that there were a lot of heroes and heroines from the Katrina relief and many now in Houston and today a few, who were also evacuees, were present; and invited Mr. Brian Kaufman, Mr. Corey Williams and Mr. Earl Brown to the podium. Mayor White further stated that it was brought to his attention that these three had exemplified extraordinary heroism and uncommon valor; that by using an air mattress and brooms they had paddled safely away and evacuated 250 children and elderly persons from the St. Bernard Housing Development and presented each a Proclamation proclaiming September 20, 2005, to be their day in Houston, Texas. Each spoke and thanked the Mayor and Council for the acknowledgment and thanked Houston for the hospitality. Council Members Goldberg, Wiseman and Quan absent.

Council Member Garcia stated that they had saved over 200 people and they respected them and honored them for that and he hoped they understood that what they did was very significant. Council Members Goldberg and Wiseman absent.

At 2:34 p.m. Mayor White called the meeting to order and called on Council Member Galloway who led all in prayer and in the pledge. Council Member Goldberg absent.

At 2:35 p.m. the City Secretary called the roll. Council Member Goldberg absent.

Council Members Quan and Galloway moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Goldberg absent. MOTION ADOPTED.

Council Member Alvarado stated that she would like Mayor White to give a hurricane briefing update; and Mayor White stated that there was a lot happening right now; and Council Member Galloway moved to suspend the rules to hear from Mayor White at this time, seconded Council Member Alvarado; and Mayor White stated that with no objection it was so ordered. Council Member Goldberg absent.

Mayor White stated that if Rita continued on its current course it could be a significant risk to this region and he was asking citizens who were in the regions of the storm surge, the 100 year flood plain, to begin making plans on how to evacuate if asked to do so; that if some needed assistance he would ask them to think of those who could assist them and he was asking relatives, neighbors, etc., if they knew people needing assistance to speak with those people; that if the storm continued on its current course then employers should be planning to identify only those essential functions within the organizations for those employees to show up on Thursday and Friday; that they would be asking employers to not be asking employees to show up for work except for essential personnel so employer groups needed to start making plans now; that also this afternoon all centers such as assisted living and hospitals were being contacted by the City to make sure they would implement plans they were required to file with the state; that the emergency management systems of the county and city are stood up, the emergency medical center and operations for those with special needs would be stood up by 3:00 p.m. today and there would be information that would be provided through the press, Council and emergency broadcast systems and for those who needed assistance and had been unable to find assistance within areas subject to storm surge or high flooding would be able to get assistance from the city; Mayor White presented a map and stated that it showed the low lying areas for a category 3 or greater storm; that the meteorologist models started to have higher probabilities of wind, rain, etc. starting Thursday afternoon, but plans needed to be made now and decisions tomorrow morning; that it was expected to continue on a westerly direction and then draw to the north; and that was the status. Council Members Goldberg and Green absent.

Council Member Sekula-Gibbs stated that she appreciated his leadership and guidance; and upon questions, Mayor White stated that at some point he would excuse himself from the meeting and put his points in writing for Council Members, but there should be communication and government could not do it all so citizens were needed to reach out. Council Members Goldberg and Green absent.

Upon questions by Council Member Khan, Mayor White stated that he had two points and first was if evacuation was recommended the best place to be was further inland and it would violate norm of urging people to go to a shelter in line of the hurricane's path; that secondly as they assess the status of evacuation they would see if there was need for emergency shelters, but it was amazing what the city had done; that about an hour ago the George R. Brown had cleared the evacuees and work was going on at Reliant Arena. Council Member Alvarado absent.

Upon questions by Council Member Galloway, Mayor White stated that the hurricane plan depended on the size; that they were discouraging people from going to shelters in the area; that the safest place to be if someone was evacuating was not in the path of the hurricane, it would be going further north or west, but there would be backup contingency plans. Council Member Alvarado absent.

Council Member Wiseman stated that she appreciated him bringing up the issue and providing an update, but if it was a category 3 it would call for evacuation of the Clear Lake area and she had concerns about the evacuation plan for that area since it would be the first area affected, were evacuation routes clearly posted and how would information be gotten out; that I-45 and 225 were under construction and those were concerns; that another concern was for those who would disregard evacuation recommendations and with Fire Station 94 disbursed she would like it used for overtime fill-in; that they should be reassigned during this time as they may

be needed for rescue operations. Council Members Lawrence and Khan absent.

Council Member Edwards stated that she would like maps for her civic club meeting; and upon questions, Mayor White stated that the Emergency Management Office, Ms. Nalls, Chief Storemski and Mr. David Pursse are coordinating with governmental entities and departments and someone should be designated as the “go-to” person for Council to go to; and Council Member Edwards stated that someone may not be in the storm surge, but they may be in vulnerable areas; and Mayor White stated that if there was areas because of ongoing construction, not depicted on the map, Public Works needed to look at that; and if something was an emergency they wanted 911 to be used and when certain questions were ascertained there would be a phone number for assistance and evacuation and they would be assessing the capacity of 311 and a widespread announcement would be made. Council Member Green absent.

Council Member Garcia stated that if someone’s neighborhood was prone to high water in a typical rain he would suggest them making plans; that all should discuss this and be ahead of the game plan; and as Mayor White suggested that they look out for those neighbors who may need assistance. Council Member Green absent.

Mayor White stated that for Council Member Wiseman it was a good observation on her point about the deployment of fire personnel and another engine crew would be deployed at the station, but fire stations did need to be evacuated, he heard what she said and they responded. Council Member Green absent.

Council Member Galloway moved that the rules be suspended for the purpose of hearing from Mr. Raymond Mbala as the first speaker, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent. MOTION 2005-0922 ADOPTED.

Council Member Holm moved that the rules be suspended for the purpose of hearing from Mr. Shawn Welling after Mr. Raymond Mbala, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Green absent. MOTION 2005-0923 ADOPTED.

Council Member Garcia moved that the rules be suspended for the purpose of hearing Mr. Gonzalo Camancho after Mr. Shawn Welling, seconded by Council Member Khan. All voting aye. Nays none. Council Member Green absent. MOTION 2005-0924 ADOPTED.

Mr. Ramond Mbala, 5959 Westheimer #212, Houston, Texas 77057 (469-556-7299) appeared, presented information to Council Members and stated that he came to speak on an issue indirectly related to relief efforts in a fallout situation and that was ground transportation services; that he came as general counsel for Texans Shuttle, a local shuttle company, he was expressing their opposition to the proposed process of shared rider services to the Houston Airport System by companies who applied currently; that they were stressing opposition to the current bid process, shared ride allowed up to 15 passengers to share a van originating at the airport and traveling to destinations throughout the airport and at a significantly reduced rate and Houston was the only city in the country who did not provide such service; that Houston was finally ready and now it appeared the Mayor was poised to erroneously award exclusive contracts to one or two companies at the expense of locally minority based companies such as Texans Shuttle; that the bid process would create a major windfall for the industry and they opposed it as they believed Houston did not need an exclusive contract for shared ride service when there was no such contract for any other ground transportation. Council Member Green absent.

Council Member Berry stated that he had to give Mr. Mbala credit; that his comments were well laid out and if he was not so good at what he did the issue would have been resolved a longtime ago; that because of his successful litigation and efforts was why shared rider ship had not come about before, but he sat through many meetings over the course of the last year and

they were told by Mr. Vacar and outside consultants that of the 50 airports all but one or two had a single shared rider ship or two, the market did not suggest it was best to have more; and he did believe the process was more than fair and was proud of it. Council Member Green absent.

Upon questions by Council Member Khan, Mr. Mbala stated that they made numerous request to meet with the Mayor and others but their request was ignored; that at a committee meeting Mr. Vacar was asked to revise proposals and come back to the joint session and present them again and to his knowledge that had not transpired. Council Members Sekula-Gibbs and Green absent.

Ms. Shawn Welling, 235 Malone, Houston, Texas 77007 (281-772-4277) appeared, presented information and stated that he was present the fourth time in the same position and wanted to thank those Council Members who were now assisting him which were Council Member Lawrence, Council Member Ellis and others who aided him; that his dance studio was on Logan Lane and one neighbor was politically powerful and did not want him at his location; that signs were up and clearly illegal and he was asking Mayor White to make an executive order to take the signs down. Council Members Sekula-Gibbs and Green absent.

Mayor White stated that he heard what he said last time and this and other things helped them to focus on the ordinance and it was flawed; that there had to be a way for people not having parking in front of their houses but yet allow him to park in front of his building; that he was not for adjudication of individual disputes on block basis and that was why if it was something they could do within the law he relied on single member district Council Members and if it was something where the ordinance said all or nothing then it should be changed; that he was also familiar with the number of stakeholders who needed to be identified should be more than the stakeholders on the block face and he asked that they be drafted; and it would be Chairman Goldberg's committee, Regulatory Affairs, to expedite the process of the ordinances, and it did not cover all these things and he would ask for a legal interpretation of the application of the current ordinance, but they certainly wanted a situation where someone could park in front of their property. Council Members Sekula-Gibbs and Green absent.

Council Member Holm stated that Mr. Welling had been down before and she thanked Mayor White for clearing it up as one issue was the city issue dealing with residential parking and all identified the need for amending so there could be coexistence of residential and commercial communities and the second issue was the actual process for his particular permitting of Logan Lane and she did agree with the Mayor that was a district issue; that she had met with Mr. Welling and many others and asked them to go through the entire process on this specific instance and now they had gone through this three times for its validity and positioning and she did welcome the fair and objective remedy for both situations. Council Members Sekula-Gibbs and Green absent.

After a lengthily discussion by the Mayor and Council Member Quan stated that it was his understanding the Rules of Council provided that an item approved by Council could be brought up again for a new vote on motion by one of the voters on the prevailing side; and Ms. Wiginton stated that was a 90 day period; and Council Member Quan further stated that he believed they had new information and he was willing to move to bring the item before Council for a vote, seconded by Council Member Goldberg. Council Members Galloway, Khan, Sekula-Gibbs and Green absent.

Council Member Wiseman stated that the motion would require 10 votes; and Mayor White stated that if he could he would suggest that they not be in the business of having Council consider parking administration block by block; that he wanted ordinances to be right and he thought he should be able to park in front of his property and they would seek that relief. Council Members Galloway, Khan, Sekula-Gibbs and Green absent.

Council Member Goldberg stated that Council Member Quan made a motion to reconsider

and he seconded; that Council Member Wiseman had. .; and Mayor White stated that on the parliamentary decision, he thought it was intention and they were talking about during the public session; and Council Member Quan stated that his intent was to bring it to the business session of Council and he would do it in writing to the Mayor that it be brought back; and Council Member Goldberg stated that Council Member Wiseman pointed out correctly it took 10 votes to pass and there were ten present; that they would only be considering whether to bring it on the Agenda, they would not be voting for or against it; and Mayor White stated that during another meeting Council Member Galloway informed him they could not do something without it being posted, but he did hear what they were saying; and upon questions, Ms. Wiginton stated that it was an open meetings issue; and Mayor White stated the matter was out of order. Council Members Galloway, Sekula-Gibbs and Green absent.

Mr. Gonzalo Camancho, 2308 Watson, Houston, Texas 77009 (713-864-5705) appeared, presented information and stated that he was a licensed professional engineer and resident of Houston and present regarding the I-45 construction; that he made it a challenge to develop a transportation concept that reflected long-term original mobility needs and community concerns and developed the tunnel concept and concluded it a valid alternative to a 12 lane highway; that he was told TxDOT could do it but needed the City's support, and urged the City not lose federal funds, create a vision for Houston and create it as a world class city. Council Members Galloway, Quan, Sekula-Gibbs and Green absent.

Council Member Garcia thanked Mr. Camancho for coming and for putting his time and skills into it and stated that TxDOT did express interest in getting a feasibility on this, but until there was something concrete it was an ambiguous discussion. Council Members Galloway, Sekula-Gibbs and Green absent.

Mayor White stated that they were actively exploring alternatives to the 12 lane widening and no one was prejudging the tunnel concept, but they did want to keep mobility and quality of life. Council Members Galloway, Sekula-Gibbs and Green absent.

Ms. Anjellea Gabriel, 9900 Richmond #905, Houston, Texas 77042 (713-525-5496) appeared and stated that she and those with her were present representing the campaign for a Department of Peace; that they had a Peace Pole to present to the City of Houston and the original was presented in the year 269 by the Emperor of India; that a peace monument represents the heart of the city , it represents non violence and on each side in a different language it says "May peace prevail on earth."; and they ask that it be accepted and placed in a special place. Council Members Galloway, Holm, Sekula-Gibbs and Green absent.

Mayor White stated that he would appreciate Council Member Quan's assistance in finding an appropriate place; and Council Member Quan stated that maybe in the honor guard at Hermann Park; and Council Member Edwards stated that she believed in Hermann Park where the statues of Gandhi and Cesar Chavez were. Council Members Galloway, Holm, Sekula-Gibbs and Green absent.

Ms. Herma Morris Barnes, 11025 Larkwood Drive #1202, Houston, Texas 77096 had reserved time to speak but was not present when his name was called. Council Members Galloway, Holm, Sekula-Gibbs and Green absent.

Ms. Bobbie Brown, 4855 W. Fuqua #1805, Houston, Texas 77045 (713-434-1259) appeared and stated that she was a longtime Houston resident and today she was present regarding the many negative comments surrounded by the Katrina survivors, one in particular, was where a lady was in line and complaining about it, she said it was like they were cattle, but that affected her most because it was the epitome of ingratitude; that she could identify with them because in October 2002 she was homeless after becoming disabled in 2000; that when she was in a shelter she was grateful and she still had lines to wait in, but she could not understand how evacuees could come into Houston and be on top of the lines, the homeless of

Houston were prior to Katrina and it did not seem fair or right; that also CNN said the 4,500 sex offenders were probably now in our area and she wondered what efforts there would be to see that our children were safe. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Quan stated that he agreed, this episode did bring to light the generosity and ability of this community to address the needs of people and he hoped after this the same momentum would be carried on to address Houston's homeless; and someone was trying to track down the sex offenders, but he was glad it was brought to their attention; and Mayor White stated that it was a legitimate issue raised, regardless of income or needs HUDS vouchers for Houstonians were frozen; and this nation did need to consider home policies; and Council Member Quan stated that he hoped the spark could be extended to our own. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that they now knew if they had the will they could do it and she hoped they could continue building relationships with communities, etc., and on a day to day basis find a solution; and invited Ms. Brown to participate. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Mr. Shocka Williams, 5107 Outterbury Drive, Houston, Texas 77039 (281-442-7245) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Holm, Sekula-Gibbs and Green absent.

Mr. Brian Shoemaker, 2118 Middle Creek, Kingwood, Texas 77339 (281-353-5186) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Holm, Sekula-Gibbs and Green absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Mr. Anthony Collins, 6202 Star Lake, Humble, Texas 77396 (281-548-0979) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Khan, Holm, Garcia, Sekula-Gibbs and Green absent.

Mr. Wendall Decuir Joseph II, 1203 Simsbury, Houston, Texas 77022 (832-328-0675) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Mr. Ricardo Rodriguez, 4710 Bell #1, Houston, Texas 77023 (713-547-0500) appeared, presented information and stated that his gas company cut off his gas for a \$71.00 with \$70.00 being the deposit; that he spent three weeks and 10 – 12 hours but still received no response; that he thought the gas company was taking advantage of poor people and he was going to go and pay his \$150.00 with deposit and fees. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Upon questions by Council Member Alvarado, Mr. Rodriguez stated that it was Center Point Energy; that he cancelled two previous appointments here because of lack of information; that they even told him their policy was not to give out policy, but none of his questions were answered; and Council Member Alvarado stated that her office and Citizens Assistance Office would be happy to contact them on his behalf; and Mr. Rodriguez stated that he was going to go pay his bill, but he was pushing it because he could get no answers and he felt they were taking

advantage of the poor. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Mr. Calvin Wills, 8758 Josie, Houston, Texas 77029 (713-419-3897) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Holm, Garcia, Sekula-Gibbs and Green absent.

Mr. Phillip Flakes 4313 Stonewall, Houston, Texas 77020 (713-675-9721) appeared and stated that his concern was heavy trash pickup; that he placed it out on September 5th, Labor Day, it was being picked up Wednesday, but by Friday his was still not picked up so he called 311 and received a confirmation No. of 214748; that on the 14th he called again and they said he placed his trash out to late and when he came home a ticket was on his door; that he called again complaining of a ticket when he had been calling for no pickup and Mr. Renfro came and picked it up, but he still had a ticket; that on March he made a complaint with a reference No. of 54995 and that was for reporting garbage cans chained around utility poles by the church be removed; and he thought it was the church who called on him and that favoritism was being played. Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that somehow he got the impression the ticket was not given to him properly; and upon questions, Mr. Flakes stated trash was being picked up all around him but not his, he was waiting on a response and then received a ticket and the interesting thing was he only had two neighbors on his street and 311 said it was the church who reported him; that he called on them in March and he wanted it pointed out that the garbage cans from the church should be removed from the utility polls; and Council Member Berry stated that he was sure the Mayor would assist him and his Council Member was Council Member Galloway but if neither helped him he would be glad to. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Wigington stated that she would check but a utility pole was a public structure and she would E-mail her an answer on whether cans could be chained. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Joe Matthews, 12402 Millbanks, Houston, Texas 77031 (832-236-5671) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. James Schriver, 1808 Lubbock, Houston, Texas 77007(713-882-1831) appeared and stated that he lived in the Old Sixth Ward historic district and was four blocks from I-45 and today was present regarding the City funding a study for the I-45 tunnel system; that cost would be about point one percent of the total cost of the project and it made good sense to understand the total proposal in detail and would also ask Council to see Mr. Camancho's presentation on I-45 as he had invested the past year of his life developing and presenting his proposal and it had received overwhelming support; and urged the City to get behind him and fund it. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. William Robinson, 5707 Parker, Houston, Texas 77016 (713-382-7816) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Shameka Bundred, 3734 Southlawn #1, Houston, Texas 77021 (713-741-4624) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Marta Epps, P. O. Box 936, Bellaire, Texas 77402 (713-449-2257) appeared and stated that she was looking for a job; that people from other states had been given seniority and she would like to know why. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that Ms. Epps may be interested in knowing there would be a job fair on September 28th and many corporations would be there; and invited her to attend; that Citizens Assistance would get her information. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Alvin Byrd, 710 Clark, Houston, Texas 77020 (281-914-1950) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mrs. Sheila Pierce, 11810 Algon Quin, Houston, Texas 77089 (281-464-9644) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Willie Pierce, 11810 Algon Quin, Houston, Texas 77089 (281-464-9644) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Ben Crabb, 2502 Haverhill, Houston, Texas 77008 (713-861-5354) appeared, displayed a map board for viewing and stated that where 290 joined Loop 610 his specific area of concern was the proposed extension of Salford; that they wanted to extend it about 60 feet and there were 360 homes there in Holly Park and Timber Grove Manor and they bought there because it had no through streets; that a major development was going in just south of them and the street was being cut through into that development and if the 60 feet extension was granted many would be taking the short cut and it would change their entire development; that Council Member Lawrence was supporting efforts in involving neighborhoods in such decisions and he and his neighbors supported her initiative. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Mary M. Taylor, 5315 Willow Glen, Houston, Texas 77033 (713-733-5930) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Ceola Taylor, 21303 River Knoll Lane, Katy, Texas 77499 (832-593-9618) appeared and stated that she was present as Houston had assisted young men and women who were victims of Katrina and Houston's hospitality had gone far beyond any offered in the U. S. A.; that she was a teacher and parent and she and neighbors had a relief drive for the victims; that she was not trying to stop there help, but she was trying to get help for the young here in Houston also, especially those with a record; that victims of Katrina were being hired with felonies and our people with a record also desperately needed a job and they served their time and now

needed a chance; and urged Council and others to support them. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan thanked Ms. Taylor for coming and stated that he appreciated her efforts in helping victims of Katrina; that unemployment was a major issue and anyone unemployed was a burden on someone else and that was why all job fairs were open to all, they would not do this for one segment of society and not for all. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that there was an organization, she could not remember the name, but through Citizens Assistance they would get her the information, they specialized in that. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that they had not given jobs to anyone, but had given opportunities; that Pastor James Nash worked with those with felonies and Over the Hill, that was their spatiality; that the NAACP also, many worked on the issue and she did appreciate her efforts and maybe she would assist those groups already trying to assist those on parole or with felonies. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that someone from her office was coming with information for her at this time. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Silester Scyres, Sr., 2533 Glen Avenue, Houston, Texas 77088 (713-924-6303) appeared and stated that he wanted to discuss the MOPD and to read their mission statement it said their primary purpose was to make Houston the most assessable city in the nation and he was interested in trying to enhance to program; that he was one of ten certified accessibility investigators and he could save the City at least 50% as it related to inspections and family views associated with the projects; and he wanted to let the City know he was available. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Mignon Dang, 7575 Cambridge #1303, Houston, Texas 77054 (524-610-3315) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Tim Campbell, 208 Caylor, Houston, Texas 77011 (713-928-6119) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Bart Womack, 1617 Fannin, Houston, Texas 77002 (832-236-5671) had reserved time

to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Sean Hayball, 8638 LaFonte, Houston, Texas 77024 (832-236-5671) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Ray Hill, 419 Lovett Blvd., Houston, Texas 77006 (832-236-5671) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. James Moore, 4900 Floyd #3, Houston, Texas 77007 (832-236-5671) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green 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, Goldberg, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

Mr. Cristobal Patino, 8800 Broadway #5179, Houston, Texas 77061 (713-528-1625) appeared and stated that he was still trying to figure out why they could not understand why people would want to put evacuees in the GRB and Reliant Center when the Astrodome had a 360 degree circle, wind did not hit a circle. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omari, 2820 Palm 2B, Houston, Texas 77004 (832-767-0870) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 4:33 p.m. City Council recessed until 9:00 a.m., Wednesday, September 21, 2005. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, September 21, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, September 21, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Financial Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present.

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

At 9:30 a.m. Mayor Pro Tem Alvarado reconvened the meeting of the City Council. Mayor White and Council Members Lawrence, Galloway, Edwards, Holm and Garcia absent. Mayor Pro Tem Alvarado presiding.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 47

MISCELLANEOUS - NUMBERS 1 through 5

1. REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2007:
Position 4 - **MR. CURTIS V. FLOWERS**
Position 5 - **MRS. JANIE REYES**
Position 11 - **MR. ROLAND GARCIA**

- was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0925 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of **COUNCIL MEMBER ADRIAN GARCIA** as City Council Member designee, for Position One and **MS. LANE TRANSOU**, as the Mayor's designee, for Position Four to the **CITY OF HOUSTON DEFERRED COMPENSATION ADVISORY COMMITTEE** - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0926 ADOPTED.

5. REQUEST from Chief of Police for Extension of Injury on Duty Leave for Police Officer **DAVID GONZALES** - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0927 ADOPTED.

DAMAGES - NUMBERS 6 and 7

6. RECOMMENDATION from City Attorney for settlement of lawsuit styled **WILLIE LEWIS, JR.** v. City of Houston; in the 190th Judicial District Court of Harris County, Texas; Cause No. 2004-33394 - \$60,000.00 - Property and Casualty Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0928 ADOPTED.
7. RECOMMENDATION from City Attorney for settlement of lawsuit styled **IVAN SMITH, JR.**, et al. vs. Thomas Lewis Wethington and the City of Houston; in the 151st Judicial District Court of Harris County, Texas - \$167,500.00 - Property and Casualty Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0929 ADOPTED.

PROPERTY - NUMBER 12

12. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel DY4-012, located at 1010 State Highway 6 North, owned by FHAC Texas Holdings, L. P., a Texas limited partnership, Lawrence D. Robinson, Senior Vice President and General Counsel, for the **IH-10 AT HIGHWAY 6 WATERLINE EASEMENTS PROJECT**, CIP S-0900-96-3 **DISTRICT A - LAWRENCE** - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0930 ADOPTED.

PURCHASING AND TABULATION OF BIDS – NUMBER 15

15. **AMEND MOTION #2003-1082, 9/3/03, TO INCREASE** spending authority from \$70,169.00 to \$98,236.60 for Automotive Tires and Tubes Contract for Various Departments, awarded to **BEASLEY TIRE SERVICE** - \$28,067.60 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Galloway. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0931 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 47

18. RESOLUTION supporting the application of TX Northline Housing, L.P. before the Texas Department of Housing and Community Affairs for award of 4% Low Income Housing Tax Credits ("LIHTCS") in connection with the financing of Northline Estates, a new apartment development to be located in the 7200 Block of Northline Drive, Houston, Texas, to be restricted for occupancy to low-income households - **DISTRICT H - GARCIA** - had been pulled from the Agenda by the Administration, and was not considered. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding.
24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of a 10-foot-wide water line easement and of a fire hydrant easement, Parcels SY5-005A and SY5-005B, respectively, vacating and abandoning said easements to Holly Hall, Inc., the abutting owner, in consideration of its conveyance to the City of a 10-foot-wide water line easement and a fire hydrant easement, Parcels KY5-054A and KY5-054B, respectively, and its payment of \$600.00 and other consideration to the City; the two abandonment parcels and the two conveyance parcels all being located within the Holly Hall Home for the Retired, Replat No. 2, P. W. Rose Survey, A-645, Harris County, Texas - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1080 ADOPTED.
35. ORDINANCE authorizing settlement agreement and release between the City of Houston and **REPUBLIC WASTE SERVICES OF TEXAS, LTD.**, to settle claims arising out of contract for Solid Waste Disposal Services between the City of Houston and **REPUBLIC** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding.
39. ORDINANCE appropriating \$83,079.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT Construction Fund (535); authorizing the purchase of land and improvements thereon out of the McAuley Survey, A-577, Houston, Harris County, Texas, for Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-69.1; approving purchase and sale agreement with the owner of the land (Vincent M.

Kazmiroski) - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1081 ADOPTED.

42. ORDINANCE appropriating \$506,784.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Reconstruction of the City's Water and Sanitary Sewer Lines Fannin Street from Pierce Street to Commerce Street under Construction Contract (Contract No. C50109) with **METROPOLITAN TRANSIT AUTHORITY** (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, GFS R-0537-12-3 (SB9037-07) - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1082 ADOPTED.
43. ORDINANCE appropriating \$88,605.23 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction of the City's Water and Sanitary Sewer Lines Milam Street from Spur 527 to Pierce Street under construction Contract (Contract No. C50109) with **METROPOLITAN TRANSIT AUTHORITY** (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, GFS R-0537-15-3 (WA10730) - **DISTRICTS D - EDWARDS and I - ALVARADO** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1083 ADOPTED.
44. ORDINANCE appropriating \$222,620.24 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Reconstruction of the City's Water and Sanitary Sewer Lines Pierce Street from Brazos to Jackson under Construction Contract (Contract No. C50109) with **METROPOLITAN TRANSIT AUTHORITY** (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, GFS S-0443-25-3 and R-0537-25-3 (SB9037-08) - **DISTRICTS D - EDWARDS and I - ALVARADO** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1084 ADOPTED.
45. ORDINANCE appropriating \$143,938.45 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Reconstruction of the City's Water and Sanitary Sewer Lines Travis Street from Spur 527 to Pierce Street under Construction Contract (Contract No. C50109) with **METROPOLITAN TRANSIT AUTHORITY** (approved by Ordinance No. 93-274); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, GFS S-0443-27-3 and R-0537-27-3 (SB9037-10) - **DISTRICTS D - EDWARDS and I - ALVARADO** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1085 ADOPTED.
46. ORDINANCE appropriating \$11,218.45 out of Parks Consolidated Construction Fund as an additional appropriation for Professional Materials Engineering Laboratory Services Contract with Professional Services Industries, Inc., GFS F-504A-19-3 (approved by Ordinance No. 02-0836) **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1086 ADOPTED.
47. ORDINANCE appropriating \$24,675.00 out of General Improvements Consolidated Construction Fund for IT Installation at Police Administration Building at 1200 Travis, GFS

D-0119-04-3 **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1087 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. RECOMMENDATION from Director of Human Resources for approval of the Holiday Schedule for Calendar Year 2006 - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0932 ADOPTED.
4. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2004 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2005 MTFP in map form – was presented.

Council Member Quan stated that he wanted to give the citizens one last chance to review the plan and would tag the item, and Council Member Wiseman requested that her tag be added also. Mayor White and Council Members Holm, Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding.

ACCEPT WORK

8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,266,994.78 and acceptance of work on contract with **FORD CONSTRUCTION COMPANY, INC** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-0266-13-3 (4258-8) - 00.50% under the original contract amount – was presented, and tagged by Council Member Galloway. Mayor White and Council Members Holm and Garcia absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that she would like a report, that they did send a letter but she did not know why the contract was not monitored as it related to the participation of the MWBE, it was only 10% when the goal was 19% so she would like better detailed information, and Mayor Pro Tem Alvarado stated that they would get that for her, and Council Member Green stated that he would tag the item as well. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,243,798.41 and acceptance of work on contract with **T & C CONSTRUCTION, INC** for Westmont and Northshore Lift Stations, GFS R-2011-03-3 (4713-2) - 04.28% under the original contract amount - **DISTRICTS E - WISEMAN and I - ALVARADO** – was presented, and tagged by Council Member Galloway. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,732,357.00 and acceptance of work on contract with **J & N INTERNATIONAL COATINGS, INC** for Replacement of Four Ground Water Storage Tanks at Four Pumping Stations, GFS S-0600-29-3 (WA10596-29) - 02.02% over the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG and E - WISEMAN** - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION

2005-0933 ADOPTED.

PROPERTY

11. RECOMMENDATION from Director Department of Public Works & Engineering to **RESCIND MOTION #2005-415, 5/11/05**, which authorized condemnation of Parcel AY2-051, located at 9407 E. Avenue I, owned by Rosario Guerrero and the Heirs of Oswald Guerrero, for the **CENTRAL STREET GRADE SEPARATION PROJECT from Central Street Extension over Manchester Avenue to Train Yard**, CIP N-0676-01-2; **TO AUTHORIZE** purchase of said parcel **DISTRICT I - ALVARADO** - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0934 ADOPTED.

PURCHASING AND TABULATION OF BIDS

13. **SANOFI PASTEUR, INC** for Influenza Vaccine from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Health & Human Services Department - \$47,849.20 - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0935 ADOPTED.
14. **ACUSHNET COMPANY** for Resale Items for Golf Course Pro Shops for Parks and Recreation Department - \$79,000.00 - Park Special Revenue Fund - was presented, and tagged by Council Member Lawrence. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. (Note: Council Member Lawrence released her tag later in the meeting.)

Council Member Lawrence stated that the company was one of the owners of a very big golf company and she would like to see a letter from their largest supplier, which was Memorial Golf Course that they were in favor of the item. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

16. RECOMMENDATION from Director Finance & Administration for Emergency Purchases to address Hurricane Katrina Relief/Aid in an amount not to exceed \$7,623,368.65 to the following:

<u>CONTRACTOR</u>	<u>TOTAL AMOUNT</u>
1. Gallery Furniture	\$4,000,000.00
2. Exclusive Furniture	\$1,000,000.00
3. Finger Furniture	\$ 800,000.00
4. Roto Rooter	\$ 45,000.00
5. Accur Air	\$ 60,000.00
6. W.W. Grainger	\$ 499.50
7. A1 Delivery Service	\$ 1,000.00
8. Big State Trailers	\$ 2,000.00
9. Universal Building Services	\$ 10,000.00
10. Bi Rite Furniture	\$ 300,000.00
11. BFI Waste Systems	\$ 975.00
12. Sleep Shop	\$ 647,388.00
13. Sam's Club	\$ 31,969.04
14. Sunland Engineering	\$ 100,000.00
15. Ardmore Power Logistics	\$ 5,000.00
16. Linens 'N Things	\$ 21,858.12

17. Bed, Bath & Beyond	\$ 5,786.00
18. Wal-Mart	\$ 501,281.64
19. Home Depot	\$ 499.95
20. Lowe's Hardware	\$ 4,459.08
21. Jason's Deli	\$ 489.15
22. Blantex, Inc.	\$ 64,500.00
23. Conn's	\$ 2,357.95
24. Bound Tree Medical	\$ 16,347.22
25. Western Appliance	\$ 1,958.00

- was presented. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Ellis moved to postpone Item No. 16 to the end of the agenda, seconded by Council Member Wiseman. All voting aye. Nays none. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0936 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 17 through 47

17. RESOLUTION regarding assurances to the NFL concerning support for Super Bowl XLIV – was presented. All voting aye. Nays none. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. RESOLUTION 2005-0019 ADOPTED.

19. ORDINANCE approving and authorizing Special Warranty Deed conveying to **BELLEFONTAINE STELLA LINK, LTD.**, a tract of land containing 3.0055 acres (130,921 square feet), more or less, being out of and a part of the John Austin Survey, Abstract 1, and also out of and a part of Lot 6 of the Hollingsworth Subdivision, an unrecorded subdivision also being the residue of a 48.78 acre tract of land conveyed to the City of Houston by Quit Claim Deed, dated December 15, 1943, recorded at Volume 1309, Page 591, Deed Records of Harris County, Texas; in consideration of Bellefontaine Stella Link, Ltd's payment of \$5,001,090.00 and other good and valuable consideration to the City - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1088 ADOPTED.

20. ORDINANCE approving and authorizing Special Warranty Deed conveying to **FARB APARTMENT HOMES, INC, A TEXAS CORPORATION**, three (3) parcels of land containing an aggregate of 2.32 acres of land, more or less, Parcels SY5-025A, SY5-025B and SY5-025C; all being out of Blocks 16 and 17, Settegast & Upham Addition and Blocks 3 and 14, Fairgrounds Addition, both located in Obediance Smith Survey, A-696, Harris County, Texas (excess fee-owned land and buildings, located at 306 McGowen); together with assignment of the City's interest in the lease agreement (Contract No. 34247, City Ordinances 94-316 and 00-0748) between the City of Houston and **CROWN CASTLE GT COMPANY LLC, A Delaware Limited Liability Company**, to **FARB APARTMENT HOMES, INC**; in consideration of Farb Apartment Homes, Inc's payment to the City of \$4,627,125.00 and other good and valuable consideration **DISTRICT D – EDWARDS** – was presented. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that he wanted to commend the administration for moving forward on disposing of excess properties. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

A vote was called on Item No. 20. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE

2005-1089 ADOPTED.

21. ORDINANCE approving and authorizing Special Warranty Deed conveying to **SEYED HASSAN MOOSAVIDEEN** a tract of land containing 41,831 square feet (0.9603 acres), more or less, Parcel S95-061, in the Imperial Valley Commercial Development Subdivision, Section 1, according to the plat recorded at Volume 168, Page 6, of the map records of Harris County, Texas (excess fee-owned land located at 11814 Airline Drive); in consideration of Seyed Hassan Moosavideen's payment to the City of \$169,395.00 and other good and valuable consideration **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1090 ADOPTED.
22. ORDINANCE approving and authorizing Special Warranty Deed conveying to **AFSANEH KEYHANI** a tract of land containing 10,724.25 square feet (0.2462 acres), more or less, Parcel S95-066, in the Barkers Landing Subdivision, Section 1, according to the plat recorded at Volume 251, Page 103, of the map records of Harris County, Texas (excess fee-owned land located at 15640 Whitewater Lane); also subjecting the parcel to certain covenants and restrictions; in consideration of Afsaneh Keyhani's payment to the City of \$70,550.00 and other good and valuable consideration - **DISTRICT A - LAWRENCE** - was presented, and tagged by Council Member Lawrence. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.
23. ORDINANCE approving and authorizing Special Warranty Deed conveying to **JESUS HUERTA** a tract of land containing 9,361 square feet, more or less, Parcel S98-076, being part of Lot 9, Mitchell Place Subdivision, according to the plat recorded at Volume 69, Page 394, of the Deed Records of Harris County, Texas (excess East Parker Road right-of-way located at 914 East Parker Road); in consideration of Jesus Huerta's payment to the City of \$21,100.00 and other good and valuable consideration - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1091 ADOPTED.
25. ORDINANCE approving and authorizing the acceptance of a Public Health Preparedness and Response to Bioterrorism Grant (the "Grant") from the Department of State Health Services; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1092 ADOPTED.
26. ORDINANCE approving and authorizing Intergovernmental Emergency Mutual Aid Agreements between the City of Houston and 20 Law Enforcement Agencies currently assisting the Houston Police Department in providing needed Security and other Law Enforcement Functions in the aftermath of Hurricane Katrina - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1093 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City of Houston and **COVENANT COMMUNITY CAPITAL CORPORATION**, to provide \$50,000.00 in Community Development Block Grant Funds for Public Services Activity Focusing on Financial Education, Outreach and Tax Preparation Assistance for low and moderate income persons - was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1094 ADOPTED.

28. ORDINANCE adopting administrative guidelines for the City's Homebuyer Assistance Program ("HAP") - was presented.

Council Member Galloway stated that she was very excited about Item No. 28 and hoped that HUD approved their proposal because it was what they had been trying to do to get homeowners back into the process of being able to assist in some type of means as far as down payments, that she was glad to see they would be able to get funding resources for the persons interested in buying homes now. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

A vote was called on Item No. 28. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1095 ADOPTED.

29. ORDINANCE approving and authorizing first amended Section 457 Eligible Deferred Compensation Plan for all City employees - was presented, and tagged by Council Member Ellis. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.
30. ORDINANCE approving and authorizing first amendment to contract between the City and **GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY** for Third-Party Administration Services for the City's Section 457 Deferred Compensation Plan – was presented and tagged by Council Members Green, Khan and Ellis. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.
31. ORDINANCE approving and authorizing contract between the City and **BAY AREA HOUSTON ECONOMIC PARTNERSHIP** for Professional Services related to Tourism and Economic Development programs for the Convention and Entertainment facilities Department; providing a maximum contract amount - 3 Years - \$150,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1096 ADOPTED.
32. ORDINANCE approving and authorizing second amendment to Legal Services Agreement with **ANDREWS & KURTH, LLP** to provide additional funding in the amount \$50,000.00 from available Federal Economic Development Initiative ("EDI") Grant Funds in connection with the City's participation in the Federal Sec. 108/EDI Program – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1097 ADOPTED.
33. ORDINANCE approving and authorizing contract between the City of Houston and **JPMORGAN CHASE BANK, N.A.**, through the State of Texas Building and Procurement Commission's Contract for a Purchasing Card Program for Various Departments – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1098 ADOPTED.
34. ORDINANCE approving and authorizing contract between the City of Houston and **COMPUTER ASSOCIATES INTERNATIONAL, INC** for Support and Maintenance of Software for the City's Municipal Data Center; providing a maximum contract amount - 3 Years - \$330,000.00 - General Fund – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1099 ADOPTED.
36. ORDINANCE approving and authorizing contract between the City and **MAIN STREET**

MARKET SQUARE REDEVELOPMENT AUTHORITY to Purchase Pedestrian Amenities along Main Street in Downtown as part of the Main Street Corridor Revitalization Project - \$100,000.00 - Grant Fund **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Lawrence. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

37. ORDINANCE appropriating \$474,244.24 out of Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone) Tax Increment Fund (Fund 228); \$2,155,617.49 out of Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone) Tax Increment Fund (Fund 910); \$306,153.53 out of Reinvestment Zone Number Three, City of Houston, Texas (Main Street Market Square Zone) Tax Increment Fund (Fund 906); \$24,853.41 out of Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone) Tax Increment Fund (Fund 908); \$696,431.94 out of Tax Increment Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone) Tax Increment Fund (Fund 911); \$886,450.99 out of Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone) Tax Increment Fund (Fund 915); \$299,096.71 out of Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone) Tax Increment Fund (Fund 907); \$293,018.78 out of Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone) Tax Increment Fund (Fund 913); \$459,382.98 out of Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone) Tax Increment Fund (Fund 912); \$756,015.99 out of Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone) Tax Increment Fund (Fund 916); \$2,959.91 out of Reinvestment Zone Number Twelve (City Park Zone) Tax Increment Fund (Fund 917); \$139,610.30 out of Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone) Tax Increment Fund (Fund 918); \$6,987.41 out of Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone) Tax Increment Fund (Fund 920); \$3,456.34 out of Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone) Tax Increment Fund (Fund 921); \$38,374.34 out of Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone) Tax Increment Fund (Fund 922); \$5,114.36 out of Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone) Tax Increment Fund (Fund 923); \$1,605.52 out of Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone) Tax Increment Fund (Fund 924); \$10,548.70 out of Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone) Tax Increment Fund (Fund 925); and \$900,330.00 out of Reinvestment Zone Number Twenty, City of Houston, Texas (Southwest Houston Zone) Tax Increment Fund (Fund 927) for administrative expenses, payment of project costs, payments to Harris County and certain redevelopment authorities as provided herein; containing provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1100 ADOPTED.
38. ORDINANCE finding no special benefit to the abutting owner of property described as Tracts 10, 11, and 12 of Lot 9, Dooley Partition, out of the James Hamilton Survey, Abstract No. 883, and authorizing the release of certain assessment liens and apparent liens created by Ordinance No. 95-656, passed June 21, 1995, for the initiation of a paving project for the permanent improvement of a portion of Reed Road in the City of Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1101 ADOPTED.
40. ORDINANCE appropriating \$5,150,000.00 out of Water & Sewer System Consolidated Construction Fund, (\$3,350,000.00, Number R-0019-RE-1 and \$1,800,000.00, Number S-0019-RE-1); approving and authorizing the purchase of easements and other interests in real property and the payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services,

Recording Fees, Court costs and Expert Witness Fees for and in connection with and finding a public necessity for various Wastewater and Water Capital Improvement Projects to be identified as they come up and to be paid out of the Capital Improvement Plan Categories indicated in the body of this ordinance – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1102 ADOPTED.

41. ORDINANCE appropriating \$500,000.00 out of Drainage Improvements Commercial Paper Series F Fund and approving and authorizing contract between the City of Houston, **HARRIS COUNTY**, and the **HARRIS COUNTY FLOOD CONTROL DISTRICT** for a Drainage and Flood Control Study in Harris County, GFS M-0126-S5-2 (SM5055) – was presented. All voting aye. Nays none. Mayor White and Council Members Holm, Garcia and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1103 ADOPTED.

NON CONSENT AGENDA - NUMBERS 48 and 49

MISCELLANEOUS

48. REVIEW of the record and make determination of the appeal filed by Rachel Medrano on the decision of the General Appeals Board for denial of a Manufactured Home Hardship Permit at 4812 Lincolnshire, Houston, Texas 77048 - **DISTRICT D – EDWARDS** – was presented, and tagged by Council Member Quan. Mayor White and Council Members Garcia and Berry absent. Mayor Pro Tem Alvarado presiding.

PROPERTY

49. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ernest Roth of Terra Surveying Company, Inc., on behalf of Houston Independent School District (HISD), for abandonment and sale of: (a) Grayson Street and Cline Street, from Jensen Drive to Clark Street; (b) Clark Street, from Barron Street north ±480 feet; (c) Cline Street, from Clark Street east ±200 feet; (d) a 20-foot-wide alley, between Grayson Street and Cline Street, in exchange for the conveyance to the City of a 35-foot-wide, a 30-foot-wide, and a 20-foot-wide combination sanitary sewer and water line easement, all located within the T. T. Hailey Addition and/or the Barnes and Wetmore Addition; a right of entry for Houston Independent School District; and the abandonment of Cline Street, from the southwest corner of Schwartz Street west ±100 feet, located in North Side Buffalo Bayou, Parcels SY5-032A through E, QY6-006A through C and IT6-002 **Two Appraisers and One Alternate Appraiser - DISTRICT B – GALLOWAY** – was presented. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway named Mr. George Wyche, Sr. and Mr. Travis Cooper as appraisers and Ms. Jasmine Quinerly as alternate appraiser and moved approval of the recommendation, seconded by Council Member Khan. All voting aye. Nays none. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0937 ADOPTED.

MATTERS HELD - NUMBERS 50 and 51

50. MOTION by Council Member Quan/Seconded by Council Member Holm to adopt 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 – (This was Item 3 on Agenda of September 14, 2005 – **(This was Item 3 on Agenda of September**

14, 2005, TAGGED BY COUNCIL MEMBER HOLM) – was presented. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Council Member Holm moved to refer Item No. 50 back to the administration so that the Legal Department could refine it a little bit, seconded by Council Member Wiseman. All voting aye. Nays none. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0938 ADOPTED.

51. 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 – (This was Item 18 on Agenda of September 14, 2005, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. All voting aye. Nays none. Mayor White and Council Members Garcia and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1104 ADOPTED.

Item postponed to the end of the agenda

16. RECOMMENDATION from Director Finance & Administration for Emergency Purchases to address Hurricane Katrina Relief/Aid in an amount not to exceed \$7,623,368.65 to the following:

<u>CONTRACTOR</u>	<u>TOTAL AMOUNT</u>
1. Gallery Furniture	\$4,000,000.00
2. Exclusive Furniture	\$1,000,000.00
3. Finger Furniture	\$ 800,000.00
4. Roto Rooter	\$ 45,000.00
5. Accur Air	\$ 60,000.00
6. W.W. Grainger	\$ 499.50
7. A1 Delivery Service	\$ 1,000.00
8. Big State Trailers	\$ 2,000.00
9. Universal Building Services	\$ 10,000.00
10. Bi Rite Furniture	\$ 300,000.00
11. BFI Waste Systems	\$ 975.00
12. Sleep Shop	\$ 647,388.00
13. Sam's Club	\$ 31,969.04
14. Sunland Engineering	\$ 100,000.00
15. Ardmore Power Logistics	\$ 5,000.00
16. Linens 'N Things	\$ 21,858.12
17. Bed, Bath & Beyond	\$ 5,786.00
18. Wal-Mart	\$ 501,281.64
19. Home Depot	\$ 499.95
20. Lowe's Hardware	\$ 4,459.08
21. Jason's Deli	\$ 489.15
22. Blantex, Inc.	\$ 64,500.00
23. Conn's	\$ 2,357.95
24. Bound Tree Medical	\$ 16,347.22
25. Western Appliance	\$ 1,958.00

Upon questions by Council Members, Mr. Michel stated that the action that Council passed on Labor Day to create the Katrina Fund included the \$10 million and to that fund was being added the money that they were getting from FEMA, that it was his understanding that the

money was to be wired well in excess of the Item No. 16 amount, in the \$39 million range, and that money would go into that account, the \$7.6 million would be paid from the FEMA portion that would go into that account, that the City had done project worksheets, where they put in category and anticipated costs that he thought were to carry them to the end of November 2005 and that was what the initial payment that FEMA was making, that it would be in fact an advance that they would draw against; that the Purchasing Department was moving quickly so there was no newspaper notice but in every instance they did do telephone quotes and it was documented, that it was an informal process and he could not speak to what was done with regard to any particular company, but it had been documented by the Purchasing Department, and Mayor Pro Tem Alvarado stated that she was told the transfer was to come within the next four to six days as of Friday. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

After discussion by Council Members, Council Member Lawrence stated that of the 25 items one of the items, she talked with the owner of the business, and they made a donation so that charge should not be there so she questioned the accuracy of the other invoices and to be sure that they did not leave any off, so she would tag the item, and Wiseman stated that she would tag Item No. 16, and Council Member Sekula-Gibbs stated that she would like to see a list of the expenditures itemized and would like to get the reassurance from the FEMA Director that it would be forthcoming. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

After further discussion, Mayor Pro Tem Alvarado requested Ms. Judy Johnson to respond to the general statements concerning Item No. 16, and Ms. Johnson stated that they were providing furnished apartments, the City of Houston was the primary coordinator on it and the reimbursement would come from FEMA, the apartments were being furnished but it was not a gift the City owned the furniture and would retain title to the furniture, at the end of the lease term the furniture would be auctioned or for those residents who wanted to purchase the furniture they would be given the opportunity to purchase the furniture at a said price. Mayor White and Council Member Garcia absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that the item had been tagged by Council Members Goldberg, Wiseman, Lawrence, Khan and Galloway. Mayor White and Council Member Edwards absent. Mayor Pro Tem Alvarado presiding.

Council Member Lawrence stated that she would release her tag on Item No. 14. Mayor White and Council Member Edwards absent. Mayor Pro Tem Alvarado presiding.

14. **ACUSHNET COMPANY** for Resale Items for Golf Course Pro Shops for Parks and Recreation Department - \$79,000.00 - Park Special Revenue Fund – was again before Council, moved by Council Member Ellis, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Member Edwards absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0939 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Mayor Pro Tem Alvarado stated that they would start the Council pop-off but would ask that everybody please try to remain as they waited for the Mayor to make his way back to the Council Chamber. Mayor White and Council Member Edwards absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs stated that she wanted to extend to everyone encouragement to be very safe and proactive, if they were in low lying areas to begin their evacuation process and to look out for their neighbors, elderly or disabled and to extend a helping hand to those individuals. Mayor White and Council Members, Galloway, Edwards and Wiseman absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan stated that he wanted to echo what Council Member Sekula-Gibbs stated, that Houston had come through for the Katrina victims and thought it was time that Houstonians should look deep in their hearts and come through for Rita also, that they needed to stand with each other and help each other, that it was a natural disaster going to happen but they could pull through if everybody reached out to their neighbors and helped out, especially those who were unable to help themselves, do not be complacent, if there was a call for their area to be evacuated they must evacuate when the call was made, that he firmly believed in the power of prayers and it was also a time to offer sincere prayers to make sure they did not suffer any more than what they could not avoid. Mayor White and Council Members, Galloway, Edwards and Holm absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan stated that on Friday the Islamic Community had called for a special prayer day throughout the Houston area and all of the mosque's would be open for special prayers. Council Members Galloway and Edwards absent.

Council Member Quan stated that he knew many of them had lived in Houston for several years and had gone through a number of hurricane squares and thought they certainly needed to err on the side of caution in this situation, that because of that the Citizens Transition Conference which they were holding in Houston this week was postponed and they would reschedule it for a later date. Council Members Galloway and Edwards absent.

Council Member Quan stated that he wished everybody would take seriously all the warnings that were going on and act in a very prudent manner, as had been said, looking out for not only their families but neighbors as well. Council Members Galloway and Edwards absent.

Council Member Berry stated that he wanted to make sure they were giving sufficient thought to making sure that 3-1-1 had the answer to all of the basic questions that might come in, that as much as possible they needed to make sure they were trained, that he wanted to make sure that the people who were answering the calls there had the 40 top questions that were being asked and where to go for the information so that they could inform the public during this time. Council Members Galloway, Edwards and Sekula-Gibbs absent.

Mayor White stated that Hurricane Rita, on its current course, posed great risk to Houston, they were asking all people within the storm surge area, within the hundred year flood plain, which included most areas around the bayou waterways that had experienced flooding and in mobile homes to evacuate, as of 6:00 a.m. on Thursday there would be mandatory evacuation for those people who were in the storm surge areas that they saw on the maps that were provided, that included significant portions within the City, such as in the Clear Lake area and parts of East Houston, and outside of the City in southeast Harris County, that the evacuation routes were as described in their emergency plan and they made certain announcements about that, that they were asking citizens, and it was important that they as community leaders ask citizens, to reach out to those who may not have independent means of transportation in those areas, that neighbor helping neighbor was going to get more people out quicker than simply some government program, that there would be people, they understood, who may need assistance in getting out and for that purpose within the City the number would be 3-1-1 and they had established and had people working literally around the clock to refine the scripts and queues and the way it worked was that 3-1-1 for those people needing assistance in evacuation was a call intake, Metro was the region's transportation emergency coordinator and they would have dispatch within the 3-1-1, shifts and hours were changed and shifted yesterday with Ms. Bingham, with contingency plans based on the scale of calls, that they would ask those citizens who could get information through the mass media, radio, newspapers or television to listen carefully and rely heaviest on those sources of information, some information concerning shelters should be available from 2-1-1, although it was not within some of the City's principle area of responsibility, so he had not satisfied himself concerning the number of operators, etc., that if it was where would they go then his advice was for people to make some plans if they

knew a place where they could stay to take some initiative and do that, that voluntary evacuation was not mandated along a particular route, but certainly the first shelters were going to be set up in the Huntsville, Bryan and College Station area, to the north, but not to wait until people knew where a final shelter was to evacuate, there would be notices posted along the freeways and transmission by radio and DPS (Department of Public Safety) presence, supplemented by others in the State as needed, to help them direct traffic, because there was not going to be a shelter for hundreds of thousands of people in the Huntsville, Bryan and College Station area, the Red Cross had mobilized a set of shelters throughout this State and in other states along evacuation routes, they were asking employers that only essential personnel be asked to report to work on Thursday and Friday, that Department Directors within the City of Houston had been given some direction in accordance with emergency plans about that and had notified their employees, that he would ask citizens to help those emergency responders and they included both people in government and outside the government, including CenterPoint and other vital utilities to take special care of those families where their emergency responders would be on duty serving the citizens as needed, that he had asked that schools in the region be closed on Thursday and Friday, to plan to make those closure, that those were some of the basics, that one of the Council Members slipped him a note about shelters in the Houston area, their advice and recommendation and the concentration in planning at this time was as in the Hurricane Plan that they saw, which was updated in June 2005, if there was a category 4 or 5 hurricane the best place to shelter was not in this area, and finally just because they looked at the news and saw that the eye of the hurricane may have made landfall at a particular time it did not mean to wait until sometime Friday afternoon or Friday morning to evacuate if they were in one of the areas where they had recommended or mandated evacuation occur, that traffic congestion was their enemy, time was their enemy, it was better to be prepared and safe than regrets later on, they wanted to assure the residents and citizens of the community that they would protect their property and would do so with vigilance within the community, that there were different official communication channels that included the following, they would use the reverse 911 capabilities within their 911 system to make telephone calls in affected areas, that as they knew they tested that and used that before earlier this year to make calls into places, including unlisted numbers, they would use the emergency broadcast system, they would have centralized communications out of TranStar, they would use the designated radio stations that were part of the emergency broadcast system, including KTRH and KLOL and they would use every instrument of communication that was available to them, that he also encouraged the Council Members to use their communications network. Council Members Galloway and Edwards absent.

Council Member Holm asked in following up on the 3-1-1, after the fact, and not so much in shelters, that when people had the question that a tree had fallen on their house or the electric wires, were they going to be able to accommodate them, was 3-1-1 still the best number, and Mayor White stated yes, and Council Member Holm stated that Mayor White was telling people the evacuation routes for the surges, the reason for closures and what not a lot was to keep those people home so that the route could be open for the need, and Mayor White stated that for the people who were not in the evacuation areas they had specified then they ask people to use their common sense and judgment and that they relied on very heavily, that he was not discouraging people from evacuating if they used their judgment and head west or north today, or if an employer wanted to suspend work operations today, he was not discouraging that. Council Member Edwards absent.

Council Member Sekula-Gibbs stated that she was conferring with Mayor Pro Tem Alvarado about some basic communication links between the Mayor and City Council Members, because she had already experienced cell phone jams and asked if Mayor White anticipated a way for them to be in communication with him and with each other and was there a time certain or a place certain where he would like Council to be able to meet, did they have a command central set up, what was their direction and in terms of the National Guard, had he made arrangements that he was prepared at this point to share with them regarding handling looters and security for the citizens, and Mayor White stated that the National Guard issue needed to

be a statewide call based on the local input, if anybody present had not used the NHC (National Hurricane Center) site he encouraged them to do so, that the Governor and the National Guard and federal authorities, which would be led in this region by a Coast Guard Admiral, would be in consultation with him and others throughout the State to access National Guard and other federal disaster recovery and mitigation needs; that on the safety of property, there would be enhanced police presence and Chief Hurtt knew the issues, that there were some things that this community would not tolerate; that on her first issue he would refer to Mr. Fontaine the issue of radio communications, they bolstered and enhanced and made plans for communications, that he knew of her particular service within some of the medical facilities that they had in Houston so each citizen needed to find his or her own respected niche, that he made a request yesterday that Council Members disseminate the information that he disseminated to Council offices through their email distribution list, that he was asking people to use some of their judgment. Council Member Edwards absent.

Council Member Khan stated that he wanted to thank Mayor White on behalf of all the citizens of Houston for his leadership and kind heart, that if they looked at the map all of District F was in the 100 year flood zone so was he calling for voluntary evacuation at this time, and Mayor White stated yes, that on the 100 year they were going to have to access conditions before they would say that something was mandatory, that he would ask him and Council Member Quan to divide up, they did have a radio network in the emergency management system that had been established and had the ability to signal override with messages but he would like each of them to divide up and make contact with the other language radio to communicate and make sure that they had the capability and understanding of the emergency broadcast. Council Members Wiseman and Green absent.

Council Member Goldberg stated that there were a lot of assisted living and nursing homes and what was Mayor White's advice for them, and Mayor White stated that yesterday City personnel contacted hospitals and assisted living facilities, there were evacuations going on right now, there was a team, headed by Dr. Persee and included City personnel, which was tasked to access whether the individual assisted living centers were complying with the plans that they were required to file and required to comply with in the State and to access the resources to assist with evacuations and to place individuals with special needs at the appropriate place, that it had to be carefully coordinated through EMS and the whole incredible team that was organized for Katrina by Ms. Marks, that part of diligence was that they knock on doors, that certain plans were in place where they knew there may be concentrations of people that were without means of transportation and those included Katrina evacuees. Council Member Quan absent.

Council Member Wiseman asked if Clear Lake was being evacuated at 6:00 a.m. tomorrow morning, and Mayor White stated that he was encouraging people, that they had seen the map and saw how it overlapped with Clear Lake, they were encouraging evacuation of those areas, at 6:00 a.m. tomorrow mandatory evacuation would go into place for Clear Lake, that they had all seen zone areas A, B and C, which were also referred to as Class 4 and above, and Council Member Wiseman stated that she would ask for the courtesy of advance notice to those of them on City Council. Council Members Goldberg and Berry.

Mayor White stated that he wanted them to know that what was announced was finalized one minute before it was announced and it was not to say it was not planned in advance, that for example the functionality of the 3-1-1 number outside of the 3-1-1 service area and the response and coordination with State authorities and the other evacuating areas in the earlier zones had to be accomplished quickly, that their commitment was that they would have coordinated State and County and City of Houston efforts and had really undertaken to do that, and Council Member Wiseman stated that there was a section of Clear Lake that was not in the 3-1-1 system, and Mayor White stated that they could call 3-1-1 through the Harris County system which was 713-837-0311. Council Members Goldberg and Berry absent.

Council Member Garcia stated that he saw that Ms. Gracie Saenz had been in the Council Chamber and he just wanted to express his condolences, that she lost a young niece, 21 years of age, and wanted to let her know that their prayers and condolences were with her.

Council Member Lawrence stated that they had wonderful participation with the Council Districts in raising money for the 501c(3) charities that the City was involved with, the CMC Program and some of the Council offices competed, that of the 14 offices they had 8 offices that chose to participate in the charities and at this time she wanted to say thank you to District At Large 4, Districts I, H, G, F, D, C and the District A office for their participation in giving to some of the charities, that of the team participation the winner was Council Member Goldberg's office, and they had three awards for Ms. Nikki Cooper, Council Member Goldberg and Ms. Lindsey Moody, that individual runners First Place was Chris Brown and Second Place was Ksai Ksai. Council Member Holm absent.

Mayor White stated that there were some heroic, unbelievable efforts made by a lot of people to get people into apartments and if they had not done that then they would be dealing with at least 5,000 to 10,000 people that were stranded without transportation, that there was a whole story to be told where people needed to be informed because hindsight was better than foresight, that there were people who were asked to do things with no assurances of payment and they did not want to take that risk, there were people who did not perform in delivering things where they did not get any more orders, that he could go on and on, that depending on what they saw with Rita some of the same "A" team was going to be working 24/7 on emergency response. Council Members Holm, Green and Berry absent.

Council Member Wiseman stated that she contacted the City Controller as to disbursement of paychecks, which was supposed to occur on Thursday, but all non essential personnel were being told they did not have to report tomorrow and Friday, so it was her understanding that they were in the process of attempting to get those checks out this afternoon so as the City employees evacuate the City they would have their paychecks to take with them. Council Members Holm, Green and Berry absent.

Council Member Wiseman stated that she appreciated the efforts that were being made to inform everyone as to the action they would be taking, that it was extremely critical, that she wanted everyone in Clear Lake to know she would remain in the area and would not leave during the storm, she would be monitoring their situation, that her prayers were with everyone. Council Members Holm, Garcia, Alvarado, Green and Berry absent.

Council Member Galloway stated that she wanted to thank Mayor White, his staff and the City staff for working so hard for the evacuees in New Orleans, that she knew it had been around the clock order. Council Members Wiseman, Holm, Garcia, Green and Berry absent.

Council Member Galloway stated that she wanted to go on record as releasing her tag on Item No. 16, that she was concerned because she did not know any MWBE companies on the RCA but after speaking with Mr. Wells she found out there were some more coming, that she knew at time they had to expedite things in order to make it happen and not all the time they could come before Council having spent monies to assist people and this was extreme emergency and she thought it showed that Houston could get the job done in helping evacuees and even their own people when it came to emergency situations, that Mayor White handled the matter quite diligently as well as expedient in getting the evacuees into places and she commended Mayor White and his staff and hoped that they as a Council would work together and support Mayor White on issues of extreme emergency because they needed to make life as comfortable as possible for any individual; that she wanted the City and the ministers to have a prayer, before the storm hits, for their community. Council Members Goldberg, Wiseman, Holm, Green and Berry absent.

Council Member Edwards stated that based on the leadership that Mayor White had

shown over the last three weeks was one of the reasons why people were taking this storm seriously, because they had seen the action that Mayor White had led through the City in the last three weeks. Council Members Goldberg, Wiseman, Holm, Ellis, Quan, Green and Berry absent.

Council Member Edwards asked if the windows in the City Hall Annex were going to be boarded, and Mayor White stated that he would ask Ms. Stein to make sure that Mr. Dadoush responded to Council Members on the issue. Council Members Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

Council Member Lawrence stated that she wanted to thank Mayor White for all he had done in the last couple of weeks for the Katrina evacuees, that now was their test and they had been putting out a number of emails to inform people as it hit Houston, that she wanted to remind people to call 3-1-1 and also to leave a message on their line at City Hall, they would be checking those messages to see how they could help out, that she urged everyone in the City that family was very important and was first. Council Members Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

Council Member Garcia stated that Houston was very fortunate to have true leadership in many regards and levels, that they had three weeks of training without a disaster, that now they needed people to further the progress by taking Mayor White's advice seriously. Council Members Lawrence, Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

Council Member Garcia stated that there was a publication that came out in the Chronicle this past weekend that talked about things to do in Houston, that it was Ultimate Houston, and in it was highlighted the hideaway play areas in Lyons Spark Park. Council Members Lawrence, Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

Mayor White asked Council Member Garcia if he and Council Member Edwards could communicate with each other and get word to Mr. Trahan concerning communications that he or Chief Hurtt should do in assuring Houstonians, who may fear evacuation, that they would make sure and do everything within their power that their property was secure so they would get out of harms way. Council Members Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

Mayor White requested that Council Member Khan lead them all in prayer. Council Members Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

There being no further business before Council, the City Council adjourned at 11:32 a.m. Council Members Goldberg, Wiseman, Holm, Ellis, Green and Berry absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary