

City Council Chamber, City Hall, Tuesday, March 9, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, March 9, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Ms. Debra Dillard, Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Council Member Carol M. Galloway out of the city on city business. Council Member Mark Goldberg absent.

At 1:53 p.m. Mayor White stated that Council would begin with presentations and invited Officer Cary Klausner with HPD, Ms. Lisa Lenzy with Solid Waste Management and Ms. Ja' Nice Sparks with Building Services to the podium. Mayor White stated that they were every day heroes who demonstrated outstanding service to the city and the community and presented each with a BRAVO Award for their dedication in all they did and for their inspiration to others. Council Members Garcia, Ellis and Berry absent.

Council Member Quan congratulated each stating that they were examples of the fine employees the City of Houston had. Council Members Ellis and Berry absent.

Mayor White stated that such employees made the jobs of everyone else much easier and he appreciated them. Council Members Ellis and Berry absent.

Council Member Edwards stated that it was ordinary people who did extraordinary things and kept the community going and invited Ms. Katie Murray to the podium and presented her with a Certificate and Citizen of the Year Award from the Texas Recreation and Park Society Region IV for all her leadership, commitment and accomplishments. Council Members Ellis and Berry absent.

At 2:13 p.m. Mayor White called the meeting to order and Council Member Sekula-Gibbs invited Pastor Kendal Baker of Eagle Heights Community Church to lead all in the prayer and Council Member Sekula-Gibbs led in the pledge of allegiance. Council Members Ellis and Berry absent.

At 2:14 p.m. the City Secretary called the roll. Council Members Galloway out of the city on city business. Council Member Goldberg absent on personal business. Council Members Ellis and Berry absent.

Council Members Sekula-Gibbs and Green moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Ellis and Berry absent. MOTION ADOPTED.

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Congresswoman Sheila Jackson-Lee out of order, seconded by Council Member Quan. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Ellis and Berry absent. MOTION 2004-0246 ADOPTED

Congresswoman Sheila Jackson-Lee, 1919 Smith #1180, Houston, Texas 77002 (713-655-0050) appeared and voiced opposition to Agenda Item 15, stating that everyone had their dilemmas to face, the federal government had a \$551 billion deficit, but today she was present on a sensitive issue and that was the concern of the pension for City employees; that there was no doubt there was a commitment on the part of this Council to respect the employees, but she would like to dispel some myth and hoped the amendment passed by the State was not being viewed as an underhanded way of undermining the City as it was a statewide referendum and clearly put forward in goodwill to employees of the state who had

been subjected sometimes to the undermining of their pensions, it was not an effort to get Houston. Council Members Ellis and Berry absent.

Council Member Garcia moved that the rules be suspended for the purpose of extending time for Congresswoman Sheila Jackson-Lee to speak, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Ellis and Berry absent. MOTION 2004-0247 ADOPTED

Congresswoman Lee stated that the average salary for City employees was \$32,000 and concerns were for those who were retired and had left service and those in the DROP; that she was against the opting out and had made suggestions to Mayor White, but when you speak on opting out when there was no written documentation or agreement there was a great deal of fear and apprehension and the funding downfall should not be pointed in any direction, there was a recession and bad economy and some investments did not produce as they should, but employees should not be scapegoats and it should not be misunderstood that the employees consistently were underpaid but remained because they were dedicated to public service; and urged Council to deliberate on other options besides the opt out, but if it did occur she offered her hand to have a cement of representation to employees before the vote on the election. Council Member Berry absent.

Council Member Garcia stated that there were challenges faced and much anxiety and he applauded her for coming and sharing her views; and Congresswoman Lee stated that she would be delighted to work with him.

Council Member Holm stated that for clarification she and her colleagues were looking for a fair and equitable pension fund which they may or may not have and that they were only exploring the opt out because of a timeframe which gave that option, it was to explore things and not abolish the pension fund; that when people felt threatened there was fear but this was only to explore on what could be done.

Mayor White stated that there was a number of fine people with perspectives that would be sharing information and at the close he was sure there would be discussion in the public and somethings would be communicated by E-mail.

Council Member Edwards stated that she would make a request of the Administration that there be written communication which spoke to the issue of current retirees, current employees and the DROP employees; that she would like just a one page analysis of what they were talking about.

Council Member Khan thanked Congresswoman Lee for coming and sharing her leadership; and upon questions, Mayor White stated that at the conclusion of comments maybe there would be something they would be able to address here along with questions and answers they intended to send out.

Council Member Quan stated that he was on Council in 2001 and questions were asked as they had the report from Towers Perrin and recommendations from the Pension Board regarding it and they were conscientious about the budget; that there were no solutions yet, but with tomorrow's vote there would be one more option available.

Council Member Garcia moved that the rules be suspended for the purpose of hearing Ms. Elena Vergara at the top of the three minute speakers, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. MOTION 2004-0248 ADOPTED

Mr. Macario Sosa, P. O. Box 524372, Houston, Texas 77052 (281-827-5591) appeared and voiced opposition to Agenda Item 15, stating that he was president of the Texas Hispanic Peace Officers Association and that many may think the issue did not affect Fire or Police pensions, but all three seemed to be included under the item voted on in September and their concern was they would be opting out of something which guaranteed benefits to city employees and it was something which could scare people into retirement so when you took into account there were 1,200 officers eligible for retirement and over 1,000 firefighters eligible if they all opted out and pulled out their DROP money it amounted to over \$500,000,000 the city would suffer; that it was not only a financial crisis but a public safety crisis, he remembered roll calls where there was one officer and he did not want to see that again and he came speaking on behalf of all their concerns.

Mr. Oran McMichael, 815 Brazos #500, Austin, Texas 78701 (713-928-3738) appeared and voiced opposition to Agenda Item 15, stating that he was the Area Field Service Director for the Southwest Region with the International Union, The American Federation of State, County and Municipal Employees and present on behalf of their affiliate Local 1550 addressing the issue of opting out from the Constitutional Amendment, Proposition 15; that AFSCME represented 12,000 municipal employees as it related to wages, benefits, etc., and opting out did not provide the City more flexibility in dealing with the present crisis and as Council Member Sekula-Gibbs stated in her article in the Houston Chronicle it did not solve the financial problem immediately; that the only reason to opt out would be to provide for the potential reduction in benefits for active or retired employees; that they needed meet and confer with AFSCME and the Houston Pension Board; that last year voters voted to grant municipal employees certain protections in retirement programs, particularly in circumstances of this nature, the voters in their wisdom did the right thing; that the conversation today reminded him of those advocating reductions in social security after they managed to create a trillion dollar deficit; that through the news media the public now believed city employees were retiring as millionaires and that could not be further from the truth; and should they vote tomorrow to opt out they implored them to enact the meet and confer process, but still urged a no vote on the item. Council Member Wiseman absent.

Rev. Kendall Baker, 3750 Tanglewilde #1, Houston, Texas 77063 (832-858-4831) appeared and voiced opposition to Agenda 15, stating that he worked for the City of Houston for 19 years and what provoked him to come was reading the last several editions of the Houston Chronicle about his pension program; that he understood the ultimate goal was to stop the bleeding, the \$1.5 billion deficit forecast, and he felt all should look again at the numbers and figure it out without having to go to the polls again; that the vote had given employees security and once the issues were placed before the public to vote on city employee benefits would certainly be at risk of being lost; that the fact someone mentioned they would be millionaires was wrong and no one rebutted it or refuted it in the Houston Chronicle, the fact was many were hoping to leave with change in their pockets; that he stayed on with the City at a lower pay hoping to get something at the end; and urged they leave the 70 point system as well as the deferred retirement plan alone.

Council Member Garcia moved that the rules be suspended for the purpose of extending time for Rev. Kendall Baker to speak, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. MOTION 2004-0249 ADOPTED

Mr. Baker stated that new employees were not working 25 years to receive the 90% of their salary, they were working ten years or less; that to get benefits as Council was talking about they would have to start work at age 55 and work for at least 8 years, also as the Congresswoman said the City employees made about 30% less than the private sector so those who did get the 90% did deserve it because they chose to stay at a lower rate and get something in the end; and again urged to leave the 90% alone and not opt out.

Mr. John Trotter, 1510 Freedonia, Houston, Texas 77055 (713-827-1687) appeared and stated that all he had to go on were stories in the Houston Chronicle and his taxes had tripled in his 11 years; that you could spend money on yourself or someone else and spend your money or someone else's and as near as he could tell the City of Houston and its employees were spending someone else's money on themselves with the pension plan; that he and his neighbors were hot; that a rev cap petition was put in place 2-1/2 years ago and the City managed to dance around and he would like to see it on the ballot as he was disgusted with the whole thing.

Mr. Chris Jones, 2302 Cranberry, Spring, Texas 77373 (832-265-0650) appeared in opposition to Agenda Item 15, stating that he was employed with the City 25 years and was one of 100 officers in the Municipal Employees Pension System; that he did his job everyday and he had seen the City not take care of their municipal employees, they were underpaid compared to the private sector and they stayed because of benefits; that in the future he hoped to retire and he did not want to wake up one day saying his pension was slashed and that was why he supported Proposition 15 and that was why most of the public supported it because of the Enron scandal and talk of reducing social security; that he even appreciated Mr. Trotter's comments but he would bet if someone was trying to slash his social security it would be a vote of political suicide; that there needed to be protection; that he thought the City knew about this because he had been in Austin with the unions and he was there when the City supported Senate Bill 1696 and he gave Council Member Garcia a summary of it and it allowed the City to go fund pension with obligation bonds to fund unfunded liability.

Council Member Garcia moved that the rules be suspended for the purpose of extending time for Mr. Chris Jones to speak, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. MOTION 2004-0250 ADOPTED

Council Member Garcia stated that he was provided an analysis and he wanted to be sure Mr. Jones would provide the same to all Council Members. Mr. Jones stated that the analysis clearly stated there were expected unfounded shortfalls for many Texas pension systems and the reason Senate Bill 1696 was needed was to end periods of shortfalls, to be able to issue the obligation bonds to fund the shortfalls and to keep the City from having to bear the full brunt of funding the shortfalls without some mechanism to do so; that they could change the pension system for future hires and the issues and options were endless, but on this the bottom line was were they going to say it was okay to reduce benefits for someone who was already getting them or were they not; that if a problem was made it could be addressed but not on the back of those walking out the door who had given 25 years of service as he had and who had dedicated their lives to this; and as for the DROP you were able to basically retire and your pension annuity was then put into the drop account and that was no different than walking away with your pension and putting it in some other investment and starting a second job; that it was their money and what they decided to do was stay and use the City for their investment and to continue providing the City with competent employees and the employees need to be protected after doing their jobs, they should not have to worry about their pension being slashed.

Ms. Mary Ross, 15503 Winter Briar, Missouri City, Texas 77489 (281-438-5451) appeared in opposition to Agenda Item 15, stating that she was asking the Council body to reconsider and not approve a special election in May to opt out of the House Joint Resolution 54, the Texas Constitution amendment approved by the passage of Proposition 15 in September, or Agenda Item 15 on tomorrow's Agenda; that she was a City employee with high standards and work ethics and she made her 25th year this February; that she was 48 years old and did not plan to work another 17 more years; that she was a wife, mother, grandmother, taxpayer and constituent who was active in her community and she was many things, but not a monster planning to leave the City broke by taking 90% of her three years salary; that her pension would leave her almost without a living wage; that she followed the pension items during the 78th

Legislative Regular Session and she knew by reading the analysis from both the House and Senate that they agreed after House Bill 601 was amended to take out protections whose wording almost mirrored what was Proposition 15 that they decided private pensions had federal protection against an Enron type situation. Council Members Alvarado and Sekula absent.

Council Member Garcia moved that the rules be suspended for the purpose of extending time for Ms. Mary Ross to speak, seconded by Council Member Edwards. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Alvarado and Sekula-Gibbs absent. MOTION 2004-0251 ADOPTED

Ms. Ross further stated that if they would read the committee analysis of the House Joint Resolution 15 in the 78th Session what they intended to do was to protect the employees from an Enron type situation, because with the amendment of House Bill 601 public pensions had no protection and the Resolution and successful passage of it by 71.35% of the voters and passed with zero nays in the House with one present and not voting and zero nays in the Senate and one present not voting; that with that overwhelming support it let you know a lot of thought was put into it and the reasoning was sound; that she hoped and prayed Council and the Pension Board would talk; that she was assured by them there were options without them voting to do away with their protections; and she urged they not opt out of the Constitutional Amendment or vote in favor of Item 15 tomorrow. Council Members Alvarado and Sekula-Gibbs absent.

Mayor White stated that for her and others he wanted to say the very concerns she expressed with waking up decades down the line and finding their pension could not be paid had been foremost in his mind and one issue which worried him was not having enough money to pay it; that he did not want to lay off 1,000 employees and he appreciated her comments, but wanted to share that today; and Ms. Ross stated that she truly believed this body was responsible and that they had no intention of raiding the pension fund, but her concern was she did not know she would have that confidence in future Council Members and did not want to have to worry about it; that she believed in the legislators she knew and believed their intentions were good; that she knew they did not just operate on emotion and voters in this city and state approved this overwhelmingly and that was for a reason; that it was not to take away options of this entity, but to allow employees assurances that they would leave with what they worked for and she believed there were other options, she was assured there were other options without an opt out on this; and she prayed they would not do so. Council Members Alvarado and Sekula-Gibbs absent.

Ms. Mary Bolden, 611 Walker, Houston, Texas 77002 (713-837-0311) appeared in opposition to Agenda Item 15, stating that she was a City employee and on the City's web page they could read Houston was home to 18 Fortune 500 Companies and that Houston ranked 1st in the Nation three consecutive years for new business growth and boasted of Houston's richly diverse pool of highly skilled, multi lingual and multi cultural workers and among those were those who chose to be public servants and were employed by the City of Houston and averaged throughout their tenure 30% less in salary than their private sector counterparts; that City employees had a right to pay into a pension system that would allow them to live above poverty level after retirement in a city they had faithfully served and in their older age after serving the City and contributing into their retirement fund they should be able to benefit from those years of service; that their future and pensions should not be unfairly decided upon by those who already fared far better monetarily than most civil servants. Council Members Ellis and Berry absent.

Sgt. R. Garcia, 1200 Travis, Houston, Texas 77002 (281-584-4885) had reserved time to speak but was not present when his name was called. Council Members Ellis and Berry absent.

Mr. Al Hartman, 1450 West Sam Houston Toll Road N., Houston, Texas 77043 (713-467-2222) had reserved time to speak but was not present when his name was called. Council Members Ellis and Berry absent.

Mr. Barry Klein, 1509 Everett, Houston, Texas 77009 (713-224-4144) appeared, presented information to Council Members and stated that he was president of the Houston Property Rights Association and was representing that organization along with Let The People Vote and also the point of view for Citizens with Accountability; that in 2001 they gathered over 20,000 signatures on a petition to get a referendum on a proposed Charter change which was known as the revenue cap and it would limit the City's ability to collect new revenue above the combined population and inflation unless there was a referendum to overturn that cap; that they had not yet had that election and it looked like there was opportunity again to have it this May; that he would urge Council while they were considering the pension cap being placed on the ballot in May that they also include the revenue cap. Council Member Ellis absent.

Mr. Bob Lemer, 13603 Appletree, Houston, Texas 77079 (713-465-2004) had reserved time to speak but was not present when his name was called. Council Member Ellis absent.

Ms. Elena Vergara, 7524 Avenue E, Houston, Texas 77012 (713-923-0600) appeared, presented information, displayed a poster and stated that she was the director for Community Family Centers and present as they were ready to go forward with their East End Magnolia Park Redevelopment Project; that she wrote to Ms. Stiner asking that she place before Council a request to award \$1.5 million in unallocated funds and \$1,000,000 as a line item in the consolidated plan for the City of Houston; that they were redeveloping a whole area constructing an Early Childhood Education Center for 250 children and a children's playground and the property had been blighted; that they were building self-sufficiency skills and their project was a model of economic development; and her handout showed all services offered. Council Members Ellis and Green absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of extending time for Ms. Elena Vergara to speak, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Ellis and Green absent. MOTION 2004-0252 ADOPTED

Ms. Vergara further stated that they were working to uplift all the families, they anchored and stabilized the community; that they were asking the City for \$2.5 million in CDBG block grant funds and there was a surplus in the fund which carried over year to year; that currently there was between \$6,000,000 to \$7,000,000 in CDBG funds and they were unallocated and unspent; and continued to review the handout and urged Council's support. Council Member Green absent.

Council Member Alvarado stated that she did applaud all Ms. Vergara had done to keep the project moving; that she and her board had been very aggressive in going after endowment money and had a successful campaign; that there were discussions about unallocated money and she would request someone in the Administration sit with her and if the money was there it should be put to good use and not sent back; that they were taking an old city clinic and turning it into something positive and putting it back on the tax roll and she hoped her colleagues were supportive as well. Council Members Garcia, Ellis and Green absent.

Upon questions by Mayor White, Ms. Vergara stated that they purchased two lots from Union Pacific in December and about two years ago the Legal Department drafted a lease where they could utilize City property there for \$1.00 a year, it was a draft as they were waiting for environmental issues; that phase one and phase two were being completed on some properties. Council Members Garcia, Ellis and Green absent.

Council Member Khan moved that the rules be suspended for the purpose of extending time for Ms. Elena Vergara to speak, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Garcia, Ellis and Green absent. MOTION

2004-0253 ADOPTED

Upon questions by Mayor White, Ms. Vergara stated that it did meet the income and radius requirements for CDBG; that 42% of the families in the Magnolia Park area lived on an income of \$15,000 or less; that she met with Ms. Stiner and others but the big issue was environmental, but they just received communication it would take little remediation and it would be good to go. Mayor White stated that she should keep them in the loop. Council Members Garcia, Ellis and Green absent.

Council Member Quan stated that he knew how hard Ms. Vergara worked on this and it would be good use; that they knew the concern for contamination had slowed, but he would like to see how the process could be expedited with the consolidated plan and was also sending a memo to Ms. Stiner; that they had a committee to work on this, but often times the committee was somewhat hindered because staff had already determined which projects would be given priority, so they had hearings but it did not work very well and he would like more of an open process with more time for a fair vetting of it as opposed to getting it on June 10th and having to decide by June 30th. Mayor White stated that he agreed on that and one reform in process was from time to time if various organizations, including city organizations and nonprofits, had not performed or taken certain steps on a critical time deadline for certain projects, it was this Administration's intention to reprogram the funds for use for projects more likely to go; that one criteria which should be examined was participation of other funders in the project so it would measure up strongly. Council Members Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of extending time to discuss remarks of Ms. Elena Vergara, seconded by Council Member Quan. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Edwards, Garcia, Ellis and Green absent.
MOTION 2004-0254 ADOPTED

Council Member Sekula-Gibbs stated that Ms. Vergara had done an excellent job and it was a beginning for a great redevelopment in the East End; that her question had to do with the holdover of money for facilities at the end of the year which was unspent and she did hope the Mayor would pay attention to it; that it was coveted money and available for federally qualified health centers but it was like pulling teeth to get it; and Council Member Quan stated that the money had a five year lifespan and they had not returned any money to the government, but a full accounting would be good. Council Member Sekula-Gibbs stated that she hoped the chairman of the committee would help make sure the check lists were understandable so everyone would know what was required; and Council Member Quan stated that with the Mayor's help they were looking to develop a website to trace money so people would know where projects stood and he would be asking for a report from Ms. Stiner in the next Housing Meeting as to where they stood on the website. Council Members Lawrence, Holm, Garcia, and Green absent.

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

Ms. Olida Gonzalez, 7302 Bastogne, Houston, Texas 77033 (832-274-5535) appeared and stated that she lived in South Park and their streets were never fixed, they needed drainage and police protection; that everything she had was stolen with her house being broken in three times; that she was 76 years old and she was sick of people throwing junk everywhere, it was just like a city dump; that people also cut across her lot to turn instead of going to the corner; that others would stop and use the restroom right there. Council Members Holm, Garcia, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she spoke with her last week and maybe they were

not clear, but they were working with the Police Department and would try and help her as much as they could. Council Members Holm, Garcia, Sekula-Gibbs, and Green absent.

Ms. Donna McMillan, 2823 Roseheath Lane, Houston, Texas 77073 (281-446-7070) appeared, presented information and stated that in November 2003 the Airport completed construction of a new east/west runway, runway 8L26R, just south of 1960, but unfortunately their neighborhood was just west of the new runway and apparently right in line of its approach; that there were 5 schools, a community college and hundreds of homes in the path of the runway and her handout would show how close the planes were to their roofline and that particular day there were from 260 to 280 planes flying every 2 – 3 minutes; that she realized it took millions to construct the new runway and a fair resolution would be to buyout the neighborhoods most adversely affected by its use. Council Members Holm, Garcia, Sekula-Gibbs, and Green absent.

Upon questions by Council Member Wiseman, Ms. McMillan stated that all pictures in her handout were on one day with 24 planes in 35 minutes. Council Member Wiseman stated that it was a very detailed log and she understood the Administration was revisiting the issue; and Ms McMillan stated that she was told they were doing another environmental impact study, but had not heard it scheduled. Council Members Holm, Garcia, Quan, Sekula-Gibbs, and Green absent.

Upon questions by Council Member Wiseman, Mayor White stated that they had very firm words with the FAA concerning patterns of some of the flights which the Director of Aviation thought should be rescheduled and Travis, in his office, was assisting Mr. Vacar in getting it resolved with the FAA.. Council Members Holm, Garcia, Quan and Green absent.

Mr. Elvin Robinson, 3429 Coyle, Houston, Texas 77003 (713-229-8983) had reserved time to speak but was not present when his name was called. Council Members Holm, Garcia, Quan and Green absent.

Mr. Steve Coycault, 3411 Lausanne Ave., Pasadena, Texas 77505 (281-487-2890) appeared, presented information and stated that he was present to speak on Proposition 13 which passed September 13th with 83% statewide and allowed cities and counties and junior college districts to freeze taxes for seniors 65 and over and disabled; that most did live on fixed incomes and were facing inflation all the time; and asked that the Mayor and Council give them relief. Council Members Garcia, Quan, Green and Berry absent.

Mr. Tom Bazan, P. o. Box 2786, Houston, Texas 77252 (713-466-4477) appeared, presented the Mayor with a newspaper and stated that he was present regarding a recent story in a weekly newspaper entitled Led Astray and concerned an undercover report by a Houston Press reporter where he took allegations he heard of regarding led based paint and a representative of the City of Houston said they would warn a few where results were found improper, but then reversed that decision; that he had been coming to the City regarding led based paint and they had refused to warn families for the last six years and it was not morally correct. Council Members Garcia, Green and Berry absent.

Upon questions by Mayor White, Mr. Bazan stated that they were single family transactions where the participating lenders worked with the City to lend mortgages on used home transactions and it had nothing to do with the emergency home repair program which had its own problems; that funds should not have flowed to consummate the transactions without a proper inspection and that was ignored for 5,000 to 10,000 transactions where they just needed a document in the file to have the funds transferred; that he had a risk assessor certification number one from the Texas Department of Health. Council Members Khan, Garcia, Alvarado, Green and Berry absent.

Council Member Quan stated that Mr. Bazan had brought the issue to Council numerous

times and he thanked him for doing that as it was an important issue; that he read the article in the Houston Press with great interest; that he had the state director for lead based paint testing go before the Housing Committee last year and he gave assurance the City was in compliance, but it turned out that some inspectors they were depending on were not certified; that he commended him on the thoroughness of what he did and he did not want to take it lightly; and Mr. Bazan stated that the bottom line was all documents had to be proper in the file and that was the responsibility of the administrator of the program for the City and also the lenders originating on the loans. Council Member Quan stated that they were in contact with Housing Opportunities for Houston and would follow-up and see what could be done to rectify the situation. Mayor White, Council Members Khan, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Carolyn Osborne, 3035 Francis, Houston, Texas 77004 (832-242-2017) appeared and stated that she was present to discuss the method for collecting delinquent property taxes; that March 2nd she was a victim and was on the roll for property auction; that she was fortunate in that Project Road House bought her property from her though she only profited a small amount; that it was due to the current law firm who collected the property taxes; that once signing a contract with the law firm the taxpayer was asked to pay down 1/3 of property taxes owed and the balance was to be paid within 6 months to one year and she was asking Council to make concessions in low income areas; that recent stats showed a family of four's average income was \$13,000 a year and she did not see how anyone thought they could make such payments. Mayor White, Council Members Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Sekula-Gibbs, Ms. Osborne stated that she was behind in her taxes and received a notice and contacted community leaders in the Third Ward Area and was given the opportunity to sell her property, but she sold at a much lower rate than what she could have gotten from major developers; that she was given no opportunity to pay the taxes because she could not come up with such a large down payment; that she was about 5 years behind and had been making payments as she was previously told as long as she made payments the property would not be in jeopardy but it was not true; that it was undeveloped land. Council Members Green and Berry absent.

Upon questions by Mayor Pro Tem Quan, Ms. Osborne stated that \$13,000 income for family of 4 was recent stats found on the internet. Council Member Quan stated that Housing and Development just came out with a report this year and it went up from \$59,100 to \$61,000 for medium income for family of 4; and Ms. Osborne stated that to be more specific she was referring to the income for the area of 288 to Scott and from Ennis to I-45; and she had been paying on her taxes but with getting behind, paying for cleanup and penalties accrued were overwhelming; that she sold for less because she did not want to sell to a major developer as it would have a dramatic effect on the overall appearance of the neighborhood. Council Members Sekula-Gibbs, Green and Berry absent.

Council Member Edwards thanked Ms. Osborne for looking after the community and thinking past her immediate needs and helping them retain land in the Third Ward and stated that she was not hearing her ask for pity but instead asking that the process be reviewed with the law firm and specifically look to see if there could be a sliding scale for those of low income. Council Members Sekula-Gibbs, Green and Berry absent.

Council Member Ellis moved that the rules be suspended for the purpose of extending time to question Ms. Carolyn Osborne, seconded by Council Member Khan. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Garcia, Sekula-Gibbs and Berry absent. MOTION 2004-0255 ADOPTED

Upon questions by Council Member Ellis, Ms. Osborne stated that there was still one

house on the property, she had not lived there because of all the crime; that she owned no home anywhere else. Council Member Ellis stated that what was given to him showed she owed over \$20,000 in City, County and HISD taxes; and Ms. Osborne stated it was not all taxes some was demolition and yard cleanup. Council Member Ellis stated that they were constantly receiving complaints for individuals who did not take care of their property and it deteriorated the area and then crime came in so what they did was take tax dollars to clean up the property and then needed to recapture the money and he encouraged the law firm to try and recapture the taxes owed and liens placed because they could not take care of it or chose not to; that he understood she wanted a tax break, but thought she was somewhat unreasonable; and Ms. Osborne stated that many times she cut the lot and the City came the next week and re-cut it and it happened a lot to many people. Council Member Ellis stated that they should report that to their District Council Member and to him now that he was an At-Large Council Member and they would find out why the City was doing that; and Ms. Osborne stated that she understood but her issue was the method in which taxes were collected. Council Members Green and Berry absent.

Council Member Edwards stated that she wanted to reestablish what she thought Ms. Osborne was saying and she was not asking for relief, but for review of the process so when low income people were caught up in such a situation they may have a sliding scale just as everyone getting loopholes. Council Members Green and Berry absent.

Mr. William E. Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and sang, stated that he was casting a spell for being in his way and continued expressing his personal opinions until his time expired. Council Members Garcia, Sekula-Gibbs and Berry absent.

Ms. Colleen McCampbell, 9150 Larkston, Houston, Texas 77055 (713-722-9154) appeared and stated that she was present as a representative for 269 petition signing members of District A to make their concerns, which were previously expressed to Council Member Lawrence, known to Mayor White and other At-Large Council Members; that they were deeply concerned an onerous traffic and transportation policy would negatively impact Spring Branch and possibly other neighborhoods in Houston; that the City of Houston planned to spend \$2,000,000 to rebuild Pech Road from Long Point to where it teed into Westview, widening it 42 feet and they supported all the improvements except the proposed width which was incompatible with the schools fronting on Pech and the surrounding neighborhoods; that Traffic and Transportation failed to give a reason for widening except that it was a collector and had mixed usage, a collector by definition was at least one mile long and carried 5,000 cars a day, but Pech was 6/10ths of a mile long, not heavily trafficked and was shown as a local road on the 2003 Major Thoroughfare and Freeway Plan; that Spring Branch like many areas in Houston was riddled with mix usage roads; that they felt when a community spoke out the City should look at the road independently instead of trying to fit it into a mold; that Mayor White expressed a desire to keep character of neighborhoods and campaigned if elected the City of Houston would not do business as usual and this was an instance of business being done as usual, why were they improving a road beyond what was needed and what the community desired when they were in a budget crisis; that they understood a project on the CIP could be altered in scope and urged the Mayor and Council to please support a 28 foot variance for the Pech Road project so Spring Branch could receive improvements needed in a compatible manner. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that he heard her sentiments and he knew others expressed the same; that Mr. Fiederlein with Public Works was present and could give an update. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Council Member Quan stated that more citizens needed to understand the Major Thoroughfare Plan and provide Council Members with comments; that he had lived in Spring Branch and she was right Pech Road was not that major a thoroughfare and he was curious as

to where the project stood and what could be done. Council Members Garcia, Sekula-Gibbs, Green and Berry absent.

Mr. Steven Williams, no address (no phone) appeared and stated that a bike patrol officer cursed at him and he was going to file in court on him and he wanted all such officers there at that time so he could identify him; that he wanted him out. Council Members Khan, Garcia, Green and Berry absent.

Mr. Kofi Taharka, 2428 Southmore, Houston, Texas 77004 (832-722-1682) appeared, presented information and stated that he was present making a request to the Mayor and Council to reintroduce the reparation resolution; that they submitted a letter to Mayor White on February 20th but had no written response as requested and had no returned calls so they came to be sure he and Council were aware of the request and they were asking the resolution to be placed on the Agenda. Council Members Khan, Garcia, Green and Berry absent.

Mayor White stated that he did get the letter and read it and he intended to read every piece of correspondence from citizens personally; that he did ask Mr. Anthony Hall to confer with Council Members and help him decide where to go. Council Members Khan, Garcia, Green and Berry absent.

Council Member Edwards stated that she again was asking the Council body to hear what was being asked for; that people had said to her Black people need to suck it up and get over it and her response was they had sucked it up and that was why there were no suicide bombers walking around here; that they were going to need a serious discussion so they could move forward and that was what they were asking; and once again she was asking it to be placed on the Agenda. Council Members Green and Berry absent.

Council Member Edwards yielded to Council Member Alvarado who stated that she lost track of that piece of legislation; and upon questions Council Member Edwards stated that it was still in committee; that their resolution was only saying they were in support of the committee bringing it before a full congressional body for intellectual and rational discussion as to what happened, what it meant today and how they should move forward. Council Members Green and Berry absent.

Council Member Khan stated that he was intrigued by an earlier speaker who said an average income of four was \$13,000.00 and he wondered if they knew the population mix of that area and why many minority/Black areas had historically been low income; that he also wanted to know if there was a particular committee of Council who should look at the issue; and Mayor White stated that he asked Mr. Hall to get a sense of Council and there was mutual respect due and accorded concerning the Agenda of this of body and whether they do it by committee or discussion with Council Members he wanted to determine and communicate and get sentiments of Council where they thought this item as compared to other items should be on the overall priority of the Agenda based on various criteria. Council Members Sekula-Gibbs, Green and Berry absent.

Mr. Omo Wale, 2428 Southmore, Houston, Texas 77004 (713-942-0365) appeared and stated that he wanted to give his time to Mr. Taharka. Council Members Sekula-Gibbs, Green and Berry absent.

Council Member Edwards moved that the rules be suspended for the purpose of allowing Mr. Kofi Taharka to speak for the three minutes allotted to Mr. Omo Wale, seconded by Council Member Khan. All voting aye. Nays none. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Council Members Sekula-Gibbs, Green and Berry absent. MOTION 2004-0256 ADOPTED

Mr. Kofi Taharka stated that now he wanted to understand what Mayor White was saying

and that was he would discuss it with other Council Members to see where they thought the matter should go on the Agenda; and Mayor White stated that he gave Mr. Hall directions and he would talk with some Council Members and provide to him alternatives or recommendations as he did on a wide variety of subjects extremely important to this City. Mr. Taharka stated that he would like to know when it would be on the Agenda; and Mayor White stated that he respected what he was doing, but would ask that he also respect the fact that they were citizens here and some did agree and some did not agree with what he wanted and he was sure he would not want his issue to take precedent over all other issues they confronted as that would not be respectful and fair; and he had expressed to him the process to be used. Council Members Holm, Alvarado, Green and Berry absent.

Ms. Carolyn Webster, 6823 Reed Road, Houston, Texas 77087 (713-644-9266) had reserved time to speak but was not present when her name was called. Council Members Holm, Alvarado, Green and Berry absent.

Ms. Debra Fentroy, 10103 Lansdale #456, Houston, Texas 77036 (713-272-8719) appeared, presented invitations to the Mayor and Council Members and stated that she was a housekeeper at the Hilton America and she was excited a union would be started there and wanted to thank Council Members and Rep. Sheila Jackson Lee; and invited all to join them Wednesday, March 17th at 5:00 p.m. at their meeting. Council Members Edwards, Holm, Alvarado, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Alvarado thanked Ms. Fentroy for coming and acknowledging they did have an agreement reached during Mayor Brown's Administration and she was glad they were exercising their rights to do so. Council Members Edwards, Holm, Alvarado, Quan, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Juan J. Jaramillo, 840 W. 20th, Houston, Texas 77008 (713-880-2350) appeared and stated that he was a cook at the Hilton America and on behalf of his Spanish speaking workers there he wanted to extend his sincere thanks to the Mayor and Council for the union; and asked that they come visit at their next meeting, Wednesday, March 17th. Council Members Edwards, Holm, Alvarado, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Bill Sam, 1761 Rena, Houston, Texas 77005 (409-842-2829) appeared and stated that he wanted to thank the Mayor and Council for having the foresight to build such a wonderful hotel; that it should bring great light to the City of Houston and on behalf of the National AFLCIO and International Union of HERE they wanted to say thanks for signing an agreement to bring a level playing field; that all was going fine and they were developing leadership and coming to an agreement with the Hilton Hotel. Council Members Edwards, Wiseman, Holm, Alvarado, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. John Johnson, 7102 Windermere, Houston, Texas 77088 (832-453-1900) appeared and stated that he was having trouble with plans; that Mr. Gary Bridges single handily wanted to stop him from presenting plans to the City and on one occasion said he could not do it; that Mayor Brown said he could so he then wrote to the Texas Board of Architects and Examiners and had a fine imposed on him and now he told supervisors to simply reject any of his plans; that now he received a letter of caution from Tennessee saying his certification to practice architecture there was in jeopardy because of what Mr. Bridges wrote to him and he would like the Administration to address it; that he was just trying to make a living. Council Members Wiseman, Khan, Green and Berry absent.

Mr. Michael Burger, 6530 Westview, Houston, Texas 77055 (713-686-7034) appeared, presented information and stated that he was requesting another truck in the Sign Administration Division to pick up signs and was requesting the hire of another driver and would like that position. Council Members Wiseman, Khan, Green and Berry absent.

Council Member Sekula-Gibbs stated that she wanted to acknowledge Mr. Burger was a very experienced enforcer of the City's Sign Code and had personally removed thousands of signs and he was owed a debt of gratitude; that she appreciated it and hoped others would do the same; that he worked very hard to keep Houston beautiful. Council Members Wiseman, Khan, Green and Berry absent.

Pastor Charles Taylor, 9410 Mesa, Houston, Texas 77078 (713-633-3371) appeared and stated that he was present regarding issues of the Woodlands Village Project in District B; that they were told in April of 2003 the project would consist of new homes being sold from \$110,000 to \$150,000 and the community was excited, but in Fall of 2003 they were told there would be 900 lease to purchase homes and they wanted assistance to help individuals move into new homes and buy them as ownership caused them to want to keep up their property and lease to purchase did not guarantee home ownership, someone could stay there a couple of years and still never qualify to purchase; and they were asking the developer to work with them and bring quality homes to purchase. Council Members Edwards, Wiseman, Holm, Green and Berry absent.

Mayor White stated that he followed the project and received reports weekly on the lease to purchase; that he knew there was a meeting and he had the concerns of the community and had expressed them; that things did not appear to be proceeding too well with the developer right now, but he did have their concerns and so did Planning. Council Members Edwards, Wiseman, Holm, Green and Berry absent.

Mr. Joel Richards, 8718 Valley Song, Houston, Texas 77078 (281-459-3996) had reserved time to speak but was not present when his name was called. Council Members Edwards, Wiseman, Holm, Green and Berry absent.

Ms. Elizabeth Persall, 9818 Lum, Houston, Texas 77078 (713-631-9507) appeared and stated that they were hoping they could depend on the Mayor and Council to do what was necessary to bring quality homes to their community; that they were very excited when the developer brought his plans and she had no problem with some being leased to purchase as that was how she started out, but not for 900 of the homes and she hoped they would help and allow their community to grow. Mayor White, Council Members Wiseman, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he received her letters and spoke with Council Member Galloway, their District Council Member, and she requested that this be a part of their next Agenda meeting and would; that it would be two weeks from today and they would have a discussion regarding the plans for the lease to own; that it was never his intention to have all those homes in one development but to scatter them around the city, nor was he wanting one developer to do all of them; that he also wanted the Freddie Mac underwriter to come in; and their goal was to make sure affordable housing was available to as many as possible. Mayor White, Council Members Wiseman, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Jackie Mayhorn, 5409 Van Zandt, Houston, Texas 77016 (281-914-0351) appeared and stated that she was super neighborhood president of East Little York Homestead and she was totally frustrated; that developers came into their neighborhood lying to them and Mr. Joe Fogerty was adamant about building the 900 plus homes in minority neighborhoods and they did not want it; that she was present asking Council to support their wishes; that they were trying to subsidize some things the city was not doing and there should be a process in place to notify the community. Mayor White, Council Members Wiseman, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that they appreciated her standing up for the community and she and Council Member Edwards were dealing with some of the same concerns.

Mayor White, Council Members Wiseman, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he and Mayor White had spoken about notification to communities regarding projects seeking City assistance and they asked Housing and Community Development develop a website so when an application went in all would know where the application was and the location of the project and they wanted to give citizens an opportunity to speak on it; that they understood them and wanted to work with them. Mayor White, Council Members Wiseman, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she did not know where the solution was but one challenge was developers who were not always honest with the community and it was an issue she was concerned with; and Mayor Pro Tem Alvarado stated that it was a point well taken and Council Member Quan's committee would probably be the appropriate place to address it, but it was a pattern in many neighborhoods. Mayor White, Council Members Wiseman, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Garcia, Council Member Quan stated that the project would not get City funding but would use the City's good name with local government corporations established in which Freddie Mac would underwrite the bonds, it had to be a City instrument that went through to finance it and it would not go through without City Council's approval. Council Member Garcia stated that discussions between his super neighborhood council and developers had so far bore some fruit in good dialogue and intentions, but then there were those who could not afford the new property tax rates with the new development in the area and there was no consideration given for that so there was frustration and concern in that regard; and he hoped he would not need to retract those words in the future. Mayor White, Council Members Wiseman, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Michael Frazier, 8341 Tidwell, Houston, Texas 77078 (713-631-2606) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Holm, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Mamie Wells, 9714 Bertwood, Houston, Texas 77016 (713-633-6997) appeared and stated that she wanted all to know she was a very proud citizen and a member of Super Neighborhood 47; that she lived in her location 38 years and was proud to live there; that she did not want a lot of public housing because they would get more taxes and they did not attract big businesses that would help with those taxes; that in their neighborhood many would not pay \$1,000 or more for rent; and she hoped all Council Members would take it under consideration. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that Council Member Galloway wrote to the Secretary of Housing asking that it not be a project to move forward until more information was obtained so all Council Members were looking at the matter. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Evola Derousselle, 9710 Bertwood, Houston, Texas 77016 (713-633-1515) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Andrea Cooksey, 260 N. Sam Houston Pkwy., Houston, Texas 77016 (281-260-8289)

appeared and stated that she was in Real Estate and developing in the area for 22 years and in 1988 such a developer came in close to their neighborhood and put 85 lease to purchase homes and those homes ruined the value of that neighborhood so they were concerned with the structure of the program as well as the quality of the homes; that they were organized and would stand firmly against such development. Mayor White, Council Members Lawrence, Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Dr. Ross Cullins, Sr., 6302 Tidwell, Houston, Texas 77016 (713-633-1474) appeared and stated that he was a part of the group which had been speaking and was senior pastor of the Solid Rock Baptist Church in northeast Houston and lived in the area 18 years; that he did not want to repeat all that was said but would urge Council Members to work with the organizations in that area and give them the opportunity to put together the plan they would like to see there. Mayor White, Council Members Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Robin German Curtis, 7220 Homestead Road, Houston, Texas 77028 (713-635-2300) appeared and stated that last December they came talking about the issues they were experiencing and the insensitive community development taking place; that Northeast Beyond 2000 was a planning initiative covering four super neighborhoods in northeast Houston and they needed support for their plan and they were asking for that help; that Mr. Fogerty was indicative of developers coming to their area and they needed help and information when requested. Mayor White, Council Members Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that they had support at the Council table. Mayor White, Council Members Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that they had not moved forward on this and were checking everything; that nothing had come to them to move forward and it may never come, but they did welcome all their input. Mayor White, Council Members Wiseman, Holm, Garcia, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Hector Garcia, 1715 Morris, Houston, Texas 77009 (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Holm, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Holm, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 2820 Palm 2B, Houston, Texas 77004 (713-523-4011) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Holm, Garcia, Ellis, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Thomas Webb, 2608 Sutherland, Houston, Texas 77023 (713-928-3738) appeared and stated that he was on the job visiting worksites and talking to employees and there was a major concern and fear factor breaking the scale of 10 wide open; that they were so scared they were talking about retiring next week and an exit not really justified and could create major problems for this city in an infrastructure where they had been for years; that all things must be considered and he was asking the Mayor and Council to find a way to solve the problem. Mayor White, Council Members Lawrence, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro

Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia moved that the rules be suspended for the purpose of extending time for Mr. Thomas to speak, seconded by Council Member Green. No vote was recorded as a quorum was not present. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Mayor White, Council Members Lawrence, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Webb stated that he was asking Council find a way to fix the problem without opting out of a plan which protected pensions; that they were in a position to set an example for the entire country by causing something to happen which had not happened before, to be challenged with such a major situation and to come out without bringing it on the back of the employees would certainly put Houston where it needed to be, number one in the country and he was asking them to do so. Mayor White, Council Members Lawrence, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia thanked Mr. Webb for waiting to speak and stated that the Mayor would be coming out with a response to questions out there and believed it to be a step in the right direction; that they appreciated his work and hoped AFSCME would have a voice. Mayor White, Council Members Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to recognize Mr. McMichael who came from Austin to offer support to them on the issue; and Mr. McMichael stood to be recognized. Mayor White, Council Members Edwards, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) appeared and stated that he again was addressing his crime victim case and demanding protection; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Edwards, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that the U. S. Coast Guard were all fired; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Edwards, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 5:19 p.m. City Council recessed until 9:00 a.m., Wednesday, March 10, 2004. Council Member Galloway out of the city on city business. Council Member Goldberg absent. Mayor White, Council Members Edwards, Wiseman, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, March 10, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, March 10, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Susan Taylor, Assistant City Attorney and Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present. Council Member Mark Goldberg absent.

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

At 9:18 a.m. Mayor White reconvened the meeting of the City Council. Council Members

Garcia and Berry absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 43

MISCELLANEOUS - NUMBERS 1 through 3

1. REQUEST from Mayor for confirmation of the appointment of **MR. ARTURO G. MICHEL** to the position of City Attorney – was presented, moved by Council Member Quan, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg absent. Council Members Garcia and Berry absent. MOTION 2004-0257 ADOPTED.
2. REQUEST from Mayor for confirmation of the appointment of **MS. CARMEN ORTA** to the Board of Directors of the **METROPOLITAN TRANSIT AUTHORITY**, for a two year term – was presented, moved by Council Member Quan, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg absent. Council Members Garcia and Berry absent. MOTION 2004-0258 ADOPTED.
3. CONFIRMATION of the appointment of the following to the **HOUSTON-GALVESTON AREA COUNCIL BOARD OF DIRECTORS**, for one-year terms to expire December 31, 2004:
 - Position One - Council Member Addie Wiseman
 - Position Two - Council Member Mark Ellis
 - Alternate Position One - Council Member Pam Holm
 - Alternate Position Two - Council Member Ronald Green– was presented, moved by Council Member Quan, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg absent. Council Members Garcia and Berry absent. MOTION 2004-0259 ADOPTED.

Mayor White stated that they had a couple of the nominees present and noticed that some students from Willowridge were present and also Mr. Arturo Michel who had just been confirmed as City Attorney and was present in Council Chambers and they all looked forward to working with him. Council Member Berry absent.

Mr. Michel stated that he wanted to thank the Mayor and Council for their vote, that their confidence would not be misplaced, that he looked forward to having the City Legal Department defend the City's interest and take an active role in implementing the Mayor's policies and actions. Council Member Berry absent .

Mayor White stated that Ms. Carmen Orta was also present and invited her to the podium. Council Member Berry absent.

Ms. Orta stated that she would also like to thank all the Council Members and Mayor White and to thank them for the opportunity, that she was looking forward to serving all of them and the great City and hoped to do a good job. Council Member Berry absent.

Mayor White and Members of Council congratulated Ms. Orta and Mr. Michel on their appointments, and also thanked Ms. Susan Taylor for doing a fine job as acting City Attorney. Council Member Berry absent.

Mayor White recognized Council Member Edwards for a special recognition. Council Member Berry absent.

Council Member Edwards stated that the Willowridge High School Government Class and

Mr. Larry Blackman their instructor, who was the premier, ultimate teacher, the one that the kids always remembered as they went through life and asked that they stand and be recognized. Council Member Berry absent.

Mayor White stated that Mr. Blackman was the model that he knew of in the community of someone who got young people involved, engaged and interested in the civic process in the Country, that he was one of those every day heroes. Council Member Berry absent.

ACCEPT WORK - NUMBERS 6 through 8

6. RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$118,123.03 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Rosewood Park Improvements and Upgrades, F-0512-01-3 - 05.00% over the original contract amount - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0260 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,052,765.34 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Hidden Echo Lift Station, GFS R-0267-36-3 (4275-24) - 00.09% under the original contract amount - **DISTRICT E - WISEMAN** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0261 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,326,635.13 and acceptance of work on contract with **REDDY ENGINEERS & CONTRACTORS, INC** for Improvements at Mud #203, WCID #76 and Easthaven Wastewater Treatment Plants; GFS R-0512-09-3 (4768-2) - 04.33% over the original contract amount - **DISTRICTS B - GALLOWAY and E - WISEMAN** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0262 ADOPTED.

PROPERTY - NUMBERS 9 through 11

9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ms. Mary M. McKenzie of Hovis Surveying Company, Inc., on behalf of Neighborhood Retail Services, Inc. (Frimel R. Gillum, Jr., president), for abandonment and sale of Charles Street, from Wheatley Drive west ±315 feet to its terminus, located between Blocks 1 and 2, Highland Acre Homes Addition, Resubdivision of Lots 67 and 68, Block 2, Parcel SY4-021 - **STAFF APPRAISERS - DISTRICT B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0263 ADOPTED.
10. RECOMMENDATION from City Attorney to deposit the amount of the Award of Special Commissioners into the Registry of the Court, pay all costs of Court in connection with eminent domain proceedings styled City of Houston v. David O. Duran and Esperanza M. Duran, et al., Cause No. 800,997, for acquisition of Parcel HY1-012; for **FIRE STATION NO. 20 EXPANSION PROJECT**, CIP/GFS C-0142-01-1 - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0264 ADOPTED.

11. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel Ay3-020, located in the 7200 block of Lyons Avenue, owned by John P. Vuong and wife, Kheo Thi Nguyen, for the **LYONS AVENUE PAVING PROJECT** from Zindler Street to Port Street, CIP R-0719-02-2 - **DISTRICT H - GARCIA** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0265 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 14

12. **MAJESTIC SALES** for Physical Fitness Equipment from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for the Houston Fire Department - \$63,193.02 - Grant and Equipment Acquisition Consolidated Funds – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0266 ADOPTED.
13. **PARACLETE ARMOR & EQUIPMENT, INC** for Tactical Body Armor for Houston Police Department - \$52,134.10 - Grant Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0267 ADOPTED.
14. **AMEND MOTION #2000-539, 4/19/00 as amended by #2003-524, 3/11/03, TO EXTEND** expiration date from May 11, 2004 to May 10, 2005, for Automotive, International Trucks, Gas/Diesel Replacement Parts and Repair Contract for Various Departments, awarded to **INTERNATIONAL TRUCKS OF HOUSTON (formerly OLYMPIC INTERNATIONAL TRUCKS, INC)** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0268 ADOPTED.

ORDINANCES - NUMBERS 16 through 43

16. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 401** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0157 ADOPTED.
17. ORDINANCE consenting to the addition of 19.816 acres of land to **LANGHAM CREEK UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0158 ADOPTED.
18. ORDINANCE consenting to the addition of 23.7742 acres of land to **MILLS ROAD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0159 ADOPTED.
19. ORDINANCE establishing the east and west sides of the 1100 block of Cortlandt Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0160 ADOPTED.
20. ORDINANCE establishing the north side of the 1300 block of Fairview Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the

Code of Ordinances, Houston, Texas - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0161 ADOPTED.

21. ORDINANCE establishing the north and south sides of the 1000 and 1100 Blocks of Fugate Avenue and the north side of the 1000 and 1100 blocks of Melwood Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0162 ADOPTED.
22. ORDINANCE establishing the north and south sides of the 1100 Block of Key Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0163 ADOPTED.
23. ORDINANCE establishing the north and south sides of the 1000 Block of West Cottage Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0164 ADOPTED.
24. ORDINANCE establishing the north and south sides of the 900, 1000 and 1100 Blocks of West Gardner Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0165 ADOPTED.
25. ORDINANCE issuing permit to **LYONDELL-CITGO REFINING, L.P.** for building, constructing, maintaining, using, occupying, operating and repairing one Aerial 5KV Electrical Cable and one Aerial Low Voltage Communication Cable located in a 1¼ inch interdict, both being 25-30 feet in Height above and across the street in the 100 block of Allen Genoa, between Lawndale Street and Highway 225, such areas being within public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0166 ADOPTED.
27. ORDINANCE approving and authorizing submittal of an application to the **U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL** for the City's HIV/AIDS Surveillance Projects (the "GRANT"); declaring the city's eligibility for such grant; authorizing the Director of the Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - 3 Years - \$2,540,369.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0167 ADOPTED.
28. ORDINANCE approving and authorizing acceptance of funding from the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** for FY04 Education and Training Project to Produce the 12th Annual Recycling Guide along with English and Spanish version television advertising for heavy trash related services - \$120,000.00 - Grant Fund had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Berry absent.
31. ORDINANCE approving and authorizing interlocal agreement between the City of Houston

and **FORT BEND COUNTY** for Improved delivery of Law Enforcement Services for Residents of the City of Houston and Fort Bend County – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0168 ADOPTED.

32. ORDINANCE approving and authorizing amendment to interlocal cooperation contract between the City of Houston and **TEXAS DEPARTMENT OF PUBLIC SAFETY** for the No Suspect Casework DNA Backlog Reduction Program (Ordinance No. 2003-1354, December 16, 2003) – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0169 ADOPTED.
33. ORDINANCE approving and authorizing interlocal cooperation contract between the City of Houston Police Department and the **TEXAS DEPARTMENT OF PUBLIC SAFETY** for an Extension for the No Suspect Casework DNA Backlog Reduction Program – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0170 ADOPTED.
34. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **GT FIRE EQUIPMENT CO., INC dba AAA FIRE EQUIPMENT COMPANY, INC** for Fire Extinguishing Equipment, Inspection & Hydrostatic Testing Services for Various Departments (as approved by Ordinance No. 00-0002) – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0171 ADOPTED.
35. ORDINANCE approving and authorizing amendment to contract between the City of Houston and **ADS CORPORATION, d/b/a ADS ENVIRONMENTAL SERVICES** for Installation of Permanent Flow Meters and Rain Gauges, GFS R-0019-29-4 – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0172 ADOPTED.
36. ORDINANCE awarding contract to **AAA FLEXIBLE PIPE CLEANING COMPANY, INC** for Sewer Stoppage Services for Public Works & Engineering Department; providing a maximum contract amount - 3 Years with two one-year options - \$8,682,440.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0173 ADOPTED.
37. ORDINANCE appropriating \$79,592.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City and **ZARINKELK ENGINEERING SERVICES, INC** for Construction Management and Inspection Services for Water Line Replacement in Ridgcrest Subdivision, CIP S-0035-96-3 (10737) - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0174 ADOPTED.
38. ORDINANCE appropriating \$314,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **KUO & ASSOCIATES, INC** for Design of Water Line Replacement in the Almeda Manor Subdivision, CIP S-0035-B3-2 (WA10776); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0175 ADOPTED.
39. ORDINANCE appropriating \$403,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **QUADRANT CONSULTANTS, INC** for Design

of Water Line Replacement in the Scarborough Area, CIP S-0035-D4-2 (WA10795); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0176 ADOPTED.

41. ORDINANCE appropriating \$73,028.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **T & C CONSTRUCTION, LTD** for Installation of Pipe Taps at Various Lift Stations, GFS R-0267-B9-3 (WW4276-40); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0177 ADOPTED.
42. ORDINANCE appropriating \$1,660,200.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Water Line Replacement in Westbury West Subdivision, GFS S-0035-98-3 (WA10739); providing funding for engineering testing and construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0178 ADOPTED.
43. ORDINANCE appropriating \$2,750,000.00 out of Houston Airport System Consolidated 2004 AMT Construction Fund, awarding construction contract to **THE RYAN COMPANY, INC** for Terminal C Electrical Vault Expansion at George Bush Intercontinental Airport/Houston (IAH), Project No. 490P; providing funding for contingencies relating to construction of facilities financed by such funds - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0179 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

4. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.068 per square foot for properties connecting to the 8-inch sanitary sewer line located on Dorrance Road constructed by **JAMES GRAFTON and SRIDHI INVESTMENT, INC** – was presented, and tagged by Council Member Wiseman. Council Member Berry absent.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$1,123,539.20 for contract awarded to **ANGEL BROTHERS ENTERPRISES, LTD.** and to allocate additional funding in the amount of \$1,007,152.28 for Neighborhoods to Standard, Tier IX Overlay, GFS N-1037-02-3 (OL2039) CDBG Funds - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - GARCIA and I – ALVARADO** – was presented, moved by Council Member Ellis, seconded by Council Member Quan. Council Member Berry absent. (Note: Council Member Wiseman released her tag later in the meeting.)

Council Member Wiseman stated that they were informed through the Assistant Agenda Director that the administration was asking that the item not be tagged, that she had requested some information yesterday afternoon from Public Works in regards to the item and overlays in general, that on the specific item she had asked for a justification for a no tag on it and was told that there was a time crunch and in order to be able to meet that HUD deadline for the CDBG

Funds they would have to pass the item today, that she had some very specific questions because she had specific concerns about the overlay project and about projects in her district, that she asked for that date and instead of being given that date she received a call from a colleague who was contacted by a representative in an effort to lobby her against the tag, that the best way to avoid a tag was to just provide answers to the questions given, it was plain and simple, that she had areas in her district that were in serious need of assistance, specifically the area she was concerned with was a community called Crestmont, which was in a very predominantly African American section of the community on the southeast side of town and was bordered by Reed Road, MLK and Mykawa, that the area was in serious need of attention and as their Council Member she was working very hard to make sure that they get the services and that they have acceptable level of municipal services and not anything that was substandard, that they received an overlay project before her arrival which was so shoddy that she had been trying to get it fixed since she arrived, that they had standing water that allowed for mosquito infestation and she had people in that community who had physical disabilities and were in need of wheelchairs so therefore they needed to be able to get on and off the street when they used the Metro Lift Service and they could not even do that, that when she tried to get it fixed she was told by the department that there was no money and that perhaps there would be some CDBG Funds to take care of the problem, so naturally having dealt with that issue for two years she came across Item No. 5 and would like some specific answers, that they could not conduct business that way, that was the old style, that she was told that with the present administration the thing that they asked for the most, information, that they would receive it, therefore given her frustration with it she would be tagging Item No. 5 and would consider lifting her tag by the end of the session if she had some answers to the questions she was asking and if she got some reassurances that they would have some cooperation when they asked for answers. Council Member Berry absent.

Council Member Edwards stated that they shared the area and was very excited to have her in that passion and in that fight and thanked her for working with them on it. Council Member Berry absent.

Mayor White stated that he did not know why anyone would refuse to provide some information to Council Members, that he thought that was one of the great benefits of having a City Council, to have transparency an public scrutiny of items coming before Council, so whoever had the specifics he wanted to make sure they were resolved and asked Council Member Wiseman what were her questions and Council Member Wiseman stated that she wanted to know when the deadline was. Council Member Berry absent.

Mayor White stated that she had expressed strong concerns about the needs of her district and his comment was that he would work with her on it, that it should be based on objective criteria and not whim or arbitrary or squeaky wheel gets the grease, that what he intended his staff to communicate was the commitment was good with or without the tag and on the issue of timing it was not easy, that CDBG funding requirements by the federal government included a requirement that the ratio of unexpended funds to the annual allocation not exceed certain guidelines, currently that ratio was above the guidelines and as Mayor of the City he wanted to bring that ratio below one, that historically it had been a lot higher, that was that the unexpended fund balances had been greater than the annual amount that they got allocated in the form of a grant, there were so many needs in Houston that they ought to apply funds to those needs as quick as they could without wasting and following proper procedures and as he expressed yesterday, working with the department director and Legal and other department and HUD, that they could expect the Mayor to be knowledgeable about the status of those balances and the significant internal projects within those balances and to have a more transparent and accountable process to get CDBG spent and well spent to help communities as soon as possible, that for the immediate question, one of the test they had to meet was a test that occurred on May 1 and so there had been a desire, it was not simply to comply with federal law, but also in accordance with the administration policy, to get projects under way before that time so they would not have to make further justifications to HUD concerning retention of those

particular funds, so very specifically there may be some items that they wanted to answer, that they did not want to be wasteful, that they wanted to have well scrutinized that would come up on the agenda in the next three weeks where they would not tell somebody that they could not exercise their right to tag, but instead they may say to tell them what they needed and what they ought to do and that the tag was for the purpose of sending a message, then to please deliver the message, but let them try to get some of the CDBG funds that they needed to expend by the end of April, expended, that he respected the right of Members of Council to tag and wanted to have a dialog to share that there were advantages in getting certain monies expended, and finally, they all heard the issues on street overlay projects, before they did Item No. 5, Mr. Tinnermon consulted with Council Members and with the super neighborhoods so they would not get into a situation where somebody wanted their streets just like they were. Council Member Berry absent.

After further discussion by Council Members, Council Member Wiseman stated that she would keep her tag on the item and would consider removing the tag by the end of the agenda if she could have further discussion during the course of the meeting. Council Member Berry absent.

Council Member Edwards moved to suspend the rules to consider Item Numbers 45 and 51 out of order at this time, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. MOTION 2004-0269 ADOPTED.

45. ORDINANCE issuing permit to **TEXAS SOUTHERN UNIVERSITY**, a Public Institution of Higher Education, for building, constructing, maintaining, using, operating and repairing a six inch waterline encased in an eight inch steel pipe and four inch waterline encased in a six inch steel pipe for water and fire line purposes abutting Lot 12, Block 2, Tierwester Oaks across and under Canfield Street, within and being a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT D - EDWARDS – (This was Item 34 on Agenda of February 25, 2004, POSTPONED BY MOTION #2004-218)** – was presented.

Council Member Edwards stated that she wanted to thank Mayor White and Mr. Anthony Hall for assisting in bringing together a meeting with the President of TSU, that she thought the meeting was very productive and looked forward to working with the president in a process that would bring continuous communication and activities that would bring hopefully the community and the university closer together, that they were also working to bring the president to the community where she could make an expression of her interpretation of where the university was going and how she wanted the community to be a part of that, that she was very confident and hopeful that it was going to be fruitful and productive and their office was going to do everything they could to make sure that would happen. Council Member Berry absent.

A vote was called on Item No. 45. All voting aye. Nays none. Council Member Goldberg absent. Council Member Berry absent. ORDINANCE 2004-0180 ADOPTED.

Mayor White stated to the young people in the audience that under the procedures of City Council if people did not express their vote that was carried as being a vote in favor, so when he called for a vote and people said nothing it was not because they were apathetic but was because they had a procedure to deal with it. Council Member Berry absent.

51. ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **CHEVRON U.S.A. INC** for certain property located within the Houston, Texas, Enhanced Enterprise Community; granting variances to certain requirements of Chapter 44 of the Code of Ordinances – **(This was Item No. 29 on Agenda of March 3, 2004, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. Council Member Ellis voting no, balance voting aye. ORDINANCE 2004-0181 ADOPTED.

ORDINANCES

15. ORDINANCE ordering and giving notice of a Special Election to be held on May 15, 2004, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition to exempt the Pension Systems funded by the City from certain provisions of the Texas Constitution relating to benefits provided by such Pension Systems – was presented. Council Member Berry absent.

Council Member Green stated that he wanted to make it clear that no matter what the vote turned out on the item that on the record the administration was still very much interested meeting and conferring with City employees as it related to their benefits, that it was a very important issue and he wanted to make sure that the employees knew that they wanted to keep the employees in the loop and wanted to continue with the meet and confer so that they could play an active role in helping them get out of the situation as it related to their benefits, secondly, he wanted to make it clear that whatever the vote turned out it was not a signal to gut the pension plan, that it concerned him that maybe they were not conveying that message strongly enough, that another issue he had with it was the priority, that they place the priorities on the retirees and individuals who were already vested in the plan, while he would like to have a good plan to attract and keep new employees he through their first priority was to look out for those employees who were now drawing that pension and secondly those employees who were vested, that thirdly, he was in a situation where it was a very tough decision, that if in fact there was no benefit at the end of the day to give those people then they were lying to themselves and lying to the employees if they did not do something about it now, that he did not want to see the City place employees who were at the age of retirement and probably, in all essence not hireable any more, in an Enron type of situation, that he wanted to make it perfectly clear before the vote that the City of Houston employees were the top priority and not just balancing the budget on the backs of employees. Council Member Berry absent.

Mayor White stated that Council Member Green had been one of a number of his colleagues who had posed questions, very specific and very concerned, that he appreciated his keen interest on it and on meet and confer and some other issues that he had discussed as well as others. Council Member Berry absent.

Council Member Alvarado stated that as elected officials they always looked back at some of those tough votes and decision they had to make and today would be one for her, that she saw her union brothers and sisters from Local 1550 and thanked them for their solidarity and taking a stand on the issue, that hopefully they would recruit more members in the process, that it was a difficult vote but thought not voting for it would be irresponsible on her part and wanted to explain why her vote would be supporting the issue, that it was not the end all, it was simply giving them another alternative, that she had some private conversations with the Mayor and to ease her comfort and assure the employees that the administration was committed to resolving some of those issues and making sure that whatever they came up with was fair, that the Mayor had said he would continue to negotiate after today with the municipal employees, with AFSCME, that he was meeting with them later in the week and understood that there may be a task force set up to resolve the issues and was asking that a member from the Municipal Employees Union, AFSCME, designee be on that task force so that the municipal employees have fair representation and have a voice at the table from the very beginning, that she and other Council Members had been pushing for a meet and confer process like they had with Fire and Police, that municipal employees deserved meet and confer process, that she knew the administration was currently reviewing that, that she also wanted to remind everyone that they did have meet and confer with the pension board and hoped that through that process municipal employees would have a voice there, that she was not sure how that was set up because it would be the first time that they used that process and it was something that was done in the 2003 Legislature, that she was pleased to see Mayor Brown's op ed in the newspaper, that it was always easy to blame the person who not there and she thought that the way his op ed laid

out the history and the scenario was very accurate, that she hoped that the Mayor would comment on some of the things she talked about, that she knew they had agreed on some of those privately but wanted to hear from him publicly and hear some strong commitments so the employees would feel they had a voice at the table once the process began. Council Member Berry absent.

Mayor White stated that he wanted to thank Council Member Alvarado for all the time she spent with him articulating concerns and exploring alternatives. Council Member Berry absent.

Council Member Edwards stated that she agreed with her colleagues, especially regarding meet and confer, that she felt the administration was committed to do the right thing, but in doing the right thing she had asked some questions that she still had not gotten answers as to where they were going on the issue and particularly looking at process so they would not wind up in the same situation with another group of employees, that she asked for an investigation of what happened, who knew what and when and had not received any answer on that, that she asked for a review of the process of their lobbyists, how did they get information from them, how did they ask questions of them as to what was going on in Austin and what was the impact of what was going on, legislation that was going on, that she might be wrong in her estimation of what their relationship was supposed to be but she thought they were supposed to be their advocates in Austin, letting them know what was wrong or right and what they needed to be aware of, that also she would like to ask for a review of the process of the pension boards and how they operating and how did they get to where they were, that it seemed there was so much autonomy with what they did and who they were accountable to, that she had a lot of board members come and talk to her since she was on Council, but thought she had never talked to a member of the pension board since she was on Council, that maybe she was not important enough or on the right committees but that bothered her so in one piece it was fine and well to say they were going to work with the employees but thought they really had to look at the process, that she was confident in Mayor White and the administration intend to work very hard to make sure that the employees who were currently on board and the employees that they hire were not hurt by the particular episode, that somebody had to be responsible for how they did business at the City, that she would like to have those things addressed in whatever manner. Council Member Berry absent.

Council Member Garcia stated that he wanted to recognize Local 1550, that when he got elected to office he knew he was not going to know everything about everything and that he was going to look for direction from certain people on some tough issues, but the issue, when he thought about what it really meant, it was really their local discussion about Social Security to a certain extent, that he thought about his mom and dad who did not have a pension, they were relying on Social Security, that his father had cancer and depended on Medicaid to buy his medication and things of that nature, that it was the exact parallel to the blood, sweat and tears that those people were putting in day in and day out to move the City forward and they could not be robbed of that protection, but to concur with Council Member Alvarado's comments that they try not to lose sight, that he made a commitment to his constituency and supporters that he would not forget where he came from and in that regard he knew what it was to yield a shovel and knew what it was like to bust a sweat and so he commended the Mayor for taking steps with all that he had in front of him to move forward, that he wanted AFSCME to work with him to make sure that the questions, discussion, dialog and transparency that needed to be had on the matter was being put on the table, that meet and confer on the pension program he commended the Mayor for committing that process would be something that he would work through, that it meant there would be no arbitrary decisions, but there was a degree of responsibility that they were going to exercise on the Council on the matter to make sure that long term wise and majority wise that their benefits were protected, that it may mean they probably would not discuss ultimately on where the whole process ended up just because of the beast of a problem that they had to deal with fiscally on the issue but they had a fiduciary responsibility in resolving the matter, that he was holding strong to making sure that Local 1550 was at the table through their representation in the process, that he asked the Mayor to take a long hard look at those

folks, they were busing sweat. Council Member Berry absent.

Council Member Galloway stated that she knew the Mayor was between a rock and a hard place because when he first ran his commitment was to the employees of the City and she believed that of him and knew that he was true to what he stated, that she knew it was a tough decision, but many of the people being affected by it lived in the district that she represented, that she had ordinary workers who had waited long and hard to think about relaxing in their golden years and having some type of pride to know that they had something coming in pension, that she knew that Mayor White had committed to the meet and confer and was going to be meeting with employees and Local 1550 and other employee groups as well, that she did not know if they were going to win the special election, they never knew what may happen, they were just putting it on the ballot for the citizens to have a chance of giving the City the option to opt out, that she was really saddened by the whole thing, that she knew what the Mayor was confronted with and knew it was a tough decision for the Council Members and understood and her vote would reflect that today. Council Members Alvarado and Berry absent.

Mayor White stated that he was reluctant to talk too much at the meeting but he wanted to talk about three things, why was it coming up now, where were they going with it and then there were several specific questions that had been posed to him over the last several days by his colleagues on Council, that he knew that they were only going to be as good as a City as the City employees were, they were a team, that somebody said the Mayor ran the City but he did not do every job in the City, they knew who did those jobs and there was a bond there and there were a lot of people who had not gotten paid a fair wage for doing those jobs and he knew that and pensions ought to be secure, that he was clear on it, that his parents spent about 70 years as public employees and all they had was a pension that they got by on month to month and because they retired a few years back it did not go that far and every aunt and uncle he had, had some defined benefit, supplemented with a little social security on some occasions and that was all they had, that he could relate to that, that his goal was to make sure that if they had something that was a promise that it was going to be funded because he did not want it on his conscience if somebody was promised something, who was working out there, that they could not deliver on, that what happened was when they got into the City there had been a report that was done near the end of 2003 and then immediately he asked for another analysis to be done to see if things had gotten better, particularly because the stock market had gone up, but that report was delivered to his desk on February 24, 2004 and was produced on February 23, 2004 and it showed that things had not gotten better, that they had gotten worse, that they began sharing that with people about what they ought to do and that triggered the look at the State law, that the benefits of those folks who retired a long time ago were absolutely not at risk, that was not what they were about, they wanted to make those secure, that what happened to the pension funds where people did not get money was not that they changed the benefits but that they did not have money to pay, that they were entitled to the benefit but they did not have money, that he did not want that to be ever said of the City of Houston, that another question was if they could find the money by raising taxes or cutting services, that on taxes the State sets the sales tax rate and they were at the maximum, the City Charter set the property tax rate for maintenance and operations and they were near the maximum there so they could not raise tax rates, they could cut services, that was true, if they put \$50 million more in the pension fund they could cut 1,000 jobs of City employees and put that money in there, that he did not want that to occur, that was why, very specifically, he looked forward to meet and confer and were meeting with union representatives on Friday, that the active employees were the allies of what he was trying to accomplish because he did not want to cut jobs in the City and services with a City in so much need, that they needed to focus on all those things because if they did not have meet and confer with the pension board and for the employees there may be contributions that they would owe that meant they would have to discontinue whole operations of the City, which he would not want to discontinue in the public interest, why was the referendum being called in May, that he just agreed that they ought to have a meet and confer process with the pension board and with the union, that the lawyers had said that they could reach an agreement but somebody could say, maybe one person or ten people out of a bargaining group consisting of

retirees or active employees, they could not do that, even if the retirees agreed and the employee representatives agreed, because they had a constitutional right and veto the whole thing so it would be pointless to have a meet and confer, that was what he had been told by competent counsel and was informed shortly before and that was a decisive consideration by him, if they could not have a dialog because one person could veto the whole thing, another question was what happens to retirement benefits if they elected out of the State, if they exercised their constitutional right not to be in the constitutional provision, nothing, they were set forth in statute, but the statute said they could not have a meet and confer agreement and that would be the process that they followed, if people did not want meet and confer, did not want union representation, he guessed the constitution was the way to go, he guessed it was every person for himself, but if people wanted a meet and confer process, he had been advised that the way to make it effective was to have an agreement that could be reached that could be binding on the respective organizations, that he thought truth was friend, he may be mistaken but at least he was sincere in what he believed the stakes to be, did they gain an advantage from retiring now rather than waiting to later, that question had been posed to him, and all of those questions and answers would be emailed to all City employees, the answer was "no", it was as simple as that, that if a City employee had been retired a long time and was having a hard time getting by on a current pension check would they cut their benefits from what they were promised at the time they retire, absolutely not, that he did not think any elected official, this and in the future, would go along with that, it was immoral in his book, that where people had lost it was where they said they would like to do but they did not have the money for it, that he was dedicated to making sure they had a plan, it would not be developed in one week, how would the plan be developed, by talking to employees, by talking to retirees, by talking to the pension board, they could not do it in one week or two weeks, that type of process took time by consulting with experts, by finding out what the truth was, that he had been asked the question a lot that the newspaper reports referred to the municipal pension fund, how about the fire and police, the answer was that fire looked pretty good and the police did not have as many issues as municipal pension fund, although there were some and thought they would be able to work through those and finally who was at fault for the problem, that his job was to fix it, that there had been a lot of Council Members who said that they make sure that he processes were fixed so all the cards were on the table in the future and everybody was represented, etc., that was a good idea and had his support, that there had been a lot of talk about blame, he was not in the blame game right now, he was trying to fix the problem, it was just a matter of time allocation, that at the time that the changes were made in 2001 he thought people looked at the actuarial report and thought it could be financed with the City's contribution to 14%, what the actuary thought he did not know, could there be mistakes made in the numbers, yes there could have been, that the thing they were doing right now was having a full blown report that was going to be done by the end of April by one of the largest firms so all the numbers were out there and they could rest assured that the Mayor would know the numbers, he would not rely on just having heard it from someone else, that he would get to the bottom of those numbers, that he had been asked if they should have a meet and confer agreement with City municipal employees, absolutely, he thought they had expressed that, that they had a meeting on Friday to go over specific language in a meet and confer agreement for municipal employees, that AFSCME was going to be part of the process, that there would be meetings where he would meet with large groups of City employees and retirees over an expanded period of time, just like he did in the selection of the Police Chief, that it was him and hundreds of officers having a dialog and with the duly authorized representatives of folks, that one thing that he did not have was the answer to the question of where were they going to go, what was the plan, the plan to be was if there were obligations they had and the obligations were more than the funding sources, to close that gap, he wished he knew it but was not going to make any decisions about that until consulting with the retirees and employees and all the experts and getting lots of views including the views of every single Council Member, so he was not going to lay out a plan, he could not say where they were going to go because they needed a process, that there were a lot of people receiving pension funds already before that constitution and they would continue receiving them under State law, and the way to change that State law it would have to be changed at the Legislature or through a meet and confer process, he could not just change or

nor did he have any intent to do something that was not legal, that on the investigation some people had called for some kind of investigation, he wanted to get the benefit of the views of a variety of Council Members about what kind of investigation they may want, that he did not want people getting all carried away with that until they solved the problem, that Council Members Alvarado, Garcia, Edwards, Galloway, Green and others had been very concerned about anxiety among City employees, about information and misinformation, about making sure that they take into account the interest of employees and there was one thing he would be very passionate about, he was not going to argue with people.

Council Member Holm stated that she wanted to thank Mayor White for his openness and completeness in his explanations, that what he had done was confirm that they were making the right decision in supporting Item No. 15, that she, like everyone at the table, felt that they were at Council to represent the people of the City, and the people who were lifelong employees of the City were some of their greatest assets and by supporting the option to be able to examine the pension fund it was to protect the pension fund and employees, that they did not know all the answers or numbers or did not know where they were going to be so if they did not keep their options open while they went through the process to confirm and make sure that they could fund a plan that was the only way that they could protect and really give them the assurances that they needed and that the City needed that they were taking care of everybody, so she did think that they absolutely must support the item in order to keep their options open.

Council Member Sekula-Gibbs stated that Mayor White had a great handle of what was going on and appreciated his remarks, that opting out of Proposition 15 was the first step of what she was referring to as "pensiongate", that the hard working employees of the City were not the bad guys in the situation, that opting out was not going to reduce any existing benefits in their City pension it would only give the City flexibility in managing future financial obligations, taxpayers and employees deserved better public accountability and in order to insure that it never happened again they needed to insist that there was an investigation in the future and it could be done under the Office of Inspector General and she had requested that it be conducted as other Council Members had, that corrective measures should also be done so that the composition of the pension board be changed so that it was more accountable and transparent, that too many of the facts that had gone on in the past left them wondering why it happened, so she would just remind everyone that they were there to try and remedy the situation and that Proposition 15 would lock their hands and tie their hands and exempting the City from it allowed them to move forward together and asked that they remember that so when they call for the vote that they ask their neighbors, friends and family to vote to exempt the City and opt out.

Council Member Edwards stated that she had been asked how could the City give a tax abatement to a Chevron/Texaco and then say they did not have the money to do for the employees, those were the questions that were given to her by employees and why could they not just say they were going to raise the sales tax to meet the costs, those were the two questions that had been put to her.

Mayor White stated that he was not a big fan of tax abatement, one of the problems that they had in the City budget was that the property values of the big buildings downtown had gone down because they had the big building that was vacant, and one reason he pursued, like crazy, trying to find somebody to fill that building up was so that the other buildings would have their values go back up so there would be more taxes, a lot more taxes than they were talking about than the abatement, the net effect of filling that building up was to increase the tax revenues for the City, that as long as there was that thing overhanging the market then they would have less money, in his view, that was his judgment that he pursued, plus there was an issue of jobs, but just on the fiscal side of it, why could they not just raise taxes, the City relied on three sources of money, property tax, that had a cap in the City Charter which would have to be changed, if they were to raise property taxes significantly more than the tax rates that they had over the last summer, that was set by City Charter, not a vote of the Council, that sales tax

was set by the State, so they played on those things the cards that were dealt them, he was not saying they were powerless but was saying to a considerable extent they were playing the cards that were dealt them and would add that there were lots of folks in the community that had seen their property taxes increase a lot over the last ten years and they wanted to make sure that they saw an equivalent increase or improvement in the amount of City services they got and nothing was going to lead faster to a tax rebellion than if they had to dramatically cut back City services and employment to pay for pension benefits, there would be a taxpayer revolt when they saw more and more money and less and less services, so those were the two responses he would give to them.

Council Member Edwards stated that she had final question from the employees, if they did not opt out and just left it as it was what would they wind up with and Mayor White stated that he would give a specific example, he thought it was not fair for there to be a 4% increase every year in the retiree benefit but current employees got no automatic annual increase, maybe it ought to be 2% and 2% or something like that, it just did not seem right to him, that they had to get the whole priority straight and after a while it actually came out that it was more profitable to retire than to work hard the next day, what sense did that make, so he thought it was the kind of thing that in a meet and confer negotiation a lot of reasonable people could agree with and had been told that depending on how they interpreted the constitution, which had not been tested in court, some retiree may say he wanted his 4%, it was not fair even if the other cost of living was 2% and they needed the money for active employees he wanted his 4% and they were violating his rights and they could not enter into that new agreement with the pension board with the people who were working for the City, that he wanted the flexibility to put everything on the table, that what was important to say was that there could not be any change in anybody's benefit without it going through the City Council and he would commit to his colleagues, it was another question that was posed on the process, they were not going to have some change in the pension benefit or something they were seeking in the Legislation that was not brought before the City Council, so it was going to go through the City Council, it had to through the Legislature or it would have to be agreed to by representatives of retiree and employee organizations.

Council Member Khan stated that just like everybody around the table he received a lot of calls from all kinds of citizens, City employees, constituents and friends who worked for the City and he really appreciated the answers that the Mayor had provided, not everybody may like all the answers but at least it showed his sincerity in addressing the issue and sure appreciated it, that he was also not for looking back, he wanted to move forward, but also knew that like the saying "people who did not learn from their past did not have a future", he strongly requested that Mayor White look back into why it happened, that what he understood that there were people representing the City who were responsible in protecting the interest of the City and their own pension benefits increased many folds, so he did not know how objective one could be expected to be in that kind of situation, that most of the calls he received from his constituents were on the following two points, one, why it happened, why the City was not putting in an independent commission or something to really find out who was responsible for such a raw deal for the City, that secondly, the people were most concerned because maybe they looked at the City and said the only solution the City could have was to either cut services or raise taxes and he could tell them that people were already outraged with the prospect of either one of those options, so he would request on that point also to please be very careful in even considering either one of those options because people, at least in District F, would not go for any one of those options but were still looking for very strong leadership, like the Mayor was providing, but were also looking for a clear cut scrutiny of why it happened.

Mayor White stated that he would say something that was not in defense of anyone, but would note it as a fact, that a couple of years ago a compiled analysis of the funded status of the defined benefits of the Fortune 500 companies and most of them were under funded, if they used realistic projections of future growth and assets virtually all of them were under funded and the way that is almost always dealt with in corporate America and in public bodies was that the

numbers looked so big and it looked like such a difficult problem that it was put to another day, for example he got a communication from an individual who was in a position to be knowledgeable about those matters from the pension board type perspective saying that there may be remedies like changing the actuarial assumptions, sorry they had the wrong Mayor for that, that what he wanted to do was set an example, he wanted to make the City pension fund the most secure in the Country and the most transparent in the Country, that kind of stuff had been going on too long where people postponed for the future rather than confronting the issues today.

After further discussion by Council Members, Mayor White stated that he was not going to give anybody, in what he tried to do, any advantage of retiring yesterday, or a week ago or three months ago as opposed to six months from now, and called for a vote on Item No. 15. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0182 WAS ADOPTED.

26. ORDINANCE amending Ordinance Number 98-855 authorizing application and acceptance of subsequent Juvenile Accountability Block Grant Program Funding from the Governor's Criminal Justice Division for the continued implementation of the Juvenile Accountability Court Program \$1,013,320.00 - General and Grant Funds – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0183 ADOPTED.
29. ORDINANCE approving and authorizing Reimbursement Guaranty Agreement between the City and **SOUTHEAST TEXAS HOUSING CORPORATION** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0184 ADOPTED.
30. ORDINANCE approving and authorizing contract between the City and **NEIGHBORHOOD CENTERS, INC** for Nutrition and Transportation Services for the Elderly; providing a maximum contract amount - 4 Years - \$5,570,505.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0185 ADOPTED.
40. ORDINANCE awarding construction contract to **RAY SMITH CONSTRUCTION, INC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section Three of the Willow Glen Subdivision; approving and authorizing an assignment of the construction contract to **CANNATA CONSTRUCTION**, CIP S-0800-98-3 and R-0800-98-3 (DPC-36) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0186 ADOPTED.

NON CONSENT AGENDA - NUMBERS 44 and 44A

MISCELLANEOUS

44. COUNCIL draw lots due to receiving identical low bids from **FROST CONSTRUCTORS, INC** and **PARALLAX BUILDERS, INC** for Construction of Parks Master Plan - Alief Park, GFS F-504B-08-3 and F-0509-14-3

- was presented, and Council Member Holm drew Parallax Builders, Inc. as the successful bidder, and Council Member Khan moved approval of the award to Parallax, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2004-0270 ADOPTED.
- 44a. ORDINANCE appropriating \$574,762.50 out of Parks Consolidated Construction Fund, conditionally awarding construction contract to **FROST CONSTRUCTORS, INC** or **PARALLAX BUILDERS, INC** whichever is the winner under the process set out in Local

Government Code 271.901C for Construction of Parks Master Plan - Alief Park, GFS F-504B-08-3 and F-0509-14-3; setting a deadline for the winning bidder's execution and delivery of all bonds, insurance and other required contract documents to the City; and providing for award to the other tie bidder if the winning bidder fails to meet the deadline; providing funding for engineering testing service, Civic Art Program and contingencies relating construction of facilities financed by Parks Consolidated Construction Fund - \$300,000.00 CDBG Fund – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0187 ADOPTED.

MATTERS HELD - NUMBERS 45 through 51

46. MOTION by Council Member Quan/Seconded by Council Member Garcia to adopt recommendation from Finance and Administration Department to award to **PHILPOTT MOTORS, LTD.** - \$1,442,344.00, **LAWRENCE MARSHALL CHEVROLET II, L.P.** \$2,050,970.00 and **CLASSIC CHEVROLET HUMMER, INC** - \$32,772.00 for Automobiles, Vans, Utility Vehicles and Light-Duty Trucks for Various Departments - Equipment Acquisition Consolidated, Enterprise, Police Special Services, Building Inspection and Storm Water Utilities Funds – **(This was Item 18 on Agenda of March 3, 2004, TAGGED BY COUNCIL MEMBERS WISEMAN and SEKULA-GIBBS)** – was presented.

Council Member Wiseman stated that she had tagged Item No. 46 because she wanted to get some additional information with respect to City vehicle purchases that they were making and understood that the contract request that they had before them represented a significant decrease in what was originally requested by the department so she appreciated the diligence of the F&A Department in looking at the item and working with Purchasing to set very stringent justification guidelines for the purchases, that she was still awaiting further information with respect as to how many of the vehicles would be used as take home vehicles, it would be her request that they not utilize any of them as take home vehicles, that she wanted to point out that a good number of the vehicles that they were purchasing were the hybrid vehicles, those that were electric and gas, that she thought it was important that they continue to head in that direction given the rising fuel costs that they would be dealing with, she thought it was a good move, and Mayor White stated that he had asked for a report as to the number of hybrid vehicles.

Council Member Sekula-Gibbs stated that she wanted to thank his department for getting back to her on the matter very expeditiously and to Ms. Susan Bandy and Mr. Calvin Wells for working so hard to reduce expenditures, they were very responsive to them, that the question she still had was why did they still use 100,000 as the maximum life expectancy of a car when in most instances they could eek out many more miles than 100,000, and Mayor White stated that they would get her a written justification on that. Council Member Galloway absent.

A vote was called on item No. 46. All voting aye. Nays none. Council Member Goldberg absent. Council Member Galloway absent. MOTION 2004-0271 ADOPTED.

47. MOTION by Council Member Quan/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Finance & Administration to **AMEND MOTION #2000-515, 4/12/00**, as amended by **MOTION #2003-374, 4/16/03, TO EXTEND** expiration date from May 24, 2004 to May 23, 2006, for Automotive Refinishing Products Contract for Various Departments, awarded to **LUIS AUTO COLORS** – **(This was Item 19 on Agenda of March 3, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Galloway absent. MOTION 2004-0272 ADOPTED.

48. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Variable Rate Demand Multifamily Housing Revenue Bonds (Mayfair Park Apartments) Series 2004 and approving the Official Statement with respect to such bonds - **DISTRICT**

H – GARCIA – (This was Item 21 on Agenda of March 3, 2004, TAGGED BY COUNCIL MEMBER GARCIA) – was presented. Council Member Galloway absent.

Council Member Garcia stated that he wanted to commend the folks on the project for working with his community to ease some questions and concerns about the project. Council Member Galloway absent.

A vote was called on Item No. 48. All voting aye. Nays none. Council Member Goldberg absent. Council Member Galloway absent. RESOLUTION 2004-0005 ADOPTED.

Council Member Wiseman stated that she wanted to release her tag on Item No. 5. Council Member Galloway absent.

Mayor White stated that he wanted to make it clear that the issue on the funding formulas and deadlines were extremely complicated and that complication was the account for their lack of responsiveness on the item, that he would personally get Council Member Wiseman that information whenever she needed it. Council Member Galloway absent.

49. ORDINANCE approving and authorizing consent to encroach, permitting improvements owned by Durward P. Hulce and Melinda Parmer, the abutting owners, to encroach into the alley located at 339 West 23rd Street; the area of encroachment containing 123 square feet of land, more or less, adjacent to the north property line of Lot 30, Block 45, Houston Heights Addition, Houston, Harris County, Texas; subject to the terms and conditions of the consent to encroach - **DISTRICT H - GARCIA - (This was Item 22 on Agenda of March 3, 2004, TAGGED BY COUNCIL MEMBERS GARCIA and LAWRENCE)** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Galloway absent. ORDINANCE 2004-0188 ADOPTED.
50. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 15-foot-wide storm easement, containing 2,226 square feet of land, more or less, and a portion of a 15-foot-wide alley right of way containing 935 square feet of land, more or less, Parcels SY2-048A and SY2-048B; both easements being located in the John Austin Survey, Abstract Number 1, Houston, Harris County, Texas, vacating and abandoning Parcels SY2-048A and SY2-048B to Houston Heights Apartments, L.P., abutting owner, in consideration of the owner's dedication of two street right of way easements containing an aggregate of 8,169 square feet of land, more or less, a 10-foot-wide sanitary sewer easement containing 1,243 square feet of land, more or less and a 20-foot-wide storm sewer easement containing 5,884 square feet of land, more or less and payment of \$600.00 and other consideration to the City - **DISTRICT H - GARCIA - (This was Item 23 on Agenda of March 3, 2004, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. All voting aye. Nays none. Council Member Goldberg absent. Council Member Galloway absent. ORDINANCE 2004-0189 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$1,123,539.20 for contract awarded to **ANGEL BROTHERS ENTERPRISES, LTD.** and to allocate additional funding in the amount of \$1,007,152.28 for Neighborhoods to Standard, Tier IX Overlay, GFS N-1037-02-3 (OL2039) CDBG Funds - **DISTRICTS B - GALLOWAY; D - EDWARDS; H - GARCIA and I – ALVARADO** – was again before Council, previously moved by Council Member Ellis and seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent. Council Member Galloway absent. MOTION 2004-0273 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Edwards stated that she wanted to thank Mayor White for attending the Chocolate Bayou opening inaugural reception, opening up a six month activity period honoring and respecting the community known as Sunnyside, that they were expanding the Chocolate Bayou to include South Park, South Union and Crestmont areas, that it was very important, that the festival would be in September on Labor Day weekend but they would have on going activities throughout the year in the community, that she wanted to thank the Mayor's office, especially Ms. Susan Christian in the Special Events committee for working with them, that one of the things they wanted to do was to revisit how to revitalize that community's economic engine that they used to have, that they would be talking with the Mayor's office and the State Representatives in that area regarding TIRZ's and management districts. Council Members Galloway and Ellis absent.

Council Member Edwards stated that Jones High School was in the State Finals for boys basketball and she wanted to congratulate them and also to the Cougar women, who were in the finals for basketball in their area and she wanted to congratulate Dr. Alma Allen and Judge Al Green on their victories, that she wanted to congratulate Ms. May Walker for running a great race.

Council Member Edwards stated that last year they had a very contentious time regarding the resolution regarding House Bill 40 that Congressman Connors regarding the issue of slavery in the Country, that it was going to be brought up again and she wanted them to know it was not being brought up in the spirit of being mean or hating or naming and blaming, that it was being brought up in the sense of trying to have some healing, that historians had said that at the time of the enslavement process that took place in Africa that Africa was about 50 years away from the industrial revolution and that Africa had been trading partners with Asia and all over the world, that Africa was not a dark continent in the sense that it was ignorant, that people were learned people, they were educated and had their own belief in their GOD systems, that the major religions of world came from Africa, Judism, Islam and Christianity were born in Carthage in Africa, that there were parts of Africa that were not developed but most of Africa was developed and a lot of people were taken out of that developed continent, that there were some historians that said that over 100 million Africans in the Middle Passage and that the shark migration was changed forever because the sharks would follow the ships because of the bodies that were thrown out, that there was a lot of pain and suffering that psychologists had traced to behaviors that African people did in order to survive, that what she was trying to say that it was about healing, there had never been a healing process for that community, all they had done was to suck it up and move on, that there were no counselors who met those ships so those people had to suck it up and what became survival methods had never been debriefed from their community and what those methods that were put on them by other people had never been debriefed from those other communities, so there was a lot of healing that had to go on and what the resolution seemed to be looking at was how would they start those discussion that dealt with that type of healing, that a lot of the current problems that they had in their discussions with one another, she thought, were still channeled in those feelings that had never been dealt with, so what she wanted them to understand and respect was that African people were not slaves, they were enslaved, and there was a qualitative difference in that, they were kidnapped, held hostage and enslaved and in that process there had never been any recognition or atonement of that, that her personal opinion was that there was not enough money in the world to pay back for the things that she heard in her own personal family, but there was a sense of recognition and validation to say to talk about it, that they should have some discussion about how they move forward, that she was going to be fighting to have the resolution brought forward.

Council Member Lawrence stated that she wanted to compliment the 311 Department, that she called in and got 311 and talked to Mr. Ron Spearman and gave him a couple of situations and Mr. Spearman had those problems solved within 48 hours so she wanted to recognize him for his due diligence, that also the Public Works Department, the engineers, all the way from the top had been very helpful, they had a number of townhall meetings and worked through a number of issues for a capital improvement project and they had been there, that also her staff had been very good, that time away from family meant a lot so she appreciated their cooperation. Council Member Ellis absent.

Council Member Garcia stated that on Thursday evening he would be making comments on behalf or in recognition of Dr. Lupita Quintanilla, that she along with Ms. Mamie Garcia, had really lead a vision for the Houston Police Department in working with the Hispanic Community, developing the Spanish language program for police officers, their Cultural Awareness and Sensitivity Program and things of that nature. Council Member Ellis absent.

Council Member Garcia stated that the YMCA was going to have a cholesterol screening and wanted to encourage everyone to come out to the M.D. Anderson YMCA in the area of Cavalcade and Irvington to have their cholesterol checked. Council Member Ellis absent.

Council Member Garcia stated that Sherman Elementary would be having their first health fair and wanted to encourage the Council Members to go by and visit those folks as well. Council Member Ellis absent.

Council Member Garcia stated that on Sunday was Go Tejano Rodeo Day and wanted to make sure that everybody had the opportunity and encouraged them to attend. Council Member Ellis absent.

Council Member Garcia stated that he wanted to congratulate Mayor White on his appointment of Mr. Issah Dadoush over Building Services. Council Member Ellis absent.

Council Member Garcia stated that Mayor White was at the Northside Bond Parade and he wanted to tell him it was good to see him out there and many folks had great comments. Council Member Ellis absent.

Council Member Garcia stated that he wanted to commend the Bureau of Animal Regulation and Control, (BARK), Mr. John Nicks helped him considerably in picking up strays along the Conoco Phillips Fun Run route, that recently there was a lady who was having a problem with stray cats and Mr. Nicks helped his office resolve the issue. Council Member Ellis absent.

Council Member Garcia stated that last night he was with an impressive young man named Steven Umogolbar and asked how it was on Council and he told him that it was exciting but they were dealing with the issue of the pension and the budget deficit and asked if he had any ideas and Mr. Umogolbar quickly said he had an idea, how about holding a citywide garage sale to generate some money and give it to the City, that Steven was a third grader at Helms Elementary and he was quick to be sincere about his suggestion and he wanted to tell Steven thank you for his concern for the finances of the City. Council Member Ellis absent.

Mayor White stated that he thought that the Acting Director of Building Services, Mr. Larry Baker, did an exemplary job of identifying a talented employee and giving that employee more and more responsibilities to groom him for a position of leadership, and that was real leadership by Mr. Baker to do that, and Council Member Garcia stated that he had known Mr. Baker for many years and his hat was off to him and hated to see him leave and wanted to thank him for his service as well. Council Member Ellis absent.

Council Member Holm stated that she wanted to affirm and confirm that she was pleased to be a part of the City Council and Mayor White's leadership and example, as well as those of her colleagues was very impressive and was proud to be a part of the City Council and appreciated Mayor White's openness and willingness to discuss and to share with everybody because communication was so important. Council Member Ellis absent.

Council Member Holm stated that tonight would be the District G CIP Meeting at 7:00 p.m. at Westside High School, located at 14201 Briarforest, which was on Briarforest just between Highway 6 and Eldridge and welcomed everyone to be there. Council Member Ellis absent.

Council Member Alvarado stated that she wanted to join in and congratulate Mr. Dadoush, that

she had the opportunity to work with him in the last several years, since he had been part of the City, that he thought Mayor White made an excellent choice, that she also wanted to congratulate Mr. Terrence Fontaine of the Mayor's office for helping them work through an issue as it related to Park Place Library and certainly appreciated all the work he did in trying to resolve a very hot issue that came up at their CIP meeting, which was resolved the next day. Council Member Ellis absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate Mr. Dadoush and hoped he had a very great term directing the Building Services Department, and thank you to Mr. Baker for very fine work those last few months leading the department as well. Council Member Ellis absent.

Council Member Sekula-Gibbs stated that she had been to the rodeo twice since it had opened and it had been great, that she had a great time with Reba McIntire and George Strait, that one of the fine things about the rodeo was that they were doing a celebration of the Johnson Space Center and all of the wonderful tributes to the astronauts was fabulous. Council Member Ellis absent.

Council Member Sekula-Gibbs stated that she wanted to thank Council Member Galloway for co-hosting a townhall meeting in Acres Home last week, that they worked with Mr. James Smith, Mr. Charles Ingram and Ms. Ruby Mosley to bring out quite a number of the residents in Acres Home, that it was a chance to talk about some of the health care services available in the Acres Home area, but also to focus on the needs there and work towards developing a federally qualified health center and they were making progress and the next area they were looking at was working with Council Member Garcia in hosting a townhall meeting, probably in April. Council Members Garcia and Ellis absent.

Council Member Khan stated that a lot of constituents called him about when they drove down the streets many times they did not see the addresses of the building displayed in a manner so that it could easily be seen from the street, that it caused not only delays but also dangerous situations, that he did not know if the City already had an ordinance regarding that and if not, could they take a look at it to see what could be done. Council Members Garcia and Ellis absent.

Mayor White stated that every year that he had lived in Houston the numbers got less and less legible and asked Ms. Susan Taylor to respond, and Ms. Taylor stated that there was an ordinance on the books that required that those numbers be posted, that she did not have the specifics but it was in the Code or Ordinances and would be happy to supply a copy of that, that she thought it was a matter of putting some more resources for enforcement and Council Member Khan requested that they look at enforcement of that ordinance. Council Members Garcia and Ellis absent.

Council Member Quan stated that as he heard their discussion regarding the pension plan he kept thinking back to 2001 when they had the first vote on it and again he felt that based on the evidence at that time, the information presented to them, Council had tried to act in a prudent manner, that he wanted to thank Mayor White for the systematic and inclusive review that he planned to take on it and thought that was the only way to be fair to the employees of the City as well as to all the citizens of Houston. Council Members Garcia, Ellis and Sekula-Gibbs absent.

Council Member Quan stated that he and Council Member Galloway just returned from Washington where they were with the National League of Cities that past week and certainly all the cities of the Country were facing very difficult times, that he would comment that as they looked at their CDBG Funding that their lobbyists continue to work to make sure that they stayed at that level, that also the Home Funds were being threatened, that Hope Six was used to renovate public housing projects and in the 2003 Federal Budget there was \$570 million allocated and in President Bush's proposed budget there were no monies allocated and as they knew their public housing continually needed renovation and maintenance so he would hope that their lobbyists would look at supporting efforts to increase funding for Hope Six. Council Members Garcia and Ellis absent.

Council Member Quan stated that he and Council Member Alvarado wanted to send their best regards to Milby High School who was in the State Finals with 37-0 and had a great chance to win the

State Championships so best of luck to the Milby Buffs as they went to Austin on the weekend. Council Members Garcia and Ellis absent.

Mayor White stated that as to what happened in the years 2000 and 2001, in the year 2000 the financial guru's of the United States thought that e-commerce and the internet were going to so dominant the American economy that other businesses would shrink to nothing and people who were 28 years old were billionaires and everybody was going to go business casual, assumptions change, that was his point, and while they needed to improve processes, there was no doubt about it, he did not want to get so consumed in the blame game that they did not think about where to go forward. Council Members Garcia and Ellis absent.

Council Member Berry stated that several of his colleagues had eluted to the emails and calls they had been getting from employees and obviously those were disturbing, that he received an email that he found very disturbing, that the employee was asking why were they cutting back on their pensions and said that he recently ordered some filing supplies on the Office Depot contract, the City contract, the City price was \$6.40 per box of file folders, that he could order the same stock number from home for \$3.50, in other words the City paid 83% above street prices for basic filing supplies, that he found it impossible to justify attacking the pension system, the point being that was \$3.00 per box of file folders, that he had asked Mr. Fontaine and found out it was true, that if they were overpaying \$3.00 per box of file folders and aggregated it across 20,000 City employees if half of them were in administrative offices they were looking at a quarter million dollars to a million dollars in cutback potential without ever losing a file folder, so he hoped as they began the budget process that they would see a lot greater specificity. Council Member Ellis absent.

Council Member Berry stated that there was a shooting in Rice Village and the business owners were concerned, that he was copied on an email from Lieutenant Anthony Cavello who sent a two page memo to all the Rice business owners explaining the state of the investigation and it obviously took him a couple of hours to draft the memo but as a result the Rice Village Alliance felt like they were updated, that Lieutenant Cavello went the extra mile and he wanted to say to him that he appreciated that. Council Member Ellis absent.

Council Member Berry stated that he and the Mayor had talked a little bit about the traffic incident response team, the Safe Clear Program that Mr. Saperstein was heading on I-10, that from 610 to Highway 6 was going to be narrowed in many cases to two lanes, so the idea was going to be that Metro, the County, TRANSTAR and Mr. Saperstein, through the Mayor's Office and HPD were going to do a non consent tow and get people off the streets so mobility came first and in sitting through those meetings it was very clear to him that the City was extraordinarily well represented by Lieutenant Michael Durden of the Police Department, that he and Sergeant Provost, who were their representatives over there were fantastic. Council Member Ellis absent.

Council Member Berry stated that they had received a letter from a constituent thanking them for the service that Mr. Kerry Parker, Public Works Department, had provided, and also Mr. Hugo Malenga, Deputy Director of Traffic, the same way, and finally they had a couple of issues in the last month with Mr. Robert Norris, the Sign Administrator, and he wanted to say a personal thanks to him for working after hours to get a couple of issues resolved. Council Member Ellis absent.

Mayor White stated that Council Member Berry was working hard on a number of high priority projects and he wanted his colleagues on Council to be aware of another charge being given to Council Member Berry and his committee which was that the whole process of a contractor not performing and taking forever to remedy the situation or to get a substitute in that surety bond, that they had probably the most knowledgeable person in that area in the whole region help dissect why that was and there were some very specific things that he recommended, some of which involved Council procedures, that he wanted them to know that it was something that he and Council Member Berry would be working on jointly and it would involve their colleagues on Council. Council Member Ellis absent.

Council Member Berry stated that the TIA Committee would meet on Thursday at 10:00 a.m. Council Member Ellis absent.

Council Member Berry stated that he wanted to thank Ms. Susan Taylor for her work on congestion issues and traffic issues related to people soliciting in the road and hoped in the near future they could move forward with greater enforcement. Council Member Ellis absent.

Council Member Wiseman stated that she wanted to touch on something that was addressed by Council Member Berry with respect to cost savings, that she thought that was the type of action that should be encouraged and that was why in the Council Governance Committee they were taking up the Whistleblower Ordinance issue and had their next meeting scheduled for March 22, 2004 and for those colleagues who were not on the committee she would encourage their attendance and participation in the process, that it was important for their being able to protect the very people who would do their best to make sure they were saving every last dollar. Council Member Ellis absent.

Council Member Wiseman stated that she would be having two CIP meetings for District E, one on March 22, 2004 at San Jacinto College at 7:00 p.m. on Beamer Road for the southeast side of her district and for the northeast region of the district the CIP meeting would be on March 25, 2004 at 7:00 p.m. Council Member Ellis absent.

Council Member Wiseman stated that she wanted to chime in on the praises for Mr. Dadoush, that she could not begin to say enough good things about Mr. Dadoush, that he was the professional and to her was the model City employee, that she wanted to commend Mayor White on his appointment and Mr. Baker had done a wonderful job also. Council Member Ellis absent.

Council Member Wiseman stated that she received correspondence from a constituent who had an unfortunate encounter with an HPD officer at the rodeo, that they were attempting to simply ask the officer for some information and direction as far as entrances and they were treated, according to their account, very rudely and it was very disheartening for them, that as they pointed out that officer did not know them from any out of town tourists, obviously, and that kind of impression would be the wrong impression that they would want to give to people coming to the City to take part in all the City had to offer, that the question she would like to have addressed with HPD had to do with off duty police officers, she was assuming that the officer was hired by the Houston Livestock Show and Rodeo to work it as an off duty part-time situation but since they were in HPD uniform what were their requirements as far as representing the City, so she wanted someone from HPD visit with her on it so they could get clarification. Council Member Ellis absent.

Mayor White stated that they had an HPD representative present and that was a good question. Council Member Ellis absent.

Council Member Galloway stated that she wanted to congratulate her friends who won last night, Judge Green and State Board of Education Ms. Alma Allen and State Representative Harold Dutton. Council Member Ellis absent.

Council Member Galloway stated that she received the letter from Ms. Taylor about the ordinance violation where young people were standing on corners soliciting funds, that she had brought it up about a year and a half ago, that a lot of times those young people were not supervised and thought they should really put something in place that stated that no one under the age of 18 could be on a corner soliciting because it was getting very dangerous. Council Member Ellis absent.

Council Member Galloway stated that she wanted to thank Council Member Edwards for bringing up the subject again, that she tried to get it passed about a year ago, in support of the Reparation Resolution going to Congress because they did need it, that living as an African American she knows what has happened, when it came to how they were enslaved many years ago, that her dad came from east Texas, that when he was 13 years old he worked for an Anglo and the foreman told her father that he was going to work on Sundays in the field and her father said "no" he was not

going to work on Sunday he was going to go to church, so the man came with his two sons to her grandmothers home and came to get her father to drag him to work in the fields on Sunday, her father was standing beside a tree and her grandmother came out with her rifle and said her son was not going to go work for him and said she would shoot them, that her grandmother pulled the trigger and the white mans horse took off with him, that she shot up in the air and rustled her father in the house quickly to get him out of town, that her father walked all the way to Houston at the age of 13 and survived and became a business man, but that story in itself they carried down but they had to keep a positive mind and positive thoughts that not all people were like that but it did do something to their families and they had no healing, that she thought they really needed to look at it seriously because they could look at their own communities and they could see that they were losing their properties and there was no self worth, so they needed to try to find out what was the source so they could get the cure, so she hoped that her colleagues around the table would look at the resolution when it came before them and support it. Council Member Ellis absent.

Council Member Galloway stated that she wanted to thank Council Member Sekula-Gibbs for her knowledge and background in the health care area and wanted to thank her for hosting the townhall meeting and hoped they would be able to get something done all over the district so they could really get into a healthy Houston. Council Member Ellis absent.

Council Member Green stated that he wanted to reiterate his own thoughts about the pension issue, that one was to give kudos to the City employees as a whole and thought they all did that today, but also to the employees who thought enough and cared enough about their own destiny and sent them the numerous emails, but secondly, to come down and make sure their voice was heard, that he thought by far it was the toughest vote that he thought they had since he had been on Council, but he was glad that there was an open dialog, that he thought that although it may not have been the vote that the employees wanted he thought that when they left Council they left with some sort of a reassurance that it was not all about the money aspect, that he thought they left knowing that Council cared more about what it was that they would have at the end of their tenure of service, that he wanted to thank Mayor White for not putting it off and making it not an easier vote for anyone on Council and for maybe setting the tone that when those issues came up they were not going to name, shame or blame anyone about what happened and what it took to get them to that point, that he was glad that the Mayor was tackling the issues and not putting them off so that they were left with a worse predicament than they were in. Council Member Ellis absent.

Council Member Green stated that he wanted to congratulate all of the victors in yesterday's election. Council Member Ellis absent.

Council Member Edwards stated that she wanted to say goodbye to Mr. Roy Wilson, Parks and Recreation Department, who was moving to Nashville, that he was an awesome employee and had gotten things done, that her office was going to miss him, that she also wanted to thank Ms. Susan Taylor, who had been an asset to her office in ways that she could not even express for how they had gotten through issues and episodes, that between Ms. Taylor and Lieutenant Dorothy Edwards of HPD had been a real salvation for their office. Council Member Ellis absent.

There being no further business before Council, the City Council adjourned at 11:48 a.m. upon MOTION by Council Member Wiseman, seconded by Council Member Alvarado. Council Member Goldberg absent. Council Member Ellis absent.

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

MINUTES READ AND APPROVED

Anna .Russell, City Secretary