

City Council Chamber, City Hall, Tuesday, October 18, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 18, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, M. J. Khan, Pam Holm, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Ms. Debra Dillard, Citizens Assistance Office; Ms. Marty Stein, Agenda Director; Mr. Jose Soto, Assistant Agenda Director, present. Council Member Addie Wiseman absent due to being ill. Council Member Adrian Garcia out of the city on city business.

At 2:04 p.m. Mayor White stated that Council would begin with presentations and invited Ms. Nadine Kujawa, Superintendent with Aldine ISD and Mr. Greg Cogden, President of the Board to the podium. Mayor White stated that this was an important recognition and award; that no job was more important than educating the next generation and a part of the local education community was recognized nation wide, the Aldine Independent School District was one of five finalist for excellence in education and in 2004 they were also finalist and this award was instituted in 2002; being in the top five twice in two years was an outstanding testament to those dedicated teachers, parents and children; and presented them an Excellence In Education Award from the City of Houston; and Ms. Kujawa stated that she wanted to thank the Mayor and Council for the privilege and honor of receiving this award; that she understood it was the first Mayor's Award and they were really excited; that it was a tribute to the teachers, parents and students who worked so hard. Council Members Galloway, Goldberg, Ellis, Green and Berry absent.

Mayor White invited Ms. Regime Calvert to the podium to recognize those on the Mayor's Youth Council; and Ms. Calvert invited each member of the 2005-2006 Mayor's Youth Council to the podium to be recognized; and thanked the Council Members and staff who allowed them to shadow them earlier in the day and invited them to the Youth Council's first meeting this evening at 6:30 p.m. in the Annex Chamber. Mayor White stated this was a great opportunity for them to see the most effective and responsive city government in action and he hoped this was the beginning of a long and personal involvement in public service for them. Council Members Galloway, Ellis and Berry absent.

Council Member Edwards stated that she would challenge them to be a voice and advocate for their peers, a lot of issues here in the city affected young people, but they had little input from them and she would like their analysis and solutions. Council Members Holm, Ellis and Berry absent.

At 2:17 p.m. Mayor White called the meeting to order and called on Council Member Green who led all in prayer and pledge. Council Members Holm, Ellis and Berry absent.

At 2:18 p.m. the City Secretary called the roll. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Council Members Ellis and Berry absent.

Council Members Khan and Quan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Council Members Ellis and Berry absent. MOTION ADOPTED.

Council Member Khan moved that the rules be suspended for the purpose of hearing Ms. Beverly Rhodes, Ms. Betty Ross, Mr. Joe Mayeaux and Mr. David Cortez at the top of the Non-Agenda List of Speakers, seconded by Council Member Quan. All voting aye. Nays none.

Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Council Members Ellis and Berry absent. MOTION 2005-0991 ADOPTED.

Ms. Mary Joe Mc Fadden, 5729B Logan Lane, Houston, Texas 77007 (281-543-2075) appeared, presented information and stated that she and her husband had lived on Logan Lane two years and the parking issue was there before they came; that they did not support the parking permit ordinance as it was now, as it was supportive of residents and not commercial, however, they did support a compromise for both to have parking and did support the residential 9:00 a.m. to 9:00 p.m., Monday through Saturday for all except commercial and allow commercial to park in front of their place; and addressed other compromises she felt needed to be addressed in the ordinance to not only help those on Logan Lane but others who were and would be affected by combination of residential and commercial locations. Council Members Ellis and Berry absent.

Council Member Goldberg stated he had looked at the statement she presented and they had a meeting with the Regulation Planning and Development Committee and they were making an attempt to incorporate a lot of the ideas she had; that they were good ideas and they would be on the Agenda tomorrow for vote; that prior they had not focused on a street with mixed use; and Ms. McFadden stated that she was hoping for a good compromise. Council Members Ellis and Berry absent.

Council Member Holm thanked Ms. McFadden for coming and stated she had been a good instrument in communication and street relations; and she wanted to confirm with her what she had said; and Ms. McFadden stated that when they requested permit parking they thought all on the block would be able to purchase and not just one side; that commercial not being able to use the parking in front of their business was unfair and she felt a good remedy for them and upcoming such situations was the proposed ordinance, it was a good first step. Council Members Galloway, Goldberg, Ellis and Berry absent.

Council Member Quan thanked Ms. McFadden for coming and stated that her suggestions were positive; and upon questions, Ms. McFadden stated that she had the permit on her side of the street; that under the proposal the area in front of the O'Ryan property would be available for all theoretically; that she and neighbors may not agree with every aspect of the proposed ordinance, but they would like a compromise all could live with and it was fair. Council Members Galloway, Goldberg, Ellis and Berry absent.

Council Member Edwards stated that she was still confused as to whether they were looking to amend the ordinance grandfathering in streets already done; that in her district there were two applications pending; and upon questions, Mayor White stated that they were changing the ordinance so those who invested in property would have the right (to park there); that he listened carefully to what was said and believed people should say what they were trying to do and he thought Ms. McFadden said what she supported and he appreciated it; and Council Member Edwards stated that if they were going to remedy Logan were they going to go back on others; and Ms. Wiginton stated that the Ordinance would have a 90 day period from the time it became effective for businesses to come in and ask for an exception to the property in front of their storefront. Council Members Goldberg, Alvarado, Ellis and Berry absent.

Upon questions by Council Member Lawrence, Ms. McFadden stated that she lived on the south side of the street; that she did not think it was right that businesses could not park in front of their own business. Council Members Goldberg, Alvarado, Ellis and Berry absent.

Council Member Galloway moved that the rules be suspended for the purpose of hearing Mr. Willie Spencer at this time, seconded by Council Member Green. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Council Members Goldberg, Alvarado, Ellis and Berry absent. MOTION 2005-0992 ADOPTED.

Mr. Willie Spencer, 6900 Wileyvale, Houston, Texas 77028 (713-631-2185) appeared in favor of Item 37 and stated that he was present to speak on benefits of the Wrap Around Program and how it would enhance opportunities at Kashmere High School; that they were in partnership with Chevron and Houston Community College through the Mayor's Program with Ms. Linda Clark; that wrap around values would be the child center, family focus, safety, etc., and would be available to any student and family member demonstrating need for intensive social interventions; that they would have an on campus screen team, include a parent liaison and other family members; and teachers and counselors played a big part. Council Members Alvarado and Ellis absent.

Council Member Galloway stated that she tagged the item last week as there were unanswered questions by her colleagues, but this program was much needed; that she thanked the Health Director for helping put the program together as it was an area underserved with some homes having one parent and some having none; and she applauded Mr. Spencer for all he had done. Council Member Ellis absent.

Mayor White stated that Mr. Williams in the Health Department was trying to get the most coverage and effectiveness out of limited dollars; that he could not take care of all needs of the uninsured in Houston, but there would be internal organization changes and they could not cover everywhere in the community, but he was all about shifting something from clinic or site based to the community. Council Member Ellis absent.

Council Member Sekula-Gibbs stated that she had questions on what such a program was but was informed there were similar programs in Austin which Mr. Williams helped to implement; that it was a \$160,000.00 program which paid for two salaries and about half would go to services; and upon questions, Mr. Spencer stated that was correct and he would ask that his service coordinator speak to funding; and Ms. Clay came to the podium and stated that she was the full service coordinator and the partnerships set now, including Chevron, did pay for her salary and it was not one on one matching but they found ways to have others do jobs, so that was dollars, for the wrap around program at this time they did not have funding assistance, but for the full service community school they received funding from Chevron and Houston A Plus Challenge. Council Member Ellis absent.

Mayor White stated that one idea was to use the eyes and ears of educators who were in position to know where issues were as opposed to the system where you waited for someone to show up at a clinic; and Council Member Sekula-Gibbs stated that she knew the need was there, but she was trying to understand where they were headed because \$80,000.00 would not go very far and she wondered where they were as far as getting such groups as HISD, Houston Endowment or even Gateway to Care involved; and Mayor White stated that he did not know their overall funding level in the A Plus Challenge, but Ms. Clark could get it for her; and Ms. Clay stated that was what part of the Chevron grant was to fund her position to help establish partnerships and funding. Council Member Ellis absent.

Upon further questions by Council Member Sekula-Gibbs, Mayor White stated that the first funding came from a telephone conversation his wife had with the senior president of Chevron/Texaco to get funding in schools; that she knew of the constraints they faced in healthcare funding and they would try and find as much money as they could. Council Members Ellis and Quan absent.

Council Member Galloway stated that Kashmere was in a unique community and she would guess, whether they received it, depended on the need and community itself as this was a community collaboration. Council Members Ellis and Quan absent.

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Mr. Joe Ziemianski as the next speaker, seconded by Council Member Berry. All voting aye.

Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Council Members Ellis and Quan absent. MOTION 2005-0993 ADOPTED.

Mr. Joe Ziemianski, 1221 McKinney #2900, Houston, Texas 77010 (832-214-3920) appeared and stated that he and Ms. Amber Acres were with the law firm of Cozen O'Connor, a Philadelphia based law firm fairly new in the Houston area and their firm gave back to the community; that they applauded what the city had done going above and beyond in helping the victims and they recognized the need which still existed; that their 23 offices around the country contributed and the firm matched them and today they were present with a check for \$75,000.00 for the Katrina Relief Fund. Council Members Ellis and Quan absent.

Mayor White thanked Mr. Ziemianski and stated that he did thank them for what they had done; that they all feared when the CNN cameras were no longer showing scenes people would forget there were close to 150,000 dislocated still living here with many needs and their contribution was very important. Council Members Ellis and Quan absent.

Council Member Green thanked Mr. Ziemianski and stated that they were very proud of them and that they stepped up to the plate; and upon questions, Mr. Ziemianski stated that they were with Cozen O'Connor and they were proud of what the Mayor and Council had done. Council Members Galloway, Holm, Ellis and Quan absent.

Ms. Beverly Rhodes, 12106 Plumpoint Drive, Houston, Texas 77099 (281-495-3690) appeared and stated that she was present regarding failure to pick-up heavy trash after Hurricane Rita; that she lived in the Huntington Village Subdivision and prior they had placed door hangers about city trash enforcement, picked up bags of trash and placed out heavy trash sign notices informing residents of pick-up, reported violators, etc., but now after modifying people's behavior they were back to ground zero and on her street alone there were 14 trash piles; and she wondered if Mr. Buchanan worked for the private sector if he would still have a job. Council Members Galloway, Holm and Quan absent.

Council Member Khan thanked Ms. Rhodes for coming and stated that they had been dealing with the trash issue since Rita; that he had a letter from Mr. Buchanan which said what he was facing, but it also said he had only received one other complaint through 311 which means few were complaining or few had a problem and his office received 12 complaints from the Sharpstown and Huntington Village area and they forwarded them to his office and he said why didn't they just tell constituents this was the response but they must realize it was not an isolated issue; that they were told once debris would be picked up but heavy trash would be picked up as scheduled but as of yesterday Rita debris was all over Sharpstown and he read a list of such addresses that had not been picked up; that in District F was one of the last to get attention from Solid Waste. Council Member Galloway absent.

Council Member Lawrence stated that she would assure them her district still had stacks of trash; that it was all over and Public Works was doing as much as they could; that they had volunteers working and were trying to meet needs, but Ms. Rhodes was heard and she thanked her for coming. Council Member Galloway absent.

Mayor White thanked Ms. Rhodes for coming and stated that it was probably true they may should have cut public services and hired contract crews, but they could charge an arm and a leg to FEMA; that the city's overtime and equipment utilization had been extremely high and he got a daily 311 report on this and he would encourage utilization of that and they were really working to get back on track. Council Members Lawrence and Galloway absent.

Council Member Quan stated that he understood utilization of resources and was a big fan of Mr. Buchanan , but Saturday he was out and five garbage trucks were in a row picking up garbage with one loading and four following and he had a memo to Mr. Buchanan as it seemed

like overkill when some areas had no service so he was investigating it. Council Members Lawrence and Galloway absent.

Council Member Khan stated that he understood Mr. Buchanan had a contract for picking up debris and he wondered why they were still not available; and Mayor White stated that the amount paid and the demand for service had been such on the contractors that FEMA scooped them up and were paying an arm and a leg so they were non competitive; that he wanted the garbage picked up and maybe they could sue, but then the contractor would say well, they had contracts with FEMA also and if the city wanted to pay more, but he did not like being held up so their backup contractors were of no help and he understood them to be in violation of contracts; that in a normal situation this would be different, but this was not a normal year with storms; and Council Member Khan stated that in looking at the letter he understood by the end of this month all heavy trash and debris would be up and things would be back to normal; and Mayor White stated that was correct. Council Member Galloway absent.

Council Member Edwards stated that this problem was all over Houston and there was an inconvenience, but she also would commend employees for working hand over foot trying to get it all; that this was an unusual situation, but upon questions, Ms. Rhodes stated that they had a diverse population and they had nurtured them and finally they were understanding you could not hang out your clothes or put your trash out any time and now this came and it was so hard. Council Member Galloway absent.

Ms. Betty Ross, 8500 Nairn #112, Houston, Texas 77074 (281-222-5219) had reserved time to speak but was not present when her name was called. Council Member Galloway absent.

Mr. Joe Mayeaux, 9810 Sandra Ann Court, Houston, Texas 77025 (713-502-7615) appeared and stated that he was a resident on a new street and present asking for help in getting replacement trash cans and to inhibit their developer at Community Garden Homes from removing such cans off public streets; that when he phoned Solid Waste for a trash can he was told because of the classification for the street they no longer issued the cans to that street, though some residents there did have them, then as people moved in they advised them to bring their can from their other Houston residence or they acquired them from someone who had two and no longer needed one and they had acquired about a dozen cans for the 17 residents and they continued to be picked up, but two weeks ago the developer informed them he would no longer assist in picking up loose trash and later found their trash picked up but also their cans gone so in the process they found their garbage piling up and their cans in the warehouse of their developer. Council Members Galloway and Khan absent.

Council Member Goldberg stated that right now the problem was that where a single family home had been and was entitled to trash pickup many homebuilders were now building 4 to 5 townhomes and there was no driveway to the street so they were basically on a private street; that city ordinance said no pickup from private streets but it was being done for some and not for some and with no rhyme or reason; that decades back Planning did not approve this type of configuration on a plan when there was no space for a dumpster and private pickup, but now builders were building and every square foot was spoken for and no where for a dumpster even if they wanted one; and Mayor White stated that Council Member Goldberg was correct, but if this involved theft from the city then he wanted the facts right so they could be booked; that they had been collecting trash from some private drives and it had been done for a while; that on one hand when policies were shifted you had to do so modestly and figure out why and when, but diesel fuel was going up and they were trying to have discipline on property taxes and they wanted to do the right thing and not change rules in the middle of the game and give everyone a timely notice and still deliver essential services such as picking up heavy trash on time; that this issue needed to be dealt with honestly; and upon questions, Mr. Mayeaux stated that the city cans were in the warehouse where other building materials were kept in and they told him they knew the cans were there so then he loaded them in a truck and hauled them off; that he went

after him until the chase became aggressive and then he broke it off; that they phoned HPD and made a report that they understood he was to return the cans to a substation, but then one homeowner had not been in town and put his can out this week and then his can was taken; that if they paid for private pickup it would cost the residents on the street \$2,000.00 a year; that developers found a way to get around the private drive issue by not naming the street and moving the numbers on the city street down the drive, turn the corner and bring them out, but there was no equal treatment; and they paid taxes. Council Members Galloway, Edwards, Khan, Alvarado and Green absent.

Upon questions by Council Member Lawrence, Mr. Mayeaux stated that 17 lived on the street and they figured to have trash picked up it would be about \$10.00 to \$12.00 a month and they did not want a dumpster, they wanted to keep placing their can on the street. Council Members Galloway, Khan, Alvarado and Green absent.

Mayor White stated that he did not want Solid Waste to have more work than they had, but did not want city property stolen and once he got the incident report or caught someone stealing property again he should call his office and speak with Louise; that there were other ways to handle things than stealing property; and thanked Mr. Mayeaux for bringing it to their attention; that this issue was going to be big and it was not going to be pleasant but he felt they could get the right answer, to pretend fuel cost were not going up or that some private drives could be picked up and not others was not how to handle the issue. Council Members Galloway, Khan, Alvarado and Green absent.

Council Member Quan stated that it was something to be addressed and they needed a fair hearing; that people paying taxes were entitled to services in his opinion; and upon questions, Ms. Wiginton stated that she would have to check into the sponsorship program to see if they were entitled to any reimbursement. Council Members Galloway, Khan, Alvarado and Green absent.

Mr. David Cortez, 9830 Sandra Ann Court, Houston, Texas 77025 (713-894-9941) appeared and stated that he wanted to pick up where Mr. Mayeux left off and he was correct that their cans were stolen and trash was piling up for 17 families; and he wanted to know what could be done. Council Members Galloway and Green absent.

Upon questions by Council Member Quan, Mr. Cortez stated that this week he went down the street and found cans not completely full and put his six bags of garbage in those; that their cans were picked up October 3rd by the developer; and Council Member Quan stated that the Mayor indicated his office would look into it. Council Members Galloway and Green absent.

Mayor White stated that Mr. Fontaine was in and making note and he would ask Ms. Dillard to make a note and see that he looked into their situation. Council Members Galloway and Green absent.

Council Member Goldberg stated that if they took Council Member Quan's suggestion and they were reimbursed \$6.00 or \$7.00 and it deferred cost how would they get pickup; and Mr. Cortez stated that there was no space for a dumpster on the properties; and Council Member Goldberg stated that he felt it should go to the Planning Commission as he did not know why they would approve construction plans when there was no place to even put a dumpster and he wondered if they were not cognizant of the ordinance and felt it should be investigated; and Mayor White stated that he did agree with him. Council Members Galloway, Alvarado and Green absent.

Upon questions by Council Member Edwards, Mr. Cortez stated that Contemporary Home Builders was the developer; and Council Member Edwards stated that went beyond theft and was also a health issue in storing trash; and she would like it checked someday to see that the developer was not doing this in other areas of the city; and Mayor White stated that when it

came to his attention there were private streets being served he wanted to do one thing perspective and wanted to be careful as to what they did retrospectively, he did not want to discourage infield higher density development within the urban center so it was a difficult issue they would be facing, but they were going to get on this; and Ms. Dillard was trying to track down Mr. Fontaine and they would be on top of this issue. Council Members Galloway and Green absent.

Ms. Ella Shaw, 7450 N. Shepherd #107, Houston, Texas 77091 (713-692-4301) had reserved time to speak but was not present when his name was called. Council Members Galloway and Green absent.

Ms. Sudapon Kinney, 225 Aldine Bender #708, Houston, Texas 77060 (281-448-4190) appeared and stated that her money was taken; that her insurance company was Safeco and Mr. Michael with her insurance company got in her apartment and her head was not good, every time she ate the food she threw up; that her phone was tapped; and she had it all documented; and she needed help. Council Members Galloway, Goldberg, Alvarado and Green absent.

Upon questions by Mayor White, Ms. Kinney stated that she had all documents and needed his help and what should she do; and Mayor White stated that she needed to retain her documents. Council Members Galloway, Goldberg, Alvarado and Green absent.

Mr. Anthony Canaan, 6230 Tiffany, Houston, Texas 77085 (713-723-1883) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg and Green absent.

Mr. Clifton Despanie, 701 T. C. Jester, Houston, Texas 77008 (281-757-5209) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg and Green absent.

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, Goldberg, Quan and Green absent. Mayor Pro Tem Alvarado presiding.

Mr. Dell York, 8833 Gulf Freeway, Houston, Texas 77017 (832-439-4135) appeared and stated that Mayor White said the City of Houston was going to try and cut down on their gas bill and he thought of the big dryers the city just purchased and more they were thinking of getting for the 69th Street Plant and he wondered when the city would turn to composting and need no gas for it; that Jeff Taylor said to him if he built a pilot plant on his property and got permits they would consider his composting bio solids and he said he would, but he did not want to pay him what it was costing, he said he did not want to encourage him; and he wondered what the Mayor meant on curtailing gas prices. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Jacob Klementich, 4387 Fiesta, Houston, Texas 77004 (832-722-4115) appeared and stated that he thanked Council Member Sekula-Gibbs for getting a commendation letter for the Houston Challengers from Mayor White and he wanted to say the difference between the Paralympics and Special Olympics was that the Paralympics was for physically disabled athletes and the Special Olympics was for the mentally disabled athletes. Mayor White, Council Members Lawrence, Galloway, Goldberg, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards thanked Mr. Klementich for their conversation Sunday and thanked him for coming today. Mayor White, Council Members Lawrence, Galloway, Goldberg, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Sekula-Gibbs, Mr. Klementich stated that he would be going to the Championships in Las Vegas, Nevada, this December and representing the U of H and the Challenger's Wheelchair Soccer Team was going in November; and Council Member Sekula-Gibbs stated that the city was proud of them and wished them luck. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Quan, 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, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Florine Harris, 8900 Fondren #150B, Houston, Texas 77074 had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) appeared and stated that his mother was starting to be attacked and the person doing it had to have her social security number, date of birth, etc., and only a couple would have it with one being Housing; that if it was someone in Housing, like he thought, he wanted them to lay off her because it would not stop him from doing what he was doing but cause him to fight harder for the elderly. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Winters stated that money from his mothers bank account was disappearing and when they call the bank they go and find it; her social security check disappeared, but he was on top of things so before anything could be done he caught it; that his mother applied to have her home fixed about four years ago so the city would have all her information; and Council Member Edwards stated that they did not require bank account or pin numbers and she was sorry his mother was having problems, but she was not sure it was correct to say Housing was the cause. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Winters stated that he was not present on home repair today, but he thought someone in home repair was doing something to his mom; that he did not think it was Mr. Wilson, but it was someone; and Council Member Quan stated that he would follow-up with Judge Guerra. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that when you went to a public forum and accused a department of tampering, it was a serious charge and she would suggest he set an appointment with Mr. Wilson; and her office would be happy to help. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Douglas Nichols, 2418 Broad, Houston, Texas 77521 (No phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Maria Martinez, 7615 McHenry, Houston, Texas 77087 (713-643-3870) appeared and stated through her translator, Ms. Cecelia Leja, that she had asked the school to fix restrooms in the ROTC as they had no water or drainage and they needed a restroom; that without one it

was a problem, it was traumatizing; that also parents were concerned with security as many were allowed inside; that they were told their concerns were with maintenance and they talked to them also but no one heard them and they were told they would not be able to attend the meetings again; that also they rushed students to eat so all would be able to use the cafeteria; that there was a youth group and the director was Ms. Barbara Ramirez and she mistreated a student physically and psychology and also humiliated the boys. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that Ms. Martinez had stated there were no bathrooms in the school, and that in the ROTC they had no bathrooms or sewers and now they had made it mandatory for two years. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he would suggest the Mayor's Office check and see if they were in compliance with Code and if not have them make a correction, but he had been to the school several times and knew they had regular restrooms through the facility, but would check. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Rosa Salas, 8014 Keller Street, Houston, Texas 77012 (713-242-6649) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Maria Torres, 2424 Wilshire, Houston, Texas 77023 (713-923-9776) appeared and stated in Spanish that she was a parent that had been at Raul Yizaquierre School for 8 years, that she had believed in the concept of the Primary, Secondary and Preparatory, that after many years the directors had asked for their confidence to offer them a better place than HISD, but after the years everything just stayed as a promise and they were present to ask for better teachers and certifications, better treatment of the students, a library and books, a laboratory and a better education, that she believed that after 8 years it was justified to give to the children what they deserved, they wanted to be in competition with any school in Houston and wanted their school to be the best, and they needed help. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Khan, Mayor Pro Tem Alvarado stated that the state was over the charter schools and the city had no jurisdiction. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Lionel Alexander, 7931 Booker, Houston, Texas 77028 (713-673-4765) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Mary Pruitt, No address (No phone) appeared and stated that she was present as Mr. Etuk wanted her to move when she had done nothing wrong; that she applied for Section 8 Housing and she was told she owed \$66.76 and she did not see how and they had her merchandise and she still needed a place for her and her kids to stay. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that it had been a long time since he had seen her and he would follow-up with her and speak with Mr. Etuk and see what happened; and upon questions, Ms. Pruitt stated that she was working and lived with her daughter off and on; and Council Member Quan stated that over the last four years he knew her plight and he did not think she could get an apartment at this time but could get her things; that he would contact the Coalition for the Homeless and see what could be done; and she could go by his office in the Annex today and he would speak with her. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Carmen Baeza, 7346 Dixie, Houston, Texas 77087 (713-643-8520) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, 1122 Sol Street, Houston, Texas 77029 (713-649-3985) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Betty Ross, 8500 Nairn #112, Houston, Texas 77074 (281-222-5219) was recalled and appeared and stated that she thanked Council Member Quan for helping her to get back in her house when they had locked her out; that she went to volunteer in New Orleans, she took a family in her cab at her expense and words could not express what she saw, but on the way back she had a flat a sat a long time on the freeway; that she spoke with their Mayor about accepting her as a volunteer and she wanted to be a teacher if she could get a teacher's certificate; that Monday she received a ticket for no hubcap on her taxi and she thanked the City Secretary for assisting her with that; and she also had a residence at 5606 Hickman, it was her business and Council Member Edwards took the address down last summer, but it was vandalized; that she let evacuees stay there and only asked that they help renovate it. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she would like her to leave information with Ms. Dillard and her office would contact her. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Benita Williams, 470 Maxey Road #805, Houston, Texas 77013 (713-445-2116) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

Mr. Ralph Sikes, 2205 South Blvd., Houston, Texas 77098 (713-528-7828) appeared and stated that barking dogs was revisited last week and people were not sure what could be done, but he would suggest that Council consider changing ordinances and allow officers to write the tickets when the owner was not present similar to tickets for trash offenses; and they should give Neighborhood Protection the funding and resources to deal with ongoing situations with animals creating problems in neighborhoods; and properly planned density should enable the city to provide services to all property owners more efficiently than before, the redevelopment increased the tax base so why did the city not have money to pickup trash or hire someone

to do it for them. Mayor White, Council Members Lawrence, Galloway, Goldberg, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

At 4:20 p.m. City Council recessed until 9:00 a.m., Wednesday, October 19, 2005. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Mayor White, Council Members Lawrence, Galloway, Goldberg, Khan, Holm, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, October 19, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, October 19, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, M. J. Khan, Pam Holm, 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. Council Member Addie Wiseman absent due to being ill. Council Member Adrian Garcia out of the city on city business.

At 8:42 the City Secretary read the descriptions or captions of items on the Agenda.

At 9:30 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 Khan, Holm and Alvarado absent.

HEARINGS

The City Secretary stated that there were two speakers who had reserved time, and would advise 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 Khan, Holm and Alvarado absent.

1. PUBLIC 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 - 9:00 A.M. – was called.

Mr. Jack Terence, 2808 Morrison, Houston, Texas 77009 (713-861-1991) appeared and stated that he believed the tax rate could be substantially lower if everyone paid their fair share, that homesteads went up at least 10% per year and many non homestead residential properties went up substantially, that he owned the property next door to his homestead and it was on the

tax rolls for \$160,000 and the Harris County Appraisal Board wanted to increase it from \$160,000 to \$535,000, that four years ago he bought two old houses on North Main for \$115,000, the tax people told him now that it was worth \$350,000, that when they looked at commercial properties they went up little or nothing, for example the Houston Chronicle owned the old Houston Post facility on the Southwest Freeway and 15 years ago that land value was at \$15.00 a square foot and today it was on the tax rolls for a lousy \$8.50 a square foot, that he would dare say if the Chronicle wanted to sell that land they could get \$50 or \$60 a square foot for it, that many other properties owned by the Houston Chronicle were not increased even 10% like homesteads were, they stayed the same year after year, why did they not hear about it, because the Chronicle had an interest in it, the television stations did not point out taxing equalities among the residential people because their land values did not change, that Channel 11 on Allen Parkway, the most scenic part of Houston, their land values at \$20.00 a square foot had not increased in five years, that Channel 13 out on Bissonnet, which the residents out there paid substantial taxes for high land valuation yet Channel 13 land valuation was \$20.00 a square foot and had not been changed in at least five years, that Channel 2 on the Southwest Freeway, their land value on the tax rolls was only \$6.00 a square foot and had not been increased in 5 years, that why was it that residential homesteads went up 10% a year, residential other properties, which were not homestead could go up hundreds substantially yet the best buildings downtown and other buildings stayed the same or reduced, there were many structures downtown on Main Street, for example Foleys Department Store, their building was on the tax roll for less than \$4.00 per square foot, it did not go up, but yet dilapidated houses would be on the tax rolls for \$30.00 or \$40.00 a square foot. Council Members Alvarado and Green absent.

Upon questions by Council Members, Mr. Terrance stated that the City Council should do something about it, they were the fourth largest City in the Country and they did not have any influence, he thought it was their duty to make sure that everybody in Houston paid their fair share, that it was unfair, why did the Chronicle get a free ride year after year, that he had not presented his argument to the Commissioners Court. Council Members Quan and Green absent.

Mr. Paul Bettencourt, 1001 Preston, Houston, Texas 77002 (713-368-2010) appeared and stated that he would ask Mr. Terrance's question when he went to the Appraisal Board meeting, specifically about the property he mentioned, that he wanted to give them a chance to comment about the information he sent to both Mayor White and the Council Members about the status of what was happening to the average home in the Houston area on their tax bills, specifically the calculations that they gave to the City Council as well as Commissioners Court and the other taxing jurisdictions involved indicated that there was approximately a 7.5% increase in the average Houston home tax bill this year, that when they broke it down they could see that the average increase was really predominately driven from appraised value increases, in that analysis there was about a net two cent increase in tax rates due to the addition of tax rate at the Houston Independent School District and specifically it was a common practice due to the fact of what was commonly referred to as Robin Hood, which was what he called robbing the hood, because as appraised values rose the State sent less money to the local school districts, not dollar for dollar, but certainly a big portion of it, that when they looked at the increases over the last eight years the average tax bill in the Houston area had risen 118% from about \$1,550.00 to over \$3,300.00 now, the attached graphs that he gave them showed those average tax bill increases as well as on page two of the information they sent they graphed the amount of tax revenue the City received for a penny of tax rate and that had approached \$11 million per penny, and in 1997 that was slightly less than seven, so they were seeing about a 58% increase in effectively the per penny revenue collection due to appraised value growth, that when they looked an overall tax levy the overall tax levy that they calculated now was about 3.7% up for the City of Houston, the earlier speaker mentioned a really major problem, the State Legislature had not only failed to address property tax relief or school finance reform over several sessions now but they had also stripped out all of the calculations that used to show up in the public notices that described the value of home increases over time, it was a really

retrograde step that the Legislature made and it effectively made truth in taxation worthless from a public viewpoint because they did not get any knowledge of their tax increases prior to the vote and that was something that needed to change and he hoped to have their assistance in that at the Legislature, that the problem with those type of changes was that it made it really impossible for the public to be able to get accurate information, the timing of those hearings was always difficult for people who were working, but that was a very poor piece of Legislation that passed and they attempted to get it vetoed and unfortunately that failed as well, that what he would suggest was any relief for the taxpayers that they could grant was important due to the fact that home values were simply going to increase year after year, the increase of 7.5% was very close to being able to double the average tax bill yet again, in another 8 years the Rule of 72 was the logic behind that, so here he was trying to speak for the homeowners because unfortunately there were not a lot of advocates for them in the system. Council Member Green absent.

Upon questions by Council Members, Mr. Bettencourt stated that the average homeowner's increase in Houston had been 118% for the past 8 years, that the City was historically the lower end of the increase, it was approximately half of the increase from the education units, that obviously the City had reduced their tax rate in the past so there had been a little relief from that effort, that they did not collect for HISD and mathematically the difference was, over the last 8 year cycle, the City's per penny piece of revenue on the levy had gone up about 7.25%, for the County it had gone up about 8% and of course for HISD it was substantially higher due to the fact they put on rate increases as well, that the shift in the tax roll to residences to businesses had been a 23 year phenomenon in the State of Texas, that it was happening from the Rio Grande to the Red River, for the first time in 2003 the amount of residences appraised value exceeded the amount of all businesses in the State, that in Harris County the shift was even more pronounced, they had now had two years of appraised value where the residences, which included apartments, was approximately 51.5% of the tax roll and was due to several factors, but the obvious micro factor that occurred was that they had record low interest rates, which had driven up home values, the second obvious factor was that every business, nearly, protested their value in a two or three year cycle, and unfortunately they were paid on the bottom line so they got very good performance in their hearings which were then backed up by District Court, Appellate Court and in some cases Supreme Court decisions and in one case they nearly had a refinery valued at salvage value as a result, so case law was strongly in the favor of businesses and unfortunately that trend would continue, they had record protests this year of 203,000, which were a lot of businesses, because the Appraisal District raised business values substantially this year as part of the public policy issue and it was going to continue, they would have to get Legislative relief; that he was present to ask that they lower the tax rate. Council Member Green absent.

After further discussion by Council Members, Council Member Galloway moved to close the public hearing, seconded by Council Member Edwards. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Council Member Green absent. MOTION 2005-0994 ADOPTED.

MAYOR'S REPORT

Council Member Edwards moved to suspend the rules to consider Item Numbers 36, 29 and 37 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-0995 ADOPTED.

36. ORDINANCE issuing permit to VALERO LOGISTICS OPERATIONS, L.P. to own, acquire, construct, operate, maintain, improve, repair, and replace pipelines in certain portions of specified public street rights-of-way and prescribing the conditions and provisions under which said permit is issued - DISTRICT D - EDWARDS – (This was Item 29 on Agenda of October 5, 2005, POSTPONED BY MOTION #2005-962) – was presented.

Council Member Edwards stated that she wanted to thank Ms. Chaney from Valero for visiting their office and coming to the Rules and Regulations Committee meeting, that she appreciated and applauded Valero's work but still had concerns about pipelines in the City of Houston, one she rejected the argument that they could not let at least Council or the City know how many pipelines they had in the City and where they were because of terrorists, that before 9/11 she could not find where they had an accurate count of pipelines, that she was not asking for anything that was high security but thought the City had the responsibility of knowing how many pipelines were in the City and where they were, that she did not think that information needed to be available to any and everybody but thought it needed to be available at least to the City, that she was told that was one of the arguments that was presented as to why they did not have the information, that she did not have a person's name; that the other issue she would like to have was a map clearly defining, in District D, where the pipelines were, and would like to encourage to have a process or policy that when a pipeline went from inactive to active that at least Public Works would be notified and then they could notify the district Council person so the appropriate communications could be made, that she wanted to thank Ms. Chaney and Valero for working with their office on the issue; that the other issue that came out of the conversations was the impact of flooding on pipelines, that there had been several incidences in the State of Texas regarding pipelines exploding with flooding being the cause of it, that she had asked Public Works to give them a kind of analysis of what they thought was going on in Houston and would appreciate that, and would thank them again, Mr. Boxley in particular for working with them on the issue.

A vote was called on Item No. 36. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1153 ADOPTED.

29. ORDINANCE approving and authorizing contract between the City of Houston and COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY, providing up to \$121,000.00 in Community Development Block Grant Funds for the Operation of a Homeless Services Database and the provision of other Homeless related Information Services - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1154 ADOPTED.

37. 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 – (This was Item 13 on Agenda of October 12, 2005, TAGGED BY COUNCIL MEMBERS HOLM, LAWRENCE, QUAN and GALLOWAY) – was presented.

Council Member Holm stated that she tagged the item last week because she was questioning the funding of the program and wondered why they did not look into CDBG funds so that they could maximize and capitalize on all of their programming and secondly if they took it from the General Fund she was fine with Mr. Williams prioritizing it but would just like to know what the line item was that was being changed and what they were lowering in priority and she still had not gotten the answer, that the basic response was that it was money they found.

Mayor White stated that on the first issue there was a commitment that they had to maximize the utilization of the CDBG funds, that those funds on non capital expenditures were very limited, that on the second item, she made a good point and he would commit to her that they would both get some information about what account and where it came from, that he had addressed yesterday that there had been some reorganization within the Health Department that did involve some people no longer having their jobs and other people being hired in order to

maximize the effectiveness of the people.

Council Member Sekula-Gibbs stated that many time she had asked for increased funding in the Health Department, but did not see the item as being increased funding for specifically the Health Department, that she had not had the chance to read the memo that Mayor White had just discussed about job reorganization in the Health Department, that she had a lot of questions and had a chance to meet with Mr. Williams and appreciated his time, but she still had a lot of questions, in particular why was the City funding one school in HISD for a program that they already got grant money from and which already provided these types of services through the school, were they pulling away from the focus which was to provide health services through clinics and the multi service center process, that she did not see enough backup to say that it was the right way for them to go, that she would like to see some more evidence that they were maximizing their General Fund dollars, that she would like to know more before she would approve this type of project, that the County's portion of the program seemed to be unclear as well, that it was all going to 50 families targeted in one school versus accessible to the whole area and all the citizens, it seemed like a department from what was their mission.

Council Member Goldberg stated that within the body of the RCA it stated that the agreement would be renewed automatically for another year as long as the funding was allocated, did it mean that it would not come back to Council anymore, if it was automatically renewed would it still come back to Council next year, and Mayor White asked Mr. Michel to respond, and Mr. Michel stated that he was not sure but would find out. Council Member Alvarado absent.

Council Member Galloway stated that when many meaningful projects come before Council that affect District B persons try to sabotage the program, that Item No. 37 had been worked on extensively and was not something that just popped up and it was not like they were allocated \$160 million for a program, that it was a meaningful project that was going to be housed at that particular school, that they had to understand the entire community and know the importance of a program like this, that she did not understand why they had to, as a Council, micro manage something that had already been laid out, every area had been defined by the committee and the school itself had worked on it along with the Health Director to get the funding source, that it had nothing to do with any multi purpose center being built, that this project had to do with keeping the boys and girls in school at Kashmere as well as the families that do not have the expertise in supporting the young people that were in that area, that it was a crucial program that needed to be implemented in the particular school, that they had to go into the community and school and see what was going on in order to understand, they had many teen pregnancies at the school, they had a nursery at the school, they were trying to keep the young people at school, that it was one of the schools where they walked to knock on doors to get kids back in school because of the drop out rate so they had a lot of problems in the area, that she would urge her colleagues not to delay the item, to support the item if they were going to help families and kids. Council Member Ellis absent.

Council Member Edwards stated that she was not really clear why they had such a hard time spending money on their youth in the City, that they talked about the gang problems and teenage pregnancy problems and the high school dropout problems, not only at Kashmere, but throughout the City, that they could not get the State to spend any money on the children or get the County or anyone else, that if the Astros win they were going to spend \$160,000 on confetti for the parade, that their children deserved more and if the program needed to be managed then let the program get started and then manage it, that Mr. Williams had always been open to meeting with Council Members regarding issues, that he would ask them to support the issues.

Council Member Khan stated that he did not understand that on the RCA they were spending \$160,000 but more than 50% was going for hiring two people and they had to hire two people to serve 50 family's for the year, if they were going to spend money then they should spend some serious money and hire people to help 500 families, that he did not know if it was

really the most cost effective way of doing it.

Council Member Berry stated that he would suggest that if it was this issue or the next, to question what an expenditure of money did not make somebody a bad person, that was their very job, that he thought that any program worth spending the taxpayers dollars was a program that could hold up to any Council Member asking a question or two, that he knew that Council Member Galloway was frustrated because he drove to District B and asked why could they not fix the problems and it was not her problem, it was a long term trend that she had worked very hard to fix, that he wanted to say that they worked real hard in this administration and in this term to get along and it was nice to get along and thought that they could have amiable disagreements without being disagreeable.

Council Member Goldberg stated that he had the contract in front of him and wanted to make an amendment under V. B titled, Renewals, where it said "agreement will automatically renew for one year term", that the amendment would be to take out the "automatically" and read "this agreement will, subject to approval of City Council, renew for a one year term", on the same terms and conditions, seconded by Council Member Galloway.

Mayor White stated that the administration did not oppose the amendment.

A vote was called on Council Member Goldberg's motion to amend Item No. 37. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-0996 ADOPTED.

After further discussion by Council Members, Council Member Sekula-Gibbs stated that she supported the amendment but just because it would come back to Council did not necessarily mean that they were going to get the information on the project that they needed and would like to request that they get some significant follow up data on the actual success of the program and the optimum utilization of the funding and what kind of impact the ongoing diversion of funds from the core mission of the Health Department was having on the Health Department.

After further discussion by Council Members, Council Member Galloway moved to call the question, seconded by Council Member Green; and Mayor White advised that no one remained on the list to be heard and to call the question was not necessary.

A vote was called on Item No. 37 as amended. Council Member Sekula-Gibbs voting no, balance voting aye. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1155 ADOPTED AS AMENDED

CONSENT AGENDA NUMBERS 2 through 34

ACCEPT WORK - NUMBERS 4 and 5

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$69,288.00 and acceptance of work on contract with INTEX UNITED, INC for 611 Walker Graphics, GFS W-Q103-01-3 - 00.50% under the original contract amount DISTRICT I - ALVARADO - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-0997 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$642,700.29 and acceptance of work on contract with UTILITY & ENVIRONMENTAL SERVICES, INC for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-C1-3 (4277-13) - 06.55% under the

original contract amount - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-0998 ADOPTED.

PROPERTY - NUMBER 6

6. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels KY5-009, owned by Flat Stone II, Ltd., a Texas limited partnership and KY5-058, owned by Cockrell Resources, Inc., et al., for the GREENSPPOINT WATERLINE EASEMENTS PROJECT from North Sam Houston Parkway West to Aldine Bender Road, CIP S-0900-A4-3 DISTRICT B - GALLOWAY - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-0999 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 11A

7. WILSON FIRE APPARATUS & EQUIPMENT for Safety and Rescue Equipment through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative - \$214,877.73 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-1000 ADOPTED.
8. ABACUS DIAGNOSTICS - \$46,980.00 and MILLIPORE CORPORATION - \$38,661.00 for Forensic Chemicals and Test Kits, Part II Contract for Police Department - General Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-1001 ADOPTED.
9. PHILPOTT MOTORS, LTD. for Special Response Group Command Center Vehicle through the Interlocal Agreement for Cooperative Purchasing with the Texas Local Government Purchasing Cooperative for Police Department - \$529,467.00 - Grant Fund - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-1002 ADOPTED.
10. RECOMMENDATION from City Purchasing Agent relative to Chemical, Aqua Ammonia Contract for Department of Public Works & Engineering:
 - (1) Award to SOUTHERN IONICS INCORPORATED in an amount not to exceed \$865,350.89 - Enterprise Fund;
 - (2) Approve payment to SOUTHERN IONICS INCORPORATED in an amount not to exceed \$50,476.76 for Emergency Purchase - Enterprise Fund; and
 - (3) DECLARE EXODUS R.J. non-responsible for a 36-month period due to failure to deliver per its contract agreement - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-1003 ADOPTED.
11. ORDINANCE appropriating \$30,000.00 out of Solid Waste Consolidated Construction Fund for Design, Installation and Project Management of Two Emergency Backup Generators and Ancillary Equipment for the Southwest and Southeast Service Centers, CIP L-0070 – was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1156 ADOPTED.

- 11a. HUNT AND HUNT ENGINEERING for Design, Installation and Project Management of Two Emergency Backup Generators and Ancillary Equipment for the Southwest and Southeast Service Centers, CIP L-0070 - \$24,575.00 and contingencies for a total amount not to exceed \$30,000.00 - was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-1004 ADOPTED.

ORDINANCES - NUMBERS 16 through 34

16. ORDINANCE approving and authorizing contract between the City of Houston and FORT BEND COUNTY relating to Joint Elections to be held on November 8, 2005 and possible subsequent Run-Off Election; providing a maximum contract amount - Not to exceed \$60,000.00 - General Fund – was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Mayor White absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1157 ADOPTED.
17. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Ohsfeldt Street, containing 14,261 square feet of land, more or less, Parcel SY2-058; being located in the Henry Reinerman Survey, A-644, Houston, Harris County, Texas, vacating and abandoning Parcel SY2-058 to Memorial Hermann Hospital System, abutting owner in consideration of owner's dedication of a water line easement and owner's payment of \$88,628.00 and other consideration to the City - DISTRICT H - GARCIA – was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Mayor White absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1158 ADOPTED.
23. ORDINANCE amending Ordinance No. 2003-467 to increase the maximum contract amount to contract Parking Agreement between the City and HCPA SERVICES COMPANY for certain City Employee Parking in the Hobby Center Garage - 3 Years - \$1,710,225.00 - General, Enterprise and Other Funds – 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 absent. Mayor Pro Tem Alvarado presiding.
34. ORDINANCE appropriating \$2,411,707.20 out of Parks Consolidated Construction Fund, awarding construction contract to the GONZALEZ GROUP, LLC for Construction of Northline Park and Greenwood Park Pool Facilities, GFS F-504B-12-3, F-504B-06-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; providing funding for engineering and testing services, construction management and contingencies relating to the construction of facilities financed by the Parks Consolidated Construction Fund - DISTRICTS B - GALLOWAY and E - WISEMAN – was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Mayor White absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2005-1159 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS - NUMBERS 2 and 3

2. REQUEST from Mayor for confirmation of the reappointment of the following to the PLANNING COMMISSION, for terms to expire September 30, 2007:

Position Two - MR. RICHARD A. RICE
Position Three - MR. JAMES R. JARD
Position Seven - MR. DAVID L. COLLINS
Position Eight - MR. JOHN W. H. CHIANG
Position Fourteen - MR. B. J. WALTER
Position Nineteen - MR. JON N. STRANGE

- was presented, moved by Council Member Khan, seconded by Council Member Quan. Mayor White absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that he wanted clarification, that he had heard some talk that people on the Planning Commission would not be allowed to also sit on the board of a TIRZ or a management district and in reviewing the resumes of some of these he had noticed that there was and just wanted clarification of the policy on that. Council Member Galloway absent.

After discussion by Council Members, Mayor White stated that they were going to try to avoid that, that there was a breakdown in the process because he was not aware of that, that he thought it was a good point that they should avoid the duplication, and Council Member Lawrence stated that maybe something in writing to all of the people on the board of what the requirements that they wanted them to have and not have a conflict. Council Member Galloway absent.

A vote was called on Item No. 2. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Mayor White absent. Mayor Pro Tem Alvarado presiding. MOTION 2005-1005 ADOPTED.

3. RECOMMENDATION from Director Human Resources for Medicare Advantage Plans for 2006 on contracts with TEXANPLUS and TEXAS HEALTHSPRING for Medical Coverage to eligible city retirees - was presented, and tagged by Council Member Green. Council Member Galloway absent.

Council Member Sekula-Gibbs stated that the amendment that they passed about eight months ago requested and expected that the contract for the Medicare Advantage plans would be back at City Council for a review and she appreciated the fact that it was back, that she had some concerns about the fact that they did not have any other companies that had come in to offer services for their retirees and employees who were Medicare eligible, that she had looked at what other companies would be eligible to offer their employees and retirees some service in the Medicare Advantage Plan, that after talking to the Texas Department of Insurance and other individuals there were at least two company's that would be eligible to participate and they were Ever Care of Texas and also Elder Health of Texas, that she would request that the Health and Human Services Department offer the opportunity, which they discussed at the Council table at some length before the amendment passed, to participate, that she did not think it had happened, that she would add her tag to Item No. 3.

After further discussion, Council Members Galloway, Khan and Quan requested that their tag be added to Item No. 3.

ORDINANCES - NUMBERS 12 through 34

12. ORDINANCE AMENDING ARTICLE XVII OF CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS, relating to Residential Parking Permits – was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1160 ADOPTED.
13. ORDINANCE authorizing the issuance of City of Houston, Texas, Certificates of

Obligation, Series 2005D; prescribing the terms and form thereof; providing for the payment of principal and interest thereon; awarding the sale of the certificates and authorizing execution of a Purchase Contract; authorizing the purchase of a policy of Municipal Bond Insurance; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the certificates; making other provisions regarding such certificates and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement, Co-Bond Counsel Agreement and Special Disclosure Co-Counsel Agreement; and declaring an emergency - was presented.

Council Member Sekula-Gibbs stated that the continued move to purchase rather than lease the HEC center and to continue all of the projects associated with the HEC center seemed to have momentum that was going to take it to conclusion, but thought there were a number of citizens who were concerned about it, particularly from the point of view of the tower, that she would like to know if by issuing the bonds and purchasing the HEC center did that de facto mean that they were going to then have to place the tower that so many citizens were worried about because of its size and potential negative impact on their home values, and Mayor White stated that if they wanted to close down the HEC center and spend tens of millions of dollars of taxpayers money and start canceling capital projects and libraries and parks and everything like that and build a new one some where else he did not think they were going to do that anytime soon, and the merits of the tower, and he did not know exactly the status, but the best thinking of the professionals in the field was that they needed the tower to improve the public safety communications and they worked at great length to see that it could be located in the vicinity of the facility to mitigate an impact on the neighborhood, that it had been delayed because they wanted to take into account citizens concerns.

Council Member Goldberg stated that he was going to vote "no" and wanted the record to reflect it was for the reasons that he had previously stated.

Council Member Green stated that he was supportive of the bond issuance but had a question and wanted to meet with somebody about how they chose their senior managers on the bond issuance, that it may not be germane to just this item but wanted to get a feel for the process.

A vote was called on Item No. 13. Council Members Goldberg and Sekula-Gibbs voting no, balance voting aye. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1161 ADOPTED.

14. ORDINANCE authorizing issuance of City of Houston, Texas, Public Improvement Refunding Bonds, Series 2005E; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; awarding the sale of the bonds and authorizing execution of a Purchase Contract; authorizing the purchase of a policy of Municipal Bond Insurance; ratifying the use of a Preliminary Official Statement and authorizing the preparation and distribution of an Official Statement to be used in connection with the sale of the bonds; authorizing the defeasance of certain outstanding obligations, the execution and delivery of an Escrow Agreement, the purchase of and subscription for certain securities and the use of certain funds related to the obligations to be defeased; authorizing Escrow Verification; making other provisions regarding such bonds and matters incident thereto; authorizing execution and delivery of a Paying Agent/Registrar Agreement, a Co-Bond Counsel Agreement and Special Disclosure Co-Counsel Agreement; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1162 ADOPTED.
15. ORDINANCE supplementing the City of Houston, Texas Master Ordinance providing for the issuance of Combined Utility System Revenue Obligations to authorize one or more

Qualified Hedge Agreements with respect to certain Outstanding Combined Utility System Bonds and related agreements; making other provisions incident thereto; and declaring an emergency - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1163 ADOPTED.

18. ORDINANCE consenting to the addition of 9.30 acres of land to HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 71, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1164 ADOPTED.
19. ORDINANCE consenting to the addition of 227.75 acres of land to HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 165, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1165 ADOPTED.
20. ORDINANCE approving and authorizing Resolution and submission of a grant application, in substantially the form attached hereto, by the Parks and Recreation Department to the Texas Forest Service for participation in the Urban Forestry Partnership Program and authorizing the Mayor to sign the Resolution - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1166 ADOPTED.
21. ORDINANCE approving and authorizing contract between the City and JOHN HALL PUBLIC AFFAIRS, INC for Consulting Services related to the Implementation for the Federal Clean Air Act; providing a maximum contract amount - 1 Year with two one-year options - \$378,000.00 General Fund - was presented.

Council Member Lawrence stated that he applauded the job that Mr. John Hall did but in two years she had never gotten a report or any information on it and wanted to tag the item and get a little follow up, that maybe at Regulatory Affairs for Mr. Hall to come and talk about the job he was doing, that he had been with the City for 10 years and she could not find any information, that if they were paying him \$120,000 to at least give them some kind of report, that maybe they needed to be cross training and in 10 years some one from the City should be able to do that, that she had a lot of questions and would like to have considered and Mayor White stated that it was a reasonable request.

Council Member Sekula-Gibbs stated that she also wanted to request from the administration a complete summary of the money that had been paid to Mr. Hall and any of their affiliates since the beginning of the contract and relationship with that firm and she too would like a report of what those services had brought to the City.

Mayor White stated that he had been trying hard, for the very reasons they had indicated, to do some more "in house" and one of the impediments that they had was that generally the people that they would have to hire that had the multi disciplinary experience were making about 5 to 10 times more than a City department head.

22. ORDINANCE approving and authorizing contract between the City and CROWE CHIZEK AND COMPANY LLC for Consulting Services related to assessing Jail Processing Costs and a potential joint facility with Harris County; providing a maximum contract amount - \$54,650.00 General Fund - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1167 ADOPTED.
24. ORDINANCE approving and authorizing City of Houston to enter into contract with A. G. ROBERT'S REALTY for Inspection and Valuation Services to be performed at

various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$50,750.00 CDBG Funds - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1168 ADOPTED.

25. ORDINANCE approving and authorizing City of Houston to enter into contract with CONSTRUCTION ANALYSTS AND ASSOCIATES, INC for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$51,875.00 - CDBG Funds - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1169 ADOPTED.
26. ORDINANCE approving and authorizing City of Houston to enter into contract with the NELROD COMPANY for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$52,500.00 - CDBG Funds - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1170 ADOPTED.
27. ORDINANCE approving and authorizing City of Houston to enter into contract with SPECIALTY HOUSING AND ASSET MANAGEMENT OF TEXAS, INC for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$53,500.00 - CDBG Funds - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1171 ADOPTED.
28. ORDINANCE approving and authorizing City of Houston to enter into contract with SUNLAND ENGINEERING COMPANY DBA SUNLAND GROUP for Inspection and Valuation Services to be performed at various Multi-family Rental Housing Projects previously assisted with Federal Grant Funds - \$52,875.00 - CDBG Funds - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1172 ADOPTED.
30. ORDINANCE amending City of Houston Ordinance No. 2005-607, passed on May 11, 2005, which approved and authorized submission of the 2005 Consolidated Plan and the Grant Applications for the 31st Year Community Development Block Grant ("CDBG") and the Home Investment Partnerships Grant, among others - was presented.

Council Member Quan moved to amend Item No. 30 as follows:

"Amend the proposal to restore the \$500,000.00 to Economic Development and two \$250,000.00 demonstration programs on down payment assistance for Houstonians deleting the \$1,000,000.00 allocation for Rita and Katrina Evacuees at this point", seconded by Council Member Khan.

Council Member Alvarado stated that she would tag both Council Member Quan's amendment and Item No. 30, and Council Member Sekula-Gibbs stated that she would tag the amendment.

- 30a. ORDINANCE approving and authorizing contract between the City of Houston and the EDUCATIONAL PROGRAMS INSPIRING COMMUNITIES, INC to provide \$266,869.00 in Community Development Block Grant Funds for the Administration and Operation of the H.E.A.R.T. Demonstration Program, which is a program that will provide job training and placement for developmentally disabled low and moderate income individual adults - was

presented, and tagged by Council Member Alvarado.

31. ORDINANCE awarding and authorizing contract between the City of Houston and DC SERVICES L.L.C., for Communications Technician Services for the Information Technology Department; providing a maximum contract amount - 3 Years with two one-year options - \$3,643,625.00 General Fund - was presented, and tagged by Council Members Goldberg and Quan.
32. ORDINANCE appropriating \$3,700,000.00 out of Houston Airport System Consolidated 2000 AMT Construction Fund (530); authorizing the purchase of a Conservation Easement on 915 acres of land in the R. N. Davis Survey, A-161, Montgomery County, Texas, CIP A-0475.04.1; approving a conservation easement purchase and sale agreement with Charles Alderton Bahr, owner of the land, and Legacy Land Trust, as holder of the conservation easement - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1173 ADOPTED.
33. ORDINANCE appropriating \$222,695.15 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Professional Engineering Services Contract between the City of Houston and OMEGA ENGINEERING, INC for Design of Park Row Paving from SH 6 to Eldridge Parkway (approved by Ordinance No. 02-0318), GFS N-0723-01-2 (SB9090); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - DISTRICT A - LAWRENCE - was presented. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. ORDINANCE 2005-1174 ADOPTED.

NON CONSENT AGENDA - NUMBER 35

MISCELLANEOUS

35. MOTION to set a date not less than seven (7) days from October 19, 2005, to receive nominations for the City of Houston representative of the HARRIS COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS - was presented.

Council Member Khan moved to set Wednesday, October 26, 2005, to receive nominations for the City of Houston representatives of the Harris County Appraisal District Board of Directors, seconded by Council Member Quan. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-1006 ADOPTED.

MATTERS HELD - NUMBERS 36 through 39

38. RECOMMENDATION from Director Department of Public Works & Engineering that City Council declare surplus and authorize the sale of Parcel S95-053, and authorize the City Secretary to advertise the property for sealed bid sale to the highest bidder at the minimum appraised bid amount - APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER DISTRICT C - GOLDBERG - (This was a portion of Item 30 on Agenda of October 12, 2005) - was presented.

Council Member Goldberg stated that he passed out some pictures of what was put on the list for surplus property and it was just one piece of the puzzle of what was wrong with the Real Estate Division in Public Works, they had been working on trying to sell surplus property for few years now, they came up with 17, that he looked at the property and said something was wrong, maybe the address was wrong and a month ago he notified them and they said no, that it was surplus property and as late as last week, when he asked that the item be delayed he was still

getting an email saying that they found no evidence of improvements on the property, that the picture was of a working lift station and if they went by there they could hear the noise, it was working, how could they work on a property for over a year and say it was surplus and they should abandon it and it was a working lift station, that in the Real Estate Division it took a year to get a street abandoned and it should not, that he then got a email saying that the item on the agenda was really not for conveying the property, it was just to appoint appraisers, why were they wasting their time appointing appraisers if it was not for conveying the property.

After further discussion Council Member Goldberg moved to refer Item No. 38 back to the administration, seconded by Council Member Ellis.

Mayor White stated that if somebody was trying to sell something, like a lift station, and thought that the Mayor's time and Council Member Goldberg's time was of so little value that they could just put those things on and say they were selling surplus property without knowing what was on the property then they had a very serious management property and he was going to remedy it, that there would be accountability, that he supported the motion to refer back. Council Member Quan absent.

A vote was called on the motion to refer Item No. 38 back to the administration. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. MOTION 2005-1007 ADOPTED.

39. 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 33 on Agenda of October 12, 2005, POSTPONED BY MOTION #2005-988) - was presented. Council Member Quan absent.

Council Member Galloway moved to postpone Item No. 39 for two weeks, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Wiseman absent due to being ill. Council Member Garcia out of the city on city business. Council Member Quan absent. MOTION 2005-1008 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Goldberg stated that earlier in the week the Regulation Planning and Development and Planning Committee looked at trying to beef up the ordinance regarding commissaries issuing receipts for vendors that did not show up with their mobile units and they voted and it was passed and the committee was asking the Legal Department to come up with a change in the ordinance within the next two or three weeks and they would try to have a meeting at that time and hoped they could do something, that the Health Department was in agreement with it also.

Council Member Goldberg stated that Mayor White did a lot of work on the hurricane relief effort and they got thanks from all over, out of town and nationwide and he wanted to acknowledge that they had gotten mugs that said "Thank You Houston For Showing the World That No Hurricane Was Bigger Than the Human Heart", that they were from the Anti Defamation League and the Coalition for Mutual Respect, that he wanted to make sure Mayor White knew about it because he led the way and showed the leadership, he and the County Judge, that a lot of them did what they could but it came from the top down.

Council Member Goldberg stated that they were only 27 outs for the win and this time they were going to get that last one out so go Astros.

Council Member Edwards stated that she would like to commend the Council for the work they were doing and would like to suggest that as they looked toward the next year and the round of committees that they have a committee that dealt with youth activities in the City, from health issues to education issues. Council Members Galloway and Green absent.

Council Member Edwards stated that she wanted to thank Mr. Boxley in Public Works for all of his assistance that he gave them on the Valero issue. Council Members Galloway, Green and Berry absent.

Council Member Lawrence stated that she wanted to invite everybody to a townhall meeting, that it would be on gangs and graffiti, that she and Representative Bohac were putting it on at Spring Woods High School. Council Members Galloway, Khan, Green and Berry absent.

Council Member Lawrence stated that a young athlete that they had recognized before, Ms. Nia Abdula, who lived in District A, that she worked very hard and got on the Olympic Team and came in second, the first lady to place in the Olympics in Tai Kwan Do and now she was being inducted into the Hall of Fame for Black Belt, that she wanted to congratulate Ms. Abdula. Council Members Galloway, Khan, Sekula-Gibbs, Green and Berry absent.

Council Member Alvarado stated that she wanted to congratulate a few of her colleagues, that the Bay Area Houston Economic Partnership was honoring Council Members Berry, Goldberg, Sekula-Gibbs, Wiseman and Mayor White. Council Members Galloway, Khan, Sekula-Gibbs, Green and Berry absent.

Council Member Alvarado stated that she wanted to encourage the Houston fans to believe in the Houston Astros, that she knew they were going to prevail. Council Members Galloway, Khan, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that on the certain miscellaneous items they may be looking at adopting a private sector practice, where they had surplus property. Council Members Galloway, Khan, Green and Berry absent.

Mayor White stated that a couple of Council Members had mentioned about bringing some expertise in house and Mr. Hall was a classic example of one of the best in the business, but they had reduced the amount that Mr. Hall was paid and off set that with beefing up the in house capabilities, notably Elena and Carl in that environmental area, and they had done a brilliant job with doing more in house and less on outside consultant basis. Council Members Galloway, Khan, Green and Berry absent.

Mayor White stated that in a book he had been reading which talked about the change in Houston banking it had a section about three people who formed the Greater Houston Partnership out of various organizations they had, Mr. Ben Love, Mr. Charles Duncan and Mr. John Walsh, that was 21 years ago and now Mr. Walsh was working finding housing for folks in Katrina, that they were lucky to have people who were doing some good things at the City. Council Members Galloway, Khan, Green and Berry absent.

Council Member Sekula-Gibbs stated that she wanted to reiterate her request to get a copy of the memo to which Mayor White had alluded earlier about reorganization in the Health Department. Council Members Galloway, Khan, Holm, Green and Berry absent.

Council Member Sekula-Gibbs stated that there was a community improvement association at Meyerland Community, which was celebrating it's 50th anniversary, that it would be Sunday, October 23, 2005 from 1:30 p.m. to 5:30 p.m. Council Members Galloway, Khan, Holm, Green and Berry absent.

Council Member Quan stated that Council Member Khan wanted to remind everybody that there would be a Ramadan dinner this evening on the steps of City Hall at 6:00 p.m. that it would be an effort not only to celebrate Ramadan but also to raise awareness for the earthquake victims from Pakistan. Council Members Galloway, Khan, Holm, Green and Berry absent.

Council Member Quan stated that he had asked that they take away the million dollars that was going to be given to Katrina victims but he knew the City had millions of dollars in the Houston Katrina Relief Fund and Mr. Albert Meyers had been appointed president and asked how did they go about encouraging people to make applications and had it been set up, and Mayor White stated that it was being set up, that they did not compromise any services that were available to people who were residents before Katrina, that they had to look carefully at that particular item and he had confidence both in Mr. Wilson and Council Member Quan, but it had to be a pretty clear departure of that policy, which he had articulated numerous times, including Directors meeting, that on private funding, they would be making an announcement as to Albert's succession as president of that organization and there would be a grant application process in general that was going to be used, that there had been on emergency utilization of that fund but they were most concerned about what would happen when memories faded about the fact that they had all of the new residents and they had some holes which were being filled by HHA and others right now, so as they got into the next year and some of the long run needs they were coordinating a study of that with United Way and were not competing with United Way agencies, that there would be procedures and criteria and it would be based on some formal analytical review. Council Members Lawrence, Galloway, Khan, Holm, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Quan stated that he wanted to congratulate the Mayor's team, that it was a hard fought game, that the Parks Department won the championship, but tonight it would be the Astros. Council Members Lawrence, Galloway, Khan, Holm, Green and Berry absent. (NO QUORUM PRESENT)

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

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary