

City Council Chamber, City Hall, Tuesday, October 11, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 11, 2005, Mayor Bill White presiding and with Council Members Carol M. Galloway, Ada Edwards, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Ms. Debra Dillard, Citizens Assistance Office; Ms. Marty Stein, Agenda Director; present. Council Members Toni Lawrence, Mark Goldberg and Mark Ellis absent. Council Member Addie Wiseman absent due to being ill.

At 2:12 p.m. Mayor White stated that Council would begin with presentations and called on Council Member Garcia. Council Member Garcia invited Ms. Maria T. Salazar to the podium and stated that the City was filled with great personal success stories and Ms. Salazar became a surgical technician at St. Joseph Hospital and worked there for 26 years and since 1984 she traveled one week out of the year to other countries under a program founded in 1983 with the mission of providing surgical care to needy children suffering from cleft lip and pallet problems; and presented her a Proclamation recognizing her outstanding dedication and proclaimed October 11, 2005, as "Maria T. Salazar Day", in Houston, Texas. Council Members Galloway and Holm absent.

Mayor White stated that many people had been so generous and the BP Corporation was incredible and invited Ms. Anna Miller, their spokesperson, to the podium. Ms. Miller stated that she thanked all for having her present today and that the BP employees were very proud to be citizens of Houston and they poured out their hearts and used all their energy to support the storm ravaged areas and their commitment continued and presented Mayor White a check of \$1,000,000.00 for the Katrina Relief Fund so they continue efforts in helping those in need. Mayor White thanked them for the commitment and stated that they were walking the walk; that a concern was when the images on CNN faded the dislocated Americans now here would still have needs and this would make a big difference. Council Member Holm absent.

Council Member Quan stated that today Council was pleased to be joined with a delegation from the Diling China Airport Authority led by Mr. Hu; and asked them to stand to be recognized.

At 2:19 p.m. Mayor White called the meeting to order and called on Council Member Holm who led all in prayer and pledge.

At 2:20 p.m. the City Secretary called the roll. Council Members Lawrence, Goldberg and Ellis absent. Council Member Wiseman absent due to being ill.

Council Members Khan and Quan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Lawrence, Goldberg and Ellis absent. Council Member Wiseman absent due to being ill. MOTION ADOPTED.

Council Member Khan moved that the rules be suspended to add Mr. Lutfi Hussain to the speakers list after Mr. Das and call Ms. Trina Jones Stanfield and Ms. Nancy Bertin out of order on the three minute Non Agenda list of speakers, seconded by Council Member Quan. All voting aye. Nays none. Council Members Lawrence, Goldberg and Ellis absent. Council Member Wiseman absent due to being ill. MOTION 2005-0974 ADOPTED.

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (281-236-7518) had reserved time to speak but was not present when his name was called.

Mr. Al Das, 16423 Clear Crest, Houston, Texas 77059 (281-448-5532) appeared and stated that he was present to speak on the India House Project; that they applied for a grant for \$500,000.00 which they hoped the City would approve; that they had worked on the project for

thirty years and recently more seriously when they purchased the land in 2000; that the application was sent in 2003 and in July 2005 the Housing Initiative Committee unanimously approved the grant; that \$500,000.00 was in the bank; about \$50,000.00 was pledged as a loan by the bank; the first phase was about \$1.2 million; that it was for senior and youth programs and job resources. Council Member Alvarado absent.

Council Member Quan commended Mr. Das and the board of India House for their work and stated that it did go before the Neighborhood Housing and Redevelopment Committee last summer and was unanimously approved; and upon questions, Mr. Das stated that they had programs for seniors and youth and had education enrichment and job skills and resource. Council Member Alvarado absent.

Council Member Khan stated that his hat was off to him on behalf of the whole community; that the Indian community was a giving community and this was the first time they had asked for a grant which was not just for the Indian community, but the entire community and they had the land and a loan from the bank, but it would not have happened without the commitment from the Mayor and Council Member Berry and his wife who were also a part of the community; and wished them all luck. Council Member Alvarado absent.

Council Member Sekula-Gibbs thanked Mr. Das and all members of the Indian community who were present along with Mayor White and stated that the community had brought much to the project which she recognized, but she also wanted to say the tragedy of the earthquake near India she wanted to send condolences to all who had family and friends there and wanted to let them know the India House and ICC were working hard to help with fund raising to lend support and aid; and Mr. Das stated that the tragedy was primarily on the boarder of Pakistan and India with many more killed on the Pakistan side, but he was certain there were fund raisers going on. Council Member Alvarado absent.

Mr. Lutfi Hussain, who was previously added to the speakers list, appeared and stated that his heart went out to what was happening in Pakistan; that while they celebrated the success of the India House Council they had heart felt condolences for others; that they did need help and urged the Mayor and Council Members to lay support behind Council Member Khan's efforts in helping get support to those suffering; and thanked Council Members and others who guided them at India House toward their success.

Council Member Quan stated that they did join with the Pakistani community in their time of sorrow and sadness; that he understood there would be a radio telethon this Friday; and thanked them for always being there for the community.

Council Member Khan stated that Mr. Hussain had started many projects in the City of Houston which made this city better for a lot of people; and if you named any event with a humanitarian angle Mr. Hussain was always in the forefront; and thanked him for leading the efforts in the press conference on the fund raising for victims; and urged that all give some amount toward the relief efforts; and Mr. Hussain stated that this was devastation at historic proportions and every dollar did count and was equal to almost 50 rupees.

Council Member Garcia stated that his heart went out to their community and prayers were with him and his community; that in these times all of society was challenged with one natural disaster after another, but Houston had a big heart and would be there for them.

Mayor White thanked Mr. Hussain for being present and stated that even though people like to give goods money gave more flexibility and having said that he thought someone should immediately contact Mr. Michael Moore and Mr. Andy Shaw, some things may be of surplus of local needs and organized in warehouses; that the practical issue would be seeing if there was someone with regular transport service and that would be the best place to stage it and if they went into the frontier province of Kashmir it would need to be done by helicopter.

Ms. Trina Jones Stanfield, 5715 Logan Lane, Houston, Texas 77007 (713-869-0144) appeared and stated that she was speaking on the parking permits in the 5700 block of Logan Lane; that the current residential parking times 9:00 a.m. to 9:00 p.m. Monday through Saturday had worked well for residents, but very difficult for commercial properties and felt all properties should be treated fairly and suggested since it was a mixed use neighborhood Council take it under careful consideration to make it useful to all and answer not just present parking issues but any future parking issues due to expansion of more commercial properties; that she was willing to help Council by her experiences with the parking and recommended the restrictions be kept for the residential parking directly in front of their properties, but with no restrictions in front of commercial properties. Council Members Galloway, Khan and Green absent.

Upon questions by Council Member Quan, Ms. Stanfield stated that one side of the street had about five residents, dance studio and property to become two high-rise condominiums. Council Members Galloway, Khan and Green absent.

Council Member Berry stated that he felt a certain amount of frustration, that time, energy and expertise of the Council body had been devoted to a great extent to one street, but it was probably a great example for them because such issues were being played out through the City and they were a good test case; that they had the problem before the dance studio with overflow from restaurants. Council Members Galloway, Khan and Green absent.

Council Member Holm thanked Ms. Stanfield for coming and sharing; and upon questions, Ms. Stanfield stated that residential permit parking was important but did see unfairness as it prohibited commercial businesses to have the use of parking in front of their business; and Council Member Holm stated that there was a win/win situation and thought they could positively address everyone's needs. Council Members Galloway, Khan, Quan and Green absent.

Ms. Nancy Bertin, 5727 Logan Lane, Houston, Texas 77007 (713-862-2628) appeared and stated that she also lived on Logan Lane in a two story home which was her grandparents, she had been there since 1973 and lived through the time there were no parking restrictions, then two hour parking, then 9:00 a.m. to 4:00 p.m. Monday through Friday and then 9:00 a.m. to 9:00 p.m. Monday through Saturday; that she was supporting the current hours of 9:00 a.m. to 9:00 p.m. Monday through Saturday as people would come park in front of their home and walk to catch a bus and the there was no parking for visitors; that they were also expecting big upcoming construction and they would like those workers to park in the lots available to them and not on their street; that also in the future they could have more restaurants and more needed parking; and also agreed with Ms. Stanfield that the restrictions should not apply to commercial property. Mayor White, Council Members Galloway, Khan, Quan, Sekula-Gibbs, and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Bertin stated that she wanted the parking restrictions hours to stay as they were now for residents, but she understood an ordinance was in draft stage that would allow businesses on streets such as theirs to park on the streets also; and Council Member Edwards stated the ordinance being drafted as she understood would go forward and they would have to look at all parking decals; and Council Member Edwards stated that she would be against customizing decal parking for one area and a solution needed to be compatible for all communities. Mayor White, Council Members Galloway, Khan, Quan, Sekula-Gibbs, and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Holm thanked Ms. Bertin for coming and stated that this Council had wrestled hard over Logan lane because it would be a model for the future and she would suggest to her colleagues there was a win/win solution and the suggestion Ms. Bertin made was to keep hours 7:00 a.m. to 7:00 p.m.; and Ms. Bertin stated the hours were 9:00 a.m. to 9:00

p.m.; and Council Member Holm stated that she believed 100% of the residents were satisfied with that and they would receive letters for that and it also came about after the Planning Department confirmed the validity of the petition for it; that also next week it was her understanding there was an ordinance amendment that would address the residential parking ordinance, not Logan Lane, but the entire ordinance, and it would be a band-aid for the on-going problem throughout the city that would allow commercial entities to opt out of their space; and the Parking Commission which was established would address comprehensively the entire residential parking ordinance, whose needs had changed since its draft; and urged colleagues to have confidence answers were solvable for the whole city. Mayor White, Council Members Galloway, Khan, Quan and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to be clear on what she was saying; that she appreciated Logan Lane's situation and there were three or four such situations in Montrose and it seemed no one wanted to address them, so if there was an exception made for Logan Lane they would have to look at all those cases and if they were willing then she was fine, but if not she would say they should move on from there; and she would be standing firm; and Council Member Holm stated that she agreed there should be no exceptions, but was asking that they support the ordinance adopted on July 6th that was adopted for Logan Lane and for its credibility and then address the commercial opt out for the entire city through an ordinance coming next week. Mayor White, Council Members Galloway, Khan, Quan and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Ray Hill, P. O. Box 3624, Houston, Texas 77253 (713-523-6969) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Khan, Quan and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Jay Conyers, 7619 High Meadow, Houston, Texas 77063 (713-870-5787) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Khan, Quan and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

Mr. Felix Joseph, 9002 Sterlingshire, Houston, Texas 77078 (832-875-8559) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Khan, Quan and Sekula-Gibbs absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Eva Duran, 2308 Winbern #2, Houston, Texas 77004 (713-527-8467) appeared, spoke in Spanish and stated that she was present to request a petition or look more into the rights of the workers who worked outside for the City of Houston in Public Works & Engineering, that on September 6, 2004, she and Mr. Fernando Garcia were working 2100 Navigation and it was very hard and difficult and they did not get a break and did not eat, then at 2:00 p.m. they went to 500 S. Wayside to a restaurant and she went to the bathroom then when she returned to the table Mr. Garcia told her he had drank a half a glass of beer, but a supervisor of theirs who was on vacation was in the restaurant and he called the other supervisors who came into the restaurant and asked Mr. Garcia to go outside with them and then said he would have to leave and go take a test for alcohol; that the test did not show he had any alcohol in him, but then they suspended him unjustly; that he was an excellent employee and had perfect attendance, it would be a year since he was suspended; and she did not feel there was equality in the outside workplace. Council Members Galloway, Khan, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated, in Spanish, that he had spoken with Ms. Duran earlier and thought he understood that her complaint to the Council was that there were poor relations over the Parks and Recreation Department. Council Members Galloway, Khan, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Council Member Garcia stated to Mayor White that basically she had given the scenario of a circumstance of when she and her colleague had lunch and a Parks Supervisor accused her colleague of having an alcoholic beverage during lunch and it created a bunch of problems and consequently her colleague had been terminated and she used that as an example, coupled with the fact that she had a miscarriage because of very strict working conditions and all of it encompassed the basic complaint that she deemed bad management and supervisory practices in the Parks Department; that was why she was present. Council Members Galloway, Khan, Quan, Sekula-Gibbs and Berry absent. (NO QUORUM PRESENT)

Mayor White asked Ms. Duran, in Spanish, if she had seen someone in the City's Human Resource Department, and Ms. Duran stated yes, but when she complained that there was injustice in the Parks Department they disciplined her and made her life unbearable; and Mayor White stated that Mr. Lonnie Vara was the Director of Human Resources and Ms. Dillard, of Citizens Assistance, would speak with him and they had Ms. Duran's telephone number and he did not know if there was a procedure for this problem but the process was clear with Human Resources and he would read the policy; that it was important Ms. Duran and her friend, Mr. Garcia, understand that it was necessary to look out for their future and there were times when there was not necessarily a resolution for all the employees, but he would read the policy and procedures; and Ms. Duran thanked Mayor White and stated that she wished there was more equality because there were a lot of problems outside; that she lost her baby because the supervisors did not give her the paperwork on time and they put her to work on a very heavy job and that was why she wished they would look into her complaint. Council Members Galloway, Khan, Quan and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Tom Bregel, 1644 Crestdale Drive, Houston, Texas 77080 (713-461-3258) appeared and stated that his heavy trash pickup was due the last Thursday of September, the day before Hurricane Rita was coming into town, and it was all still on the street; that he called 311, the Mayor's Office and his Council Member's office and after it stayed a week or two their grass died and it all looked terrible, the whole subdivision had stuff piled outside for two months, but 311 said the September pickup was cancelled and he would suggest when starting back to work they start where they left off, he should not be penalized 30 days because of a storm or holiday; that in November, because of Thanksgiving, they did not come until the fourth Thursday of December; that he was also present because of flood control, he would like the city to pass an ordinance that would prohibit blowing or sweeping across the property line onto city property, into the streets or ditches; that it piled up at inlets and blocked drainage and caused flooding; that he would also like something to go down ditches and bayous and get rid of Cattails and such so when rain came the water could still flow; that he would also like a fine placed on those who still caused trash, etc., to be in the streets and block the water outlets. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Mr. Bregel stated that he lived in the Long Point area, Spring Branch; and Mayor White stated that because they got behind in that area City employees volunteered all weekend to get caught up on the heavy trash pickup and they would work on it. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he hoped Mr. Bregel had what he said in writing as it would be useful and he would like to have it, regarding cleaning the ditches they had equipment to do it, but lacked the funds; that they should be doing it; and on trash pickup, they had more calls on that than five issues combined and it made him think that what they could do was

communicate better; that as the Mayor said they had companies and volunteers, etc., working on it and his hat was off to Mr. Buchanan as they had done a very good job, but communication strategy should be worked on. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that Mr. Hall, who was a staff person for Council Member Lawrence, would like to meet with him right after this meeting and regarding sweeping trash into the drainage and ditches there was a committee meeting yesterday which discussed that and his Council Member was vice chair of the committee and could give him an update. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (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. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Ms. Rose Marie Monk, no address (no phone) had reserved time to speak but was not present when her name was called. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Ms. Barbara Settle, 22 South Wynden, Houston, Texas 77056 (713-963-8990) had reserved time to speak but was not present when her name was called. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) had reserved time to speak but was not present when his name was called. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

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

Mr. Ralph Sikes, 2205 South Blvd., Houston, Texas 77098 (713-528-7828) appeared and stated that last week he was present regarding barking dogs and was told tickets could not be issued unless the owner was present, but the dogs barked when the owner was not present and he would like to know what the Mayor and Council could do. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Upon questions by Mayor White, Mr. Sikes stated that dogs were behind him and barked when the owner was not home; the longer he was gone the more they barked. Council Members Khan, Holm, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he did not know if Council Member Holm's committee could take that up but he would be interested to know what the City position was, how long did a dog have to bark, etc., it may rise to the level of something which did need to be looked into; and Mr. Sikes stated that last week he presented a petition with four neighbors who signed wanting something done. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Mayor White stated that he agreed with Council Member Berry as to what was the policy; and Council Member Berry stated it would be interesting to see how many 311 calls or how many Council Members received calls on the subject; and Mr. Sikes stated that many did not call just because they knew nothing would be done; and Mayor White stated that he had to think of the practical thing and ticketing an owner would not stop the dog from barking; and Mr. Sikes stated that if they had to pay enough fines for a barking dog they may deal with the issue. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that this spoke to a larger issue of noise pollution in the City of Houston and the noise ordinance did not accommodate toward loud music, etc., and she did not know how they would manage it, but they did not have the technology, resources or something to control it; and the issue needed to be looked at in a bigger picture. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Mr. William Barker, 9966 Kirkdale Drive, Houston, Texas 77089-2202 (281-481-8730) appeared and stated that he was speaking on the Hurricane Rita evacuation and stores and restaurants closed down at 7:00 p.m. Wednesday; and as for fixing sidewalks every city in Texas had an amendment; that to date they had sent out over 4,755,000 petitions all over Texas and when they were all signed they would go to the Governor's office, citizens should not have to pay for sidewalks they did not mess up. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Mayor White thanked Mr. Barker for coming and stated that he agreed with him regarding evacuation in the private sector, they would have to define what essential was; and Mr. Barker stated that something had to be done to fix sidewalks as some needed wheelchairs, etc., and they had to go into the street. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was God, Ali; and continued expressing his personal opinions until his time expired. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

President Joseph Charles, Post Office Box 524373, Houston, Texas 77052-4373 (832-453-6376) had reserved time to speak but was not present when his name was called. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

At 3:29 p.m. City Council recessed until 9:00 a.m., Wednesday, October 12, 2005. Council Members Lawrence, Goldberg and Ellis absent. Council Member Wiseman absent due to being ill. Council Members Khan, Holm, Garcia, Quan, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, October 12, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, October 12, 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 8:34 the City Secretary read the descriptions or captions of items on the Agenda.

At 9:23 a.m. Mayor White reconvened the meeting of the City Council and stated that the first order of business was a public hearing. Council Members Galloway, Khan, Holm, Garcia, Alvarado and Green absent.

HEARINGS

1. **PUBLIC HEARING** on the use of Tidwell Park in the City of Houston, Harris County, Texas, as a Park, Recreation Area, Scientific Area, Wildlife Refuge or Historic Site - **9:00**

A.M. – was called. Council Members Galloway, Khan, Holm, Garcia, Alvarado and Green absent. Council Members Galloway, Khan, Holm, Garcia, Alvarado and Green absent.

The City Secretary stated that the first hearing was a hearing on the use of Tidwell Park as a Park, Recreation Area, Scientific Area, Wildlife Refuge or Historic Site, that no speakers had reserved time to appear at the hearing, that there was a packet distributed for each Council Member in their backup material and Ms. Katy Farley, Legal Department, would make comments. Council Members Galloway, Wiseman, Khan, Holm, Garcia, Alvarado and Green absent.

Ms. Farley stated that they were present to have the hearing as required by Chapter 26 of the Texas Parks and Wildlife Department, that the Health Department had requested the use of approximately 6 acres of land out of Tidwell Park for the construction of a multi service center that would be used to provide health and nutrition programs, neighborhood improvement and protection programs and basic needs services, community events and educational programs, that Chapter 26 required that before they could transfer the parks property for another use City Council had to listen to the evidence that would be presented today and make a determination that there was no feasible and prudent alternative to the use or taking of Tidwell Park for the multi service center project and that the project had taken reasonable steps to minimize the harm to the park, that the Health and Parks Directors were going to speak and at that point they would open it up to questions that anybody may have. Council Members Galloway, Wiseman, Khan and Holm absent.

Mr. Stephen Williams, Director, Health and Human Services, stated that a variety of studies and feedback from various community interests had indicated a need for a park in the northeast area and in his opinion Tidwell Park was the most feasible location for the center, the location presented a unique opportunity for Health and Human Services and Parks and Recreation to actually engage in joint programming, for example there was a relationship between physical activity and obesity, so it would be the impotence for why they were wanting to do it. Council Members Wiseman and Khan absent.

Mr. Joe Turner, Director, Parks and Recreation, stated that they were in favor of it, the park would benefit from the project because the proposed project would introduce additional park users to their regional park, more people coming to the park would help them increase the use of compatible amenities that they both had and at the same time increasing park use would help them to deter vandalism at the facility so the Parks Department was totally in favor of the project. Council Members Wiseman and Khan absent.

After questions and discussion by Council Members, Council Member Lawrence asked how many multi service centers they had throughout the City of Houston and how many districts did not even have one multi service center; and Council Member Berry asked if they had an estimated cost on the construction of the multi service center and did they know what the nearest County facility that was a multi service center.

After further discussion, Council Member Galloway moved to close the public hearing, seconded by Council Member Quan. All voting aye. Nays none. Council Members Holm and Ellis absent. MOTION 2005-0975 ADOPTED.

2. **HEARING** on the proposal to establish a tax rate of \$.650/\$100 of value for Tax Year 2005, which is the same total tax rate that was levied by the City for Tax Year 2004 - **9:30 A.M.** - was called. Council Members Edwards, Holm and Ellis absent.

The City Secretary stated that on the next hearing no speakers had reserved time to appear at the hearing, that she was required to announce that the vote to adopt a property tax rate for the City of Houston for 2005 would be considered at the City Council meeting to be conducted in the City Council Chamber, Second Floor, City Hall, on October 26, 2005

convening at 9:00 a.m. Council Members Edwards, Holm and Ellis absent.

Council Member Quan moved to close the public hearing, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Edwards, Holm and Ellis absent. MOTION 2005-0976 ADOPTED.

MAYOR'S REPORT - Project Houston Hope - Infrastructure

Mayor White stated that there were two things that he would circulate to the Council Members and then send to their offices which he knew a number of people were interested in, one was the much delayed report on where they stood on the TIRZ and it had some scheduled proposed actions that they needed to take as a body and he welcomed input, obviously one of the issues raised there was that he was not sure they had the right organizational structure in the administration to provide adequate, integrated oversight of the TIRZs and a lot of it had fallen on his shoulders to do and because of the events of the last month it was delayed, that some of the circulated attachments were important because they dealt with some of the issues in the individual TIRZs as well as chronology, that the City Secretary would also circulate the information concerning the Emergency FEMA Reimbursements, not the rental vouchers or hotel payments or the adjustments of claims on destruction of property, that there had been well over \$200 million distributed in various Council districts and it had a breakdown by precincts about those FEMA reimbursements, that people had asked that they make sure that their constituents would make sure that Houstonians were not pushed to the back of the line, that it went to show some of the impact of the local economy that some of the positive impact from the fact that they had reached out and taken in those Americans that had been victimized by the storm's devastation. Council Members Wiseman, Ellis and Green absent.

Mayor White stated that at this time they had a Mayor's Report on some of the infrastructure improvements in the Houston Hope areas, and recognized Mr. Michael Marcotte, Director, Public Works and Engineering for the presentation. Council Members Wiseman, Ellis and Green absent.

Mr. Michael Marcotte, Director, Public Works and Engineering reviewed a presentation titled "Houston Hope", a copy of which is on file in the City Secretary's office for review. Mr. Marcotte was questioned at length by Members of Council. Council Members Galloway, Khan, Holm, Ellis and Green absent.

Council Member Garcia moved to suspend the rules to consider Item No. 28 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Galloway, Khan, Holm, Ellis and Green absent. MOTION 2005-0977 ADOPTED.

28. ORDINANCE relating to employment conditions, compensation and benefits of classified Firefighters of the City of Houston; approving a Collective Bargaining Agreement between the City of Houston and the **HOUSTON PROFESSIONAL FIREFIGHTERS ASSOCIATION, LOCAL 341 INTERNATIONAL ASSOCIATION OF FIREFIGHTERS**, amending Exhibit "A" of City of Houston Ordinance 2005-565 by reorganizing certain classifications, ranks and pay grades within the Houston Fire Department, and containing other provisions relating to the foregoing subject; suspending the operation of certain ordinances; providing for severability; and declaring an emergency – was presented. Council Members Galloway, Khan, Holm, Ellis and Green absent.

After discussion Council Members congratulated Mayor White and Mr. Roland Chavez, Union leadership, for working together on behalf of the firefighters who had been waiting for this day.

Upon questions by Council Members, Mayor White stated that the contract did not add anything to the budget, but it was within the budget that they had approved; that whenever they

increased base pay, and they had certain pension formulas, there was an increase in the pension, that they did not have that strange thing in the Police contract, which they inherited, which was pension based on the last paycheck, that they took a look at it and extended negotiations that they had with the Firefighters Pension Board; and Council Member Alvarado stated that Article 12 was the same as in HPD's contract on the selection of executive assistants and assistant chiefs, and Mr. Michel stated that was right, it was Article 20 in the police contract and was the same. Council Member Goldberg absent.

After further discussion by Council Members, a vote was called on Item No. 28. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2005-1133 ADOPTED.

Mayor White stated that they would sign the new contract after the Council Members comments. Council Member Goldberg absent.

CONSENT AGENDA NUMBERS 3 through 28

MISCELLANEOUS - NUMBER 4

4. RECOMMENDATION from Director Human Resources to approve an additional 365 day period for pay differential for employees called to active duty status during a time of war or state of emergency – was presented, moved by Council Member Quan, seconded by Council Member Khan. All voting aye. Nays none. Council Members Ellis and Berry absent. MOTION 2005-0978 ADOPTED.

PROPERTY - NUMBER 5

5. RECOMMENDATION from Director Department of Public Works & Engineering to **RESCIND MOTION #2005-319, 4/6/05**, which authorized condemnation of Parcel AY2-049, located at 9400 E. Avenue H, owned by Rafael Suarez and wife Maria A. Suarez, 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 \$100,608.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Alvarado, seconded by Council Member Wiseman. All voting aye. Nays none. Council Members Ellis and Berry absent. MOTION 2005-0979 ADOPTED.

PURCHASING AND TABULATION OF BIDS – NUMBER 7

7. **INTERNATIONAL SURFACE PREPARATION GROUP, INC** for Blast and Recovery Systems for the Department of Public Works & Engineering - \$87,266.68 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Ellis and Berry absent. MOTION 2005-0980 ADOPTED.

ORDINANCES - NUMBERS 15 through 27

15. ORDINANCE approving and authorizing interlocal cooperation contract between the City of Houston and the **TEXAS DEPARTMENT OF CRIMINAL JUSTICE** for the provision of Death Certificates of Parolees who have died in Houston – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2005-1134 ADOPTED.
16. ORDINANCE amending Ordinance No. 2005-825, which consented to the addition of 7.163 acres of land to **CY-CHAMP PUBLIC UTILITY DISTRICT** for inclusion in its district; adding Exhibit A – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2005-1135 ADOPTED.

21. ORDINANCE approving and authorizing amendment to contract between the City of Houston and **LLEWELYN-DAVIES SAHNI, INC** for Professional Landscape Architectural and Engineering Services - \$1,800.00 - Grant and Gulfgate Redevelopment Authority Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2005-1136 ADOPTED.
26. ORDINANCE appropriating \$4,335,397.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PROLINE TECHNOLOGIES, N.A.L.L.C.** for Sanitary Sewer Rehabilitation by Cured-In-Place Pipe Method, GFS R-0266-B3-3 (WW4258-16); setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance, and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for engineering and testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2005-1137 ADOPTED.
27. ORDINANCE appropriating \$5,613.00 out of Parks Consolidated Construction Fund for Asbestos Abatement and Demolition at Jerry Sharp Park, GFS F-0509-10-5 – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2005-1138 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

3. RECOMMENDATION from Director Finance & Administration and City Controller to recognize a new planned date to consider an ordinance authorizing the issuance of Certificates of Obligation, Series 2005D at City Council meeting of October 19, 2005 – was presented. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that was going to vote no on Item No. 3 for the reasons that he had stated last week and for the reasons articulated in the Chronicle article last week. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.

Item No. 3 was moved by Council Member Khan, seconded by Council Member Quan. Council Members Goldberg and Sekula-Gibbs voting no, balance voting aye. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-0981 ADOPTED.

PURCHASING AND TABULATION OF BIDS

6. **AMEND MOTION #2003-1302, 11/5/03, TO EXTEND** expiration date from October 31, 2005 to January 31, 2006, for Purchase of Retail Fuel Card Services from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Finance & Administration Department, awarded to **VOYAGER FLEET SYSTEMS, INC** - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Mayor White and Council Member Berry absent. MOTION 2005-0982 ADOPTED.
8. **AMEND MOTION #2002-34, 1/9/02, as amended by #2004-1238, 12/21/04, TO EXTEND** the term from January 9, 2006 to January 8, 2007, for Automotive Tire and Tubes Repair materials Contract for Various Departments, awarded to **ALL TIRE SUPPLY CO., INC d/b/a REMA OF TEXAS** - was presented, moved by Council Member Khan, seconded by

Council Member Quan. All voting aye. Nays none. Mayor White and Council Member Berry absent. MOTION 2005-0983 ADOPTED.

ORDINANCES

9. ORDINANCE establishing City of Houston Election Precincts and Designating Polling Places for the City of Houston General Election to be held on November 8, 2005 – was presented. All voting aye. Nays none. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1139 ADOPTED.
10. ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston General Election to be held on November 8, 2005, and any required Runoff Election; prescribing the maximum number of Election Clerks for each voting precinct – was presented. All voting aye. Nays none. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1140 ADOPTED.
11. ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to Joint Elections to be held on November 8, 2005 and possible subsequent Run-Off Election; providing a maximum contract amount - \$1,800,000.00 - General Fund – was presented. All voting aye. Nays none. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1141 ADOPTED.
12. ORDINANCE authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under Election Services and Translation Agreements in connection with the City of Houston General Election to be held in 2005; authorizing the payment of certain costs of such elections - \$300,000.00 - General Fund – was presented. All voting aye. Nays none. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1142 ADOPTED.
13. ORDINANCE approving and authorizing interlocal agreement between the City and **HARRIS COUNTY** by and through the Harris County Protective Services for Children and Adults to Develop and Implement a System of Care within Kashmere High School; providing a maximum contract amount - \$160,810.13 - General Fund - **DISTRICT B - GALLOWAY** – was presented, and tagged by Council Members Holm, Lawrence, Quan and Galloway. Mayor White and Council Member Berry absent. Mayor Pro Tem Alvarado presiding.
14. ORDINANCE approving and authorizing an interlocal agreement between the City and the **HARRIS COUNTY HOSPITAL DISTRICT** to provide facilities for the City's Women, Infants and Children Nutrition Program - **DISTRICTS B - GALLOWAY and D - EDWARDS** – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1143 ADOPTED.
17. ORDINANCE approving and authorizing Intergovernmental Emergency Mutual Aid Agreements between the City of Houston and the **CITY OF PORT ARTHUR, TEXAS (HPD and HFD)** and between the City of Houston and **POLK COUNTY, TEXAS (HPD)** for the provision of Law Enforcement and Fire/EMS functions by the City of Houston to assist in the evacuation and aftermath of Hurricane Rita – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1144 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City of Houston and **SAM HOUSTON STATE UNIVERSITY** for Evaluation of Training Programs for the Houston

Police Department (HPD) – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1145 ADOPTED.

19. ORDINANCE approving and authorizing contract between the City of Houston and **INDIA HOUSE, INC** to provide a grant of \$500,000.00 of Federal Community Development Block Grant (“CDBG”) Funds in connection with the Construction of a Community Center located at 8880 West Bellfort, Houston, Texas - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1146 ADOPTED.
20. ORDINANCE amending Ordinance No. 2003-715 to increase the maximum contract amount for contracts between the City and **LONNIE CHARLES WATSON d/b/a WATSON CONSOLIDATED, AAR INCORPORATED, TREBOR INCORPORATED, ALFRED M. TORRES, R.J. d/b/a R&A BUILDING SPECIALISTS** and **ORTHO CONSTRUCTION COMPANY/ RENOVATION COMPANY** for the City’s Lead-Based Paint Hazard Reduction Control Program \$10,000,000.00 - Grant and Homeless and Housing Consolidated Funds – was presented. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that he was not going to tag the item but would like for somebody to visit with him to exactly understand where they got the \$10 million, that \$3 million came from grants and wanted to understand how the other \$7 million got into it. Mayor White and Council Members Khan 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 Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1147 ADOPTED.

22. ORDINANCE appropriating \$850,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of Water Line Replacement in original areas of the Houston Hope Project Phase I, GFS S-0036-08-2 (WA10874); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1148 ADOPTED.
23. ORDINANCE appropriating \$51,169.26 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water and Sanitary Sewer Lines in Section Four of the Autumn Glen Subdivision, CIP S-0802-34-3 & R-0802-32-3 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1149 ADOPTED.
24. ORDINANCE appropriating \$83,114.01 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **KB HOME LONE STAR, L.P.** for Construction of Water and Sanitary Sewer Lines in Section Four of the Sky View Park Subdivision, CIP S-0802-35-3 & R-0802-33-3 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1150 ADOPTED.
25. ORDINANCE awarding contract to **SPECIALIZED MAINTENANCE SERVICES, INC** for

Storm Sewer Television Inspection (Work Order Contract), GFS M-0301-01-3 (SM5052) - \$212,615.76 Storm Water Fund – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1151 ADOPTED.

NON CONSENT AGENDA - NUMBERS 29 and 30

MISCELLANEOUS

29. REVIEW of the record and make determination of the appeal filed by Maria Martinez on the decision of the General Appeals Board for denial of an extension of a Manufactured Home Hardship Permit at 4008 Moore, Houston, Texas 77009 - **DISTRICT H – GARCIA** – was presented. Council Members Khan and Berry absent.

Council Member Garcia moved to uphold the decision of the General Appeals Board, seconded by Council Member Quan. All voting aye. Nays none. Council Members Khan and Berry absent. MOTION 2005-0984 ADOPTED.

PROPERTY

30. RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sale of Parcels S84-067, S84-086, S84-088, S85-047, S85-048, S85-051, S87-009, S95-051, S95-053, S95-060, S95-064, S96-013, S96-046 and SY6-001 and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount and authorize staff appraisal for Parcels S87-009 and S85-051 located in **DISTRICTS F - KHAN and I - ALVARADO - APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS and E – WISEMAN** - was presented.

Council Member Goldberg moved to divide the question contained in Item No. 30 and separate Parcel S95-053 and postpone Parcel S95-053 for one week, seconded by Council Member Quan.

After discussion by Council Members, Council Member Goldberg stated that it was a piece of property that had been declared surplus, that he visited the property and was confused because it seemed to him that there was a working lift station on the property and did not know if they wanted to sell property with a working lift station, and additionally he had asked Public Works at the time, under a totally different Director and management, not to put a lift station on that property, there was a cheaper and easier way to do it instead of tearing up sidewalks and rebuilding it but they chose to do it this way and now the work they had done they had declared surplus and were attempting to sell it, that he would like an explanation of why they were doing that, and Mayor White stated that they would get him that information. Council Members Quan and Berry absent.

A vote was called on Council Member Goldberg's motion to divide the question and separate Parcel S95-053 and postpone Parcel S95-053 for one week. All voting aye. Nays none. Council Members Quan and Berry absent. MOTION 2005-0985 ADOPTED.

Council Member Lawrence named Ms. Sheila Stewart and Mr. John Chambliss as appraisers and Mr. Gary Meyer as alternate appraiser for Parcel S95-064.

Council Member Galloway named Ms. Jasmine Quinerly and Mr. Travis Cooper as appraisers and Mr. George Wyche, Sr. as alternate appraiser for Parcels S84-088, S95-060, S96-046 and SY6-001.

Council Member Edwards named Ms. Jasmine Quinerly and Mr. Samuel Stewart as appraisers and Mr. John Chambliss as alternate appraiser for Parcels S84-067, S85-047, S85-048 and S96-013.

Council Member Wiseman named Mr. Arthur Shackelford and Mr. Michael Copland as appraisers and Mr. Jimmy Payton as alternate appraiser for Parcels S84-086 and S95-051.

Council Member Lawrence moved to adopt the recommendations and appointment of the appraisers, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2005-0986 ADOPTED.

MATTERS HELD - NUMBERS 31 through 34

31. ORDINANCE consenting to the addition of 65.4274 acres of land to **PINE VILLAGE PUBLIC UTILITY DISTRICT**, for inclusion in its district – **(This was Item 24 on Agenda of September 28, 2005, POSTPONED BY MOTION #2005-948)** – was presented. All voting aye. Nays none. Mayor White and Council Members Khan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1152 ADOPTED.
32. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$4,166,772.94 and acceptance of work on contract with **SPAW GLASS CONSTRUCTION CORPORATION** for Jones Hall for the Performing Arts Travertine Wall Cladding Repairs, GFS B-0071-01-3 - 03.76% over the original contract amount - **DISTRICT I - ALVARADO – (This was Item 5 on Agenda of October 5, 2005, TAGGED BY COUNCIL MEMBERS GREEN and GALLOWAY)** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2005-0987 ADOPTED.
33. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$5,947,737.39 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Mesa Drive Reconstruction - Contract "A", GFS N-0680-01-3 (N-0680-01) - 02.54% over the original contract amount - **DISTRICT B – GALLOWAY – (This was Item 7 on Agenda of October 5, 2005, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented.

Council Member Galloway stated that her constituents did not get a chance to have some input on the item and moved to postpone Item No. 33 for one week, seconded by Council Member Quan. All voting aye. Nays none. Council Member Berry absent. MOTION 2005-0988 ADOPTED.

34. REVIEW of the record and make determination of the appeal filed by Teresa Argueta on the decision of the General Appeals Board for denial of an extension of a Manufactured Home Hardship Permit at 7911 Brays, Houston, Texas 77012 - **DISTRICT I – ALVARADO – (This was Item 21 on Agenda of October 5, 2005, TAGGED BY COUNCIL MEMBERS ALVARADO and QUAN)** – was presented.

Council Member Alvarado moved to postpone Item No. 34 for 30 days, seconded by Council Member Quan. All voting aye. Nays none. Council Member Berry absent. MOTION 2005-0989 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Quan stated that he wanted to congratulate the Houston Astros on their first round victory against the Atlanta Braves and wished them best of luck against the Saint Louis Cardinals. Council Member Berry absent.

Council Member Quan stated that they needed ballplayers for the Sports Day on Saturday, that it would start at 9:00 a.m. at Sunnyside Park. Council Member Berry absent.

Council Member Quan stated that he wanted to thank the Council Members for their support of the India House Project. Council Member Berry absent.

Council Member Quan stated that he wanted to thank Mr. Milton Wilson for his help in getting a coordinator for housing for the Asian Community for a lot of the evacuees. Council Member Berry absent.

Council Member Khan stated that he also wanted to congratulate the Indian Community for the approval of the India House Project and thanked all of his colleagues. Council Members Green and Berry absent.

Council Member Khan stated that there seemed a lot of problems with heavy trash pickup and his office had received more calls in the last three to four weeks about heavy trash issues than anything else and it was creating a lot of problems with the neighbors so if there was anything that could be done he would appreciate it. Council Members Galloway, Alvarado, Green and Berry absent.

Council Member Khan stated that there was talk of FEMA starting a disaster recovery center in southwest Houston and they would be fully in support of that, that it would help a lot of people. Council Members Galloway, Alvarado, Green and Berry absent.

Council Member Khan stated that he wanted to thank Mayor White for his leadership in helping people for Katrina, Rita and now for the earthquake relief, that in the last several days he had called on the Mayor and his staff and they had been extremely helpful and working together with his office in many different ways, that he wanted to thank his colleagues for expressing their sentiments of condolence and support, that it meant a great deal, that those who wanted to share their sentiments with the community could call the radio program, Sangeet Radio and the programmer was Mr. Gdaddi at 281-983-9292, that they were doing a special radio thon on Friday between 3:00 p.m. and 7:00 p.m.; that next Wednesday would be the Mayor's Ramadan dinner outside of City Hall and hoped that all of the Council Members could join them, that it would be an opportunity for them to share their support of the community's effort for the relief of the earthquake victims.

Council Member Quan moved to suspend the rules to hear from Mr. Roland Chavez at this time, seconded by Council Member Garcia. All voting aye. Nays none. Council Members Galloway and Green absent. MOTION 2005-0990 ADOPTED.

Mr. Chavez appeared and stated that he wanted to say thank you to each and everyone of them, that for those who had been on Council for many years knew the history of what had transpired over several administrations, that there were several things going through his mind but he would not be present today standing before them if he did not have the support of their Board and asked the Members of the Board to stand and be recognized, that they were the men and women who had been elected by 3,800 firefighters and if they looked at the faces of the Board they could see that there was a big change happening, that next week would be one year that he had been in his position and he was humbled, proud and privileged to lead the third largest Firefighters Union in the entire Country, that it had been an honor and privilege to stand before them, that he had 27 years in the Fire Department and was all he had ever known, that from college he joined the Fire Department and 20 years ago he got involved with the Union and planned on retiring from the Fire Department in the Union, that this was his goal to one day be standing in front of the City Council and he did it, that he wanted to thank Mayor White for allowing them an opportunity, after the first contract, to go back and seek out what it was that their members wanted and they brought that back to the Mayor and his negotiating team and

they worked out a deal, that it was historic, that each of their members knew how historic it was as far as a collective bargaining contract, each of the City Council Members now played a part in history, they were the first sitting City Council and Mayor to sit on the firefighters first collective bargaining ever, that it was a legacy, it was something that was going to be talked about for many more years to come and he applauded each and every one of them, that though it was not perfect, it was a start and a foundation and there would be some changes, obviously, but it had to be agreed upon by everybody, obviously, that the goal that their firefighters wanted to achieve was to be the best in the Nation, and they were already there, but now they would like to be compensated and recognized among the peers of New York, Chicago and Los Angeles and those cities, that they understood there was a beginning and a start, but this was it, that he wanted to thank each and every one of them for supporting their contract and they looked forward to working with them for many more years to come, that he applauded them, the membership and the Board, and he would say over and over again, if it was not for the citizens of Houston, the voters, who back in November 2003, they would not be here today, that he wanted to thank them from the bottom of their hearts and they would continue to do the best professional job that they asked them to do. Council Members Galloway and Green absent.

Mayor White stated that there was both good and bad in dealing with the counterpart for the Union like Mr. Chavez, as a negotiator he was very effective because there was no bluff in the bluster, he laid it down like it was and he could trust him when he said he represented the people in his Union and he could or could not do something, that the positive was that they all dealt with people where the louder the bark the less the bite, but Mr. Chavez delivered for his members and did it without ever shouting and screaming or maligning the people who disagreed, that was leadership and he respected Mr. Chavez for it. Council Members Galloway and Green absent.

Council Member Ellis stated that he was reading the Mayor's memo dated October 12, 2005, Tax Incremental Reinvestment Zone, that it made a lot of sense and there were issues that they had discussed in the past, that the Mayor had set up a plan to address it before the 2006 Fiscal Year budget process, that he also talked about seeing Tax Incremental Reinvestment Zones as a way to inject tax abatements into a zone and to accelerate some of the projects in that zone and asked Mayor White with regard to tax abatements and what the policy of the City would be, the Mayor's opinion, which he agreed with, that when a company was looking to relocate and wanted tax abatements the City should give them tax abatements in a manner of accelerating some type of infrastructure funding that would benefit their company and was Mayor White going to incorporate policies with regard to the tax abatements as he was doing with the Tax Incremental Reinvestment zones, and Mayor White stated yes, that there were a couple of things that he was not 100% clear on but he knew there had been tax abatements that had been granted over a long period of time, that he did not know how many exactly there were but were done in the form of what was called a tax reinvestment zone and at one point he was distinguishing, just so they got their terms right, that what some people called tax abatement the lawyers called a reinvestment zone because it was something having to do with the legal way, they were not actually lowering the taxes but were giving part of the taxes back, that they had been few and far between where they had offered incentives or a specific economic development, they did so with the City Council a month ago and they would notice how they did that and structured it was somebody creating a retail space that otherwise would not have existed and they were investing in something that would make the lower floor of that something that they could walk through that created that common space and amenity that was more like a traditional infrastructure investment rather than simply saying they were writing checks over to the developer and the other one was that they needed some parking in parts of downtown so the addition and acquisition of additional parking in that area so they wanted to link it to some of the types of things that the public normally invested in as opposed to being some kind of corporate welfare, and Council Member Ellis asked if they were going to put some mechanism in place where they could recapture some of the tax incremental reinvestment zones revenues for the increase in their public safety, were they going to address that they were putting a burden on property owners that were outside of the zone with regard to public safety

funding, and Mayor White stated that the last three pages were literally his notes of meetings that occurred for hours and hours on end, probably 12 hours of meetings in August 2005 to sort through it, that it was Attachment No. 3, that it was subject to Council approval and discussion and because of the administrative mess created by so many TIRZs; that there were a couple of the TIRZs where they both identified public safety needs and a source of funding that was uncommitted where they suggested allocations for public safety and more over on all the TIRZs starting with the next fiscal year the tax increment should be decreased by a factor representing inflation applied to current inflation, that they had not gotten to the engineering and the idea was that they should not be assuming that there was an increment or not be allocated to a district, that was due to inflation, that they were probably raising the base, that he was trying to link somehow so as they were changing the rules of the game they were explaining to stake holders why and how they were going to take money and put it into more public safety, and Council Member Ellis stated that they might have a Fiscal Affairs Committee meeting to go through all of it and have Ms. Johnson present and staff members for the Mayor so they could ask all the questions that they might have, that he would think they might want to wait until later in the year to do that. Council Members Galloway and Berry absent.

Council Member Ellis stated that he wanted to congratulate the Local 341 for getting a long overdue contract with the City of Houston. Council Member Galloway absent.

Council Member Goldberg stated that he wanted to congratulate India House on Item No. 19 passing, that if they wanted to look to a model for community participation they did not have to look any further than India House, that the community was raising three quarters of a million dollars, that the community was so supportive of it. Council Member Galloway absent.

Council Member Goldberg stated that he thought they needed a new ordinance, that he visited with the Health Department a few weeks ago and they were always talking about the mobile food vendors and the inspections that the City of Houston did were great and he thought they did it exactly right, the problem came when they went to the commissaries, which the City did not own a single commissary, and if the commissaries gave them a receipt saying they were there and they were not there it was not a crime, even if they knew the commissaries were giving out fraudulent receipts they could not stop them, there was no legal action that he thought they could take to stop them, they needed an ordinance making it a crime to give out a receipt saying that a mobile food vendor was present at the commissary when they were never there, that everyone knew it was going on, it was an ethical violation, not a legal one, and he had talked to the Health Department about it and they would like to see that ordinance pass and he thought they should take a look at it. Council Member Galloway absent.

Council Member Goldberg stated that he had mentioned before about graffiti problems in his district and in other districts and wanted to thank Mr. Joe Crouch, who sent him photographs of before and after and he was pleasantly surprised at the immediacy of the action they took in cleaning up the graffiti. Council Member Goldberg absent.

Council Member Goldberg stated that he wanted to wish the Astros good luck and knew they would represent the City well all over the Country. Council Member Galloway absent.

Council Member Wiseman stated that she appreciated the comments that her colleague made with respect to the mobile food vendors because it was an issue that they most definitely had to address, that it was an issue for the communities and she was hopeful that Council Member Goldberg's committee would look at amendments to ordinances that related to mobile food vendors and any issues that they could bring to the table with respect to the level of enforcement and the effectiveness of the enforcement of the existing ordinances. Council Member Galloway absent.

Council Member Wiseman stated that she wanted to thank Mr. Buck Buchanan again for the tremendous job that he had been doing with the storm debris removal throughout the City.

Council Members Galloway and Khan absent.

Council Member Wiseman stated that this weekend she would be joining the families, supporters and friends and the members of the 147th Fighter Wing to welcome back the members that were deployed earlier in the summer to the Middle East, that they had a successful mission and they were quite proud of them, that they would be welcoming them back on Saturday morning. Council Members Galloway and Khan absent.

Council Member Green stated that he wanted to congratulate the Firefighters Union and all of the firefighters in general, whether they were Union or not for the process that had been made on the contract. Council Members Galloway and Khan absent.

Council Member Edwards stated that she wanted to thank Firefighter Karen Dupont for the work she had done, that they had been working on trying to get the bones, that were in the custody of the University of Houston for over 20 years sitting on a professor's desk, and get them returned and re-interred and of all the people who tried to get that done, Ms. Dupont just went over there and picked them up and they really appreciated that. Council Members Galloway, Wiseman, Khan, Green and Berry absent.

Council Member Edwards stated that she wanted to congratulate the Wings Over Houston Show, that it was a great program and she was excited to see a number of youth out there. Council Members Galloway, Wiseman, Khan, Green and Berry absent.

Council Member Edwards stated that she was requesting to have a briefing from the agencies like the Coalition for the Homeless and people of that ilk to brief them on where they stood now, that she had some individual conversations with directors of various organizations and there were some serious concerns so she would like for them to start proactively addressing those issues, that she thought they needed a briefing as to what was going to be the impact of their local social service agencies and what kind of partnerships were going to be looking to the City for and just have a frank conversation of where they were and where they needed to go. Council Members Galloway, Wiseman, Khan, Green and Berry absent.

Council Member Quan stated that their Blue Ribbon Commission had added that as one of the questions as they placed people in housing so that they could get that data at the same time as people were being processed and they hoped to have that within the next two or three weeks as to what the impact of Rita and Katrina would be upon the homeless population and what other additional service would be needed, that he would be glad to put that on a committee meeting or however she would like to have it. Council Members Galloway, Wiseman, Green and Berry absent.

Council Member Lawrence stated that it was a great day in Houston with the success of the Astros. Council Members Galloway, Wiseman, Green and Berry absent.

Council Member Lawrence stated that she wanted to congratulate the firefighters and hoped they had gotten as much as what they wanted as possible. Council Members Galloway, Wiseman, Green and Berry absent.

Council Member Lawrence stated that they had to get their hands around all of the tree limbs in Houston, that she had five major neighborhoods that still had big huge stacks in front of their houses, that she knew Solid Waste was doing the best job possible but they needed to have more help out there helping them out. Council Members Galloway, Wiseman, Green and Berry absent.

Council Member Lawrence stated that every office and District A was participating in the Combined Municipal Charities and she was very happy about that. Council Members Galloway, Wiseman, Green and Berry absent.

Council Member Lawrence stated that she wanted to urge that any time they had a Director come to the City Council and gives them information and it was the wrong information that they come back and not just send somebody to their offices and say they were sorry, so that they could tell everyone at the Council table that they made a mistake. Council Members Galloway, Wiseman and Green absent.

Council Member Garcia stated that the Saint Joseph's Church bazaar was rescheduled because of Hurricane Rita and would be this weekend and hoped that everyone would have an opportunity to come out. Council Members Galloway, Wiseman and Green absent.

Council Member Garcia stated that he wanted to give a shout out to Fire Stations 6, 9, 11, 12, 15, 17, 27, 31 and 34, which were in his district, that he wanted to give thanks to those guys at those particular fire houses for all the great work they had been doing for District H. Council Members Galloway, Wiseman and Green absent.

Council Member Holm stated that she too wanted to compliment everybody on their work in bringing the firefighters contract, that in addition to Mayor White she knew that Mr. Chavez and Ms. Johnson really brought a lot of integrity and strength to bringing it about and thanked them for their efforts on behalf of all of them. Council Members Galloway, Wiseman and Green absent.

Council Member Holm stated that as to Solid Waste, she knew that they had fallen a little bit behind, that they had received a memo that they were caught up and they were still getting calls that there was debris on the streets, that she assumed it meant they were back on schedule but not necessarily caught up, and Mayor White stated that she read it right, that they were back on schedule, but so long as there was solid waste out there, which was passed up by storm debris, they were not caught up. Council Members Galloway, Wiseman and Green absent.

Council Member Holm stated that she too wanted to say to the Astros how proud they were of them. Council Members Galloway, Wiseman and Green absent.

Council Member Alvarado stated that she too wanted to commend the employees of Solid Waste, she knew they had been working a lot of hours and there was certainly a lot of work to do, that yesterday they were out and about in parts of her district. Council Members Galloway, Wiseman and Green absent.

Council Member Alvarado stated that she wanted to congratulate the administration and Local 341, that what was more impressive was that everybody came back to the table and negotiated something that was fair and something that all parties felt comfortable with. Council Members Lawrence, Galloway, Wiseman and Green absent.

Council Member Alvarado stated that she wanted to congratulate the Astros, that she did not know if they would ever see another game like they saw on Sunday. Council Members Lawrence, Galloway, Wiseman and Green absent.

Council Member Sekula-Gibbs stated that she would like to extend her condolences and sympathy to the families and friends who had lost people in the Pakistani earthquake, which also extended into India, and to ask that people in the medical community to begin the quick process of looking in their offices and hospitals for extra supplies that they could afford to donate to the relief effort in Pakistan. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Alvarado and Green absent.

Council Member Sekula-Gibbs stated that she wanted to welcome the 147th Fighter Wing who had returned to Ellington Field. Council Members Lawrence, Galloway, Wiseman, Holm,

Garcia, Alvarado, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she had a number of constituents call her, as well as colleagues, to discuss the situation with the possible pandemic that they were concerned about with Avian Influenza, that it was something that they really needed to address at the City level as well as the State and Federal level, that she was working with the Health Department Director to set up a symposium so that they could help educate the community on just what the threat was and encouraging people to get their routine flu shots, that it did not cover for the Avian Flu but was appropriate for the threat they currently had going into the flu season. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Quan and Green absent.

There being no further business before Council, the City Council adjourned at 11:42 a.m. Council Members Lawrence, Galloway, Wiseman, Holm, Garcia, Quan and Green absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary