

City Council Chamber, City Hall, Tuesday, August 3, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 3, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director present.

At 1:59 p.m. Mayor White stated that Council would begin with presentations and called on Council Member Alvarado. Council Member Alvarado stated that this was a presentation the Orange Show Center wanted to make to Council and called on Ms. Barbara Hinton, vice president of programs and those with her to the podium. Ms. Hinton presented the Mayor and Council with a brochure, poster and DVD of the parade and thanked the Mayor and all who supported the Art Car Parade and stated that EV1.net Art Car Weekend had become a signature event in the City of Houston bringing people from all over; and discussed the parade, the advertising value and other projects they were involved in. Council Members Goldberg, Wiseman, Holm, Garcia, Ellis, Quan and Berry absent.

Council Member Green stated that Houston was hosting this years 87th National American Tennis Association National Championships and several members were present today and invited Ms. Zina Garrison, the coach of the United States Team, to the podium and presented a proclamation to her for the ATA for being the oldest African American Sports Organization in the United States, for hosting the National Championships in Houston, wished them success and proclaimed Tuesday, August 3, 2004, "American Tennis Association Day", in Houston, Texas. Ms. Garrison thanked all on behalf of the ATA and stated all were excited and she looked forward to playing tennis with everyone. Council Members Garcia and Berry absent.

Council Member Lawrence thanked Ms. Garrison for all she did for the City of Houston and stated that she was looking forward to the event. Council Members Garcia and Berry absent.

At 2:11 p.m. Mayor White called the meeting to order and called on Council Member Green to lead in prayer and pledge. Council Member Green called on Dr. Marcus E. Cosby, the associate pastor at the Wheeler Avenue Baptist Church, who led all in prayer and Council Member Green led in the pledge of allegiance. Council Members Garcia and Berry absent.

At 2:13 p.m. the City Secretary called the roll. Council Members Garcia and Berry absent.

Council Members Green and Lawrence moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Wiseman, Garcia and Berry absent. MOTION ADOPTED.

Mr. Trang Tran, 440 Louisiana #590, Houston, Texas 77002 (713-223-8855) appeared and stated that he was chair of the Midtown Management District and he and others were present supporting Agenda Item 17, the expansion of the Downtown civility ordinance to their area; that it would help revitalize the area; and urged its passage. Council Members Wiseman, Garcia and Berry absent.

Upon questions by Council Member Quan, Mr. Tran stated that that they did not want to get rid of the homeless, but wanted to work with shelters in place and were considering contracting with the homeless for street cleaning purposes; and Council Member Quan stated that he would love to see the plans and work together on it. Council Members Wiseman, Garcia, Green and Berry absent.

Upon questions by Council Member Khan, Mr. Tran stated that they did not want to supplant the existing homeless programs in place now, but they were allowing them to help clean up after an event and offering affordable housing; that they did not want to get them to move but to change certain behaviors such as sleeping on the streets during the day; that he thought that would help force them into shelters and maybe job training; and homeless shelters did support them. Council Members Wiseman, Garcia and Berry absent.

Council Member Holm stated that this was not to shun the homeless but to get them off the streets and more importantly their goal was to end homelessness through programming; that she supported this ordinance in Midtown, but really thought the civility ordinance should be throughout the city, sleeping on streets during the daytime should not be a part of their acceptance; that they did not have police to walk the area daily and basically this ordinance had no enforcement. Council Members Wiseman, Garcia and Berry absent.

Council Member Edwards stated that she agreed the picking and choosing of which community would be freed of homeless people was obscene and if they were going to work with it then it should be done citywide; and asked for the names of groups which agreed with him because those she spoke with did not. Council Members Wiseman, Garcia and Berry absent.

Mr. Noel Cowart, 2016 Main, Houston, Texas 77002 (713-419-8189) appeared and stated that there was a real problem with homelessness and it would probably not be solved in their lifetime; that with the civility ordinance the best they could hope for was giving officers a tool where they may police behavior of some of the homeless; that they did not want them sleeping in public and this ordinance would give them a tool to direct them elsewhere; and urged passage of the ordinance. Council Members Wiseman and Berry absent.

Council Member Edwards stated that she was told this could not be passed for the whole city, but if it was good enough for one to two areas then it was good enough for all over and then they could put teeth and enforcement into it; that many of such people were released from institutions or had mental problems, people cut off from services; that she would like them to help Council figure out how to get help from state and federal agencies who were doing the dumping of the people, but it should not be mitigated piece by piece, block by block. Council Members Wiseman, Holm and Berry absent.

Council Member Khan stated that he agreed with Council Member Edwards on addressing the issue; that homelessness was not a crime, it was people who fell on hard luck; that many were veterans and now the nation was honoring all men and women fighting for freedom and here at home some of those people who fought for freedom and now were on hard luck were being treated like criminals; and how could they keep passing ordinances passing them on to elsewhere; that he was all for finding a solution, but this type of ordinance created classes among people and districts; that if it was bad for one block of the city it was bad for the whole city. Council Members Wiseman, Holm and Berry absent.

Council Member Quan stated that he was chairing a blue ribbon committee with United Way and Coalition for the Homeless and others to see what could be done on a long-term basis and he appreciated him offering his time; and Mr. Cowart stated that he was willing to give his time to find a solution. Council Members Wiseman, Holm and Berry absent.

Council Member Green stated that Council Member Edwards mentioned the legality of selectively enacting an ordinance; and upon questions, Mr. Heilman stated that Mr. Cheatham from the General Counsel Division would get with him. Mayor White stated that there was discussion at the time of the hearing on the issues of it being carefully crafted, in dealing with behavior in a particular need and balancing interest. Council Members Wiseman, Holm and Berry absent.

Council Member Edwards stated that if you stopped it in one area and it moved to another

area with the same evidence...; that she would like someone in Legal to get with her. Council Members Wiseman, Holm and Berry absent.

Ms. Edna Ramos, 1120 Texas Avenue #5A, Houston, Texas 77019 (713-651-1215) appeared and stated that she was present representing the Downtown and Midtown Residents Association and was back asking for support on extending the civility ordinance from Downtown to Midtown; that they needed basic rules of decorum maintained on streets and public places; that homeless should be going to shelters for help; that the shelter who supported them was the Star of Hope; and urged passage of the ordinance. Council Members Wiseman, Holm, Green and Berry absent.

Upon questions by Council Member Khan, Ms. Ramos stated that it was hard to respond as to whether the problem in Midtown worsened since the civility ordinance for Downtown passed as there were so many elements; that the release of parolees had increased and that had a direct impact. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Alvarado stated that she had worked on this since last year and she knew some of her colleagues had concerns with it, but those present were abiding by what was passed before many were on Council; that they should be commended for organizing and doing the work and they were only asking Council to abide by what they passed; that it was not a fix all, but it was a piece of it. Council Members Holm, Garcia, Green and Berry absent.

Council Member Edwards stated that her issue was not Midtown, but shelters she spoke with did not like the idea of the civility ordinance except for the Star of Hope; and she was asking those at the city, state and federal levels to look at what they were doing to communities on a local level when they made decisions to cut everyone off; that the people were going to go somewhere and they could decide to take care of them or lock them up; and Ms. Ramos stated that they were not running them off, cut they were acting better. Council Members Holm, Garcia, Green and Berry absent.

Rev. Elmo Johnson, 1106 Valentine, Houston, Texas 77019 (713-651-1215) appeared and thanked the Mayor and Council for what they were doing for those in home ownership and stated that they had recognized the problem that 40,000 inmates were getting out and on the streets so they started from jail to jobs, trying to get them help; that they built homes in Fourth Ward and were building additional housing; and was present to thank everyone for their support. Council Members Goldberg, Holm, Garcia, Green and Berry absent.

Upon questions by Council Member Quan, Rev. Johnson stated that they were in the oldest Black neighborhood and the pipes were old and falling apart and not only did they have to tear up from the house to the tap but also cut into the street and even the other side of the street and that was why there was additional cost involved and if they did not get more money it would limit them. Council Members Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Sherry Butler Alex, 10666 South Lane, Houston, Texas 77088 (281-607-4684) had reserved time to speak but was not present when her name was called. Council Members Goldberg, Edwards, Wiseman, Khan, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Jack Elliott, 4141 N. Braeswood, Houston, Texas 77025 (713-667-0741) appeared and stated that Council was misinformed about many handicapped rules, first it was a federal law and applied to all cities; that most people wanted the permit to park free at meters all day everyday and the law needed to be changed as handicapped parking permits was one of the biggest scams and must be stopped or Houston would lose more money as a result; and if free parking was eliminated for handicapped permits it would help stop the problem. Council Members Lawrence, Goldberg, Edwards, Green and Berry absent.

Council Member Sekula-Gibbs stated that it was being rampantly abused and the city could change the ordinance to where there was a charge for parking and that would be a beginning step; and Mr. Elliott stated that they needed to stop it and have stiffer regulations; that taking away free parking would only benefit them, not hurt them. Council Members Lawrence, Goldberg, Edwards, Holm, Green and Berry absent.

Ms. Marian Rosen, 1330 Post Oak Blvd. #2910, Houston, Texas 77056 (713-222-6464) appeared, presented information and stated that in November 2002 Mayor Brown appointed a task force and approximately one year ago a report was given by them and the Accessible Parking Program was developed; that there were over 500,000 people in the Houston area that were disabled and that meant the population of the disabled was 20% so there was a real problem that needed to be dealt with; that she thought it important for law enforcement to have training to spot forged, counterfeit, and expired tags. Council Members Galloway, Goldberg, Edwards, Garcia, Green and Berry absent.

Mayor White stated that they appreciated the specifics on the approach and he would ask Ms. King and individuals in parking enforcement to review her proposals and make recommendations. Council Members Galloway, Goldberg, Edwards, Garcia, Green and Berry absent.

Council Member Sekula-Gibbs stated that physicians were at fault as well as they were too willing to issue the prescriptions for the parking; and she would suggest charging some amount of money for the handicapped spaces and that Ms. Rosen approach the Harris County Medical Society with another arm of this; and Ms. Rosen stated that she had approached them and the Medical Association and any suggestion Council Member Sekula-Gibbs would have she would be glad to work on to help educate physicians. Council Members Galloway, Goldberg, Garcia, Green and Berry absent.

Ms. Jennifer Cantrell, 2221 Mid Lane #E-31, Houston, Texas 77027 (713-439-1416) appeared and stated that she was an emergency medical technician; that there were two sectors to EMS in the city, the public and private entity and the private was her problem; that they were privately owned and operated ambulances where the transportation had to be approved by Medicare and they were in a sense defrauding Medicare as they transported hundreds of people who did not qualify and it was creating a huge problem; that ambulances were not properly equipped and she made the inspection department aware and some changes had taken place, but it was not enough; that he other day an ambulance was being inspected and they were pulling parts off another to place on the one being inspected; that they were being asked to lie on documentation and threatened with their jobs and she wanted to know that the Mayor and Council were aware. Council Members Galloway, Goldberg, Edwards, Garcia, Green and Berry absent.

Council Member Sekula-Gibbs stated that she had been approached by various private ambulance carriers in the past trying to increase and elevate standards; that what she said about taking parts off to place on one being inspected and then being taken back off when the inspection was over was brought to her attention; that according to them there was fraud going on and the challenge as she understood it was staffing for inspections; that she wondered if there should be spot inspections and stiffer penalties; and if she would continue to work with her office and Council Member Garcia's committee...; and Mayor White stated that they did have a health subcommittee and maybe they could do a thorough review and he was sure those in Health would be willing to give direction. Council Members Galloway, Goldberg, Edwards, Garcia, Green and Berry absent.

Mr. Clarence Gatterson, 14614 Ganner, Houston, Texas 77015 (713-451-4579) appeared and stated that he wanted to meet with the Mayor, Police Chief and Council Members as his problem had been going on through the years so he would come back another time where they

could reason together and solve it. Mayor White, Council Members Galloway, Goldberg, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Dean Becker, 11215 Oak Spring Drive, Houston, Texas 77043 (281-752-9198) appeared and stated that in 1937 a propaganda war was waged against marijuana and until that time cannabis was legal and available and economically priced, you could buy hash candy bars, etc., and there were no drug gangs, etc., it was grown in the back and used as medicine for humans and animals alike; and continued expressing his opinions on marijuana and its medicinal purposes until his time expired. Mayor White, Council Members Galloway, Goldberg, Garcia, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that she had heard in the 60's that tobacco companies had patents for marijuana; and upon questions, Mr. Becker stated that he heard the same; that they had taken the wrong approach to marijuana and by every effort they had to prohibit it they made it more available; that Council Members could change the focus of law enforcement of marijuana with the priority being lowered to around the same as fireworks; and she could look for his proposal to come soon. Mayor White, Council Members Galloway, Goldberg, Garcia, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Garcia, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Sammie Jones, 3325 Airport Blvd., Houston, Texas 77051 (713-988-1273) appeared and stated that his issue was homelessness, he experienced it earlier and now again; that jail was not an option, it was not against the law to be homeless; that immigrants came almost everyday and one told him three days ago he was from Cuba and now today he had his own apartment, food stamps, transportation and all he needed and he did not see how they could be shipped here and be given everything and American citizens were forced to live on the streets in anyway they could; that those laws for immigrants should also apply to those born here. Mayor White, Council Members Galloway, Goldberg, Garcia, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that he hoped they could work with him and help, but the United States was a signatory to the 1980 Convention on Refugees and under that law when people did flee persecution they were allowed to come and get federal assistance to get established; that they were also signatory to the Cuban Adjustment Act allowing for special treatment to those from Cuba; that it was not something the City had any voice in at all; and Mr. Jones stated that all the agencies in Houston which received funds to help homeless had to set up boards and people to work and they were all getting paid so why were people like him still sleeping on the street. Council Member Quan stated that they were concerned about that and were doing a needs assessment to see how they could work and address their needs more effectively; and he would be glad to speak with him personally. Mayor White, Council Members Galloway, Goldberg, Khan, Garcia, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that she and Council Member Quan would like to get with him and have him speak with specific people; and upon questions, Mr. Jones stated that she could contact him at the phone number given; that instead of having 183 different agencies that were supposed to help him they should fund one group, one place and they would know exactly how many were homeless and how many were pretending to be homeless; that also on a daily basis vacant homes and buildings were torn down and those could be converted into housing; and Council Member Edwards stated that she would like to meet with him in a moment and speak with him. Council Members Galloway, Goldberg, Garcia and Sekula-Gibbs absent.

Council Member Wiseman stated that as a point of personal privilege she wanted to introduce the children joining them today as a part of the Summer Paige Program which were Eric Chaney, Nick Clemmer, Andrew Gendi, Mark Gendi, Jamil Khoury, Nicholas Klein, Tatiana Klein and Carrington Ransfer and asked them to stand to be recognized. Council Members Lawrence, Galloway, Goldberg, Edwards, Garcia and Sekula-Gibbs absent.

Mr. Roland Curry, 5519 1/2, Caplin, Houston, Texas 77026 (713-633-3829) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Garcia and Sekula-Gibbs absent.

Mr. Reginald Butler, 2610 Ridge Hollow Dr., Houston, Texas 77067 (281-440-5185) appeared and stated that he was hoping to give a report on his friend Quanel X but unfortunately his court hearing was reset; that as a community he hoped they would take a better look at this case in general as it was an example of how something simple could get out of hand; that he was a person who tried to do the right thing for the community as a whole, but still he was allowed to only go so far and now he may end up with possibly probation or parole and he thought that was intended by people in control of the city and he would hate to see it taken out of Council's hands and hoped it would be resolved; that if Council could do anything to keep arrest of the situation he hoped they would do so as he hoped justice would prevail as without it there would be no peace; and regarding homeless it was not just Midtown it was all over the city and it was sad and would probably get worse with those coming back from the war thousands would be in the same position. Council Members Lawrence, Galloway, Goldberg, Edwards, Garcia and Sekula-Gibbs absent.

Ms. Kitty Wang, 10205 Forest Spring Lane, Pearland, Texas 77584 (713-569-7660) appeared and stated that she was a reporter of New Town Dynasty TV, an independent nonprofit Chinese TV network broadcasting globally and today was present to express a concern over an incident which happened during the party of the International Community Salute to the Mayor and his wife; that they were expelled by the Mayor's Assistant, Ms. Helen Chang, with no explanation except there was no seat and even pushed her camera man and yelled at him to get out and then called for security; that they were concerned because they felt it was discrimination and wanted to work with Council to resolve the matter and to be reassured it would not happen in the future. Council Members Lawrence, Galloway, Goldberg, Garcia, Alvarado and Sekula-Gibbs absent.

Mayor White thanked Ms. Wang for bringing it to Council's attention and stated that he did not know all the circumstances but they encouraged all news media to public events and if there was discrimination it was against the policy; that Ms. Chang took excellent action in promoting international understanding, but he would make sure a good job was done of policy enforcement. Council Members Galloway, Goldberg, Wiseman, Garcia, Alvarado and Sekula-Gibbs absent.

Council Member Khan stated that he was at the event and had known Ms. Chang many years and his experience was nothing but excellence with her; that she had done more to build bridges; that evening at least five ethnic media were present and they all had free access, but she had done a fantastic job and he hoped this was not a reflection on what they were doing. Council Members Galloway, Goldberg, Wiseman, Garcia, Alvarado and Sekula-Gibbs absent.

Council Member Quan stated there was extensive media coverage and he was surprised this happened; and upon questions, Ms. Wang stated that they had been in existence two years and this had not happened at any event in Houston before; that another Chinese newspaper was also exported by security at that event. Council Member Quan stated that was unusual and not what he had seen from Ms. Chang as she did an excellent job. Council Members Galloway, Goldberg, Garcia, Ellis and Sekula-Gibbs absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had

reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Garcia, Ellis and Sekula-Gibbs absent.

Council Member Emily Riley, 809 Center, Santa Cruz, California 95060 (831-818-6490) appeared and stated that she was a Council Member in the city of Santa Cruz, California with 55,000 people and today was present because last year when she was Mayor she had a wonderful opportunity to work with a group called The Women's Alliance for Medicinal Marijuana; that government tried to act with compassion but within the law and that group had quite a model project put together; that they worked closely with local and state officials and medicinal marijuana was not about the recreational use of illegal drugs, but about compassion for those sick and dying and looking for ways to help them; and today she was inviting the Mayor and Council, if they were ever in her area, to allow her to introduce them to those in the project; that she had given information to the City Secretary and when laws began to change it would be helpful if they had already made connections and be able to work together. Council Members Galloway, Goldberg, Garcia and Ellis absent.

Mr. James Thompkins, 3706 Brookfield, Houston, Texas 77045 (281-435-0928) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Garcia and Ellis absent.

Ms. Feng Wang, 5502 Grand Lake, Houston, Texas 77087 (713-663-6202) appeared, presented information and stated that on July 10th the City of Houston conferred the title of "honorable or honorary citizen" on Xia Deren who was currently the mayor of Dalian City in Liao Ning Province in China and they were shocked that the Council and Mayor would honor a man who continued to be responsible for acts of torture and arbitrary detention of practitioners of Falun Gong; and continued reading her statement until her time expired. Mayor White, Council Members Galloway, Goldberg, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Sunny Mullins, 9323 Rowan Lane, Houston, Texas 77033 (713-771-2797) appeared and stated that she was a reporter for an international Chinese newspaper in Houston and today was present regarding an event last Thursday when they tried to cover the salute to Mayor White and his wife; that they were told to get out by Ms. Chang with no explanation except no seat; that security told them they had no right to be in the hallway as it was a private party, but she thought it harassment and discrimination and wanted an investigation done. Mayor White, Council Members Galloway, Goldberg Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Thomas Bell, 8413 Canyon. Houston, Texas 77051 (713-291-8242) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Goldberg Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Jian Tang, 11389 Main, Houston, Texas 77002 (832-545-4765) appeared and stated that a Chinese official was found guilty for torture of Falun Gong practitioners and she was shocked that he received a certificate giving him title of "honorable" on July 10, 2004; that her personal experience was being arrested in China from her apartment and taken to a center where she had high concentrated water and almost suffocated; and continued speaking on the persecution of Falun Gong followers until her time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg Ellis, Berry and Green absent. Mayor Pro Tem Alvarado presiding.

Ms. Marie LeBlanc, P. O. Box 111785, Houston, Texas 77293 (713-330-7476) had reserved time to speak but was not present when her name was called. Mayor White, Council

Members Lawrence, Galloway, Goldberg Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan moved that the rules be suspended for the purpose of adding President Joseph Charles to the end of the list of speakers, seconded by Council Member Garcia. All voting aye. Nays none. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0864 ADOPTED

Minister Joe Angel Lopez, 2000 Carlton Parc #7, Houston, Texas 77063 had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that the election was fraud and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Pam Curvey, 7607 Moline, Houston, Texas 77087 (713-847-8369) appeared and stated that she had been present the last four months trying to get clean water and the issue was the same; that it was still eating up her skin and she wanted something done. Mayor White, Council Members Lawrence, Galloway, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that Ms. Dillard with Citizens Assistance was present and she could speak with her and it would be given to the appropriate department if she would like. Mayor White, Council Members Lawrence, Galloway, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

President Joseph Charles, P. O. Box 52437, Houston, Texas 77052-4373 (713-203-7738) appeared and stated that he was the official U. S. President and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

At 4:09 p.m. City Council recessed until 9:00 a.m., Wednesday, August 4, 2004. Mayor White, Council Members Lawrence, Galloway, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

City Council Chamber, City Hall, Wednesday, August 4, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, August 4, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney and Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present.

At 8:24 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:19 Mayor White reconvened the meeting of the City Council and stated that there would be a brief Mayor's Report about the Capital Improvement Plan. Council Members Galloway, Goldberg, Khan and Quan absent.

MAYOR'S REPORT - Principles of the 2005-2009 Capital Improvement Plan (CIP)

Mayor White stated that the Capital Improvement Plan along with the Equipment Budget was the final elements of the overall budget that they would be acting on as a body in the near future, that he wanted to share some of the principles that they used to put together the plan that reflected in large part some of the policy direction he was given by Council Members, and ultimately the citizens of the community, concerning what the priorities were. Mayor White reviewed the following handout:

“The Fiscal Years 2005-2009 Capital Improvement Plan (CIP) is a five-year plan, revised annually, for investments in our City. Some notable features of the FY2005-2009 CIP, this Administration’s first include:

Increasing substantially our investment in drainage and flood control projects through the City.

Improving mobility with projects such as the ongoing plan to synchronize traffic signals.

Collaborating with other governmental entities and nonprofits. The CIP gives some priority to library and jail facilities and other facilities where others help bear the cost.

Pacing capital improvements over time so that facilities do not exceed the City’s ability to staff or maintain the facilities.

Cleaning our water, by upgrading Houston’s aging wastewater system.

Improving our neighborhoods, with projects such as a major expansion of the hike and bike trail program in the next two years.

Upgrading our City’s aging equipment. Maintenance expenses increase and employee morale lags when we defer needed maintenance of equipment such as Solid Waste trucks. So, the CIP takes into account a significant increase in the budget for equipment.”

Mayor White stated that in general on the budget the principles used to allocate project and to judge different projects had been based on trying to use objective criteria, that he thought the projects were fairly distributed through the community. Mayor White recognized Council Member Ellis to tell them a little bit about the schedule that they would be dealing with to bring the CIP to Council. Council Members Goldberg and Quan absent.

Council Member Ellis stated that he thought it was a common sense approach and applauded the Mayor’s efforts to a common sense approach, that there was a handout being passed to all Council Members which was a letter and schedule from Ms. Sara Culbreth and it basically told them that they could go on the internet and pull down the proposed CIP, that Ms. Culbreth wanted to meet with District Council Member next week, that she would not meet with At Large Council Members unless they requested a meeting, that she would bring the proposed CIP back to the Mayor on August 17, 2004 and it would be printed at that time, that it would come to a joint meeting on August 25, 2004 at 2:30 p.m. and the joint meeting would be Fiscal Affairs and the Drainage Committee and the TIA Committee, that it would be chaired by himself and Council Members Edwards and Berry, that it would then come to the full Council on September 1, 2004 and would probably be tagged, that they would have public input in the joint committee meeting on August 25, 2004 but was sure they would have some input at the public session prior to the September 1, 2004 and September 8, 2004, that after adoption the CIP would be printed between September 9, 2004 and September 18, 2004 and would be desemenated to all of the Council Members and department heads and there would also be

copies placed in the library for public use but by September 9, 2004 the general public could go on line and view it as well. Council Members Goldberg and Berry absent.

Upon discussion by Council Members, Council Member Lawrence stated that she would like to request from F&A a master list of all projects turned in by her constituents in District A, and Council Member Garcia stated that on his list he was looking for some qualifiers and justification as to why Public Works may be encouraging one project versus another, and Council Member Khan requested that at the meeting to be held on August 25, 2004 to allow more time for public comment so that they had fair input from the public, and Mayor White stated that the CIP, for a five year view, which could change from year to year, was approximately \$4 billion over the period of time, much of which was provided by the State and Federal, some non profit and other governmental entities, that they had done the CIP of this size because of some of the actions they took with a combined utility earlier, that he thought they had more projects where they actually identified the source of funds than previously, that they were incurring less general obligation debt in the CIP than was envisioned in the last CIP so it was fiscally responsible. Council Members Goldberg, Ellis, Quan and Sekula-Gibbs absent.

Mayor White stated that he wanted to note to his colleagues that outside, as he had indicated, there were some of the things they had measured and some folks had the Dangerous Building Enforcement, that they had to do a lot better job on it and were going to do some very exciting things in the next six months which were new, that their rate of knocking down the buildings and getting them in process they were doing it at a record pace and it was the kind of measurement that the City employees deserved a lot of credit for helping them serve the public well. Council Members Goldberg, Ellis, Quan and Sekula-Gibbs absent.

Council Member Lawrence stated that as to the handout regarding the Dangerous Buildings they were emailing it out to the constituents of District A and she wanted to thank Mayor White for putting it together for them. Council Members Goldberg, Ellis, Quan and Sekula-Gibbs absent.

Mayor White stated that they would move to the report from the City Controller and Director of F&A concerning the current condition of the City. Council Members Goldberg, Ellis, Quan and Sekula-Gibbs absent.

9:00 A.M. - REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller

Ms. Annise Parker, City Controller, stated that she was presenting the Monthly Financial Report for the month of June, that it would be the last report for the last fiscal year, that the next time they would see any numbers on 2004 it would be in the Comprehensive Annual Financial Report which would be put out later in the year, that they were pleased to report that the City of Houston was ending the year well and in the black, that they did have a total General Fund Expenditures projected at about \$4.5 million below the General Appropriations Ordinance that Council approved several months ago, they continued to see healthy growth in their revenue categories, particularly sales tax, that they just received a sales tax check for the month of May and it was 5.3% higher than a year before, that Property Tax Revenues were also on the rise, that their projection for property taxes had increased by \$2 million from the May report to \$661 million, that they had also increased their projections for Industrial Assessments, Interest Earnings and Miscellaneous Revenues, there were some decreases however, they were down about a half million overall and the main reason was lower than anticipated billings for Interfund Services, based on their year to date information their projection for Direct Interfund Revenue had decreased by \$4.1 million, that on their final revenue numbers the Controller's Office was actually higher than the Mayor's Office; that she would move to the Quarterly

Investment Report, that as of July 30, 2004 the City had approximately \$1.6 billion invested in seven different investment pools, the largest pool was the General Pool with a balance of about \$1.3 billion and it was currently yielding earnings of 2.3%, three months ago the pool held \$1.9 billion and that was a \$600 million dollar swing and as they would recall they took \$315 million out for the Water and Sewer R&R Fund restructuring, they also paid off \$180 million in trans notes and then there was a \$100 million seasonal fluctuation, that starting the next quarter they had already put \$175 million back with their new trans borrowing, but the number was still down, the remaining investment pools were for the most part dedicated construction funds, the largest of which was the Airport Construction Pool, which as of June 30, 2004 had a balance of \$260 million, another construction pool related to the George R. Brown Convention Center expansion was now winding down and they had combined that amount with the remainder on the Convention Hotel and it was invested in the General Pool, it was no longer invested separately, but that totaled about \$18 million, the remaining investment pools were smaller in amount and had not changed significantly in the quarter, that they did expect a rise in interest rates, they had already begun to creep back up and they were looking to see short term interest rates up perhaps 2% by the end of the calendar year and another couple of percents by the end of 2005, it would help their investment earnings but on the other hand it would begin to increase their cost of borrowing so they would watch that closely, that because of the uncertain market and possible rise in rates they had been keeping very short investment horizons, and that concluded her report. Council Members Galloway, Goldberg, Edwards and Khan absent.

Ms. Judy Gray Johnson stated that they continued to see good news in the two largest revenue sources in the General Fund, which were Property and Sales Taxes, that they were doing above expectations and they raised their estimates for the final numbers for both of those revenues this month, that Industrial Assessments were also up, that F&A had a special effort in June to call all of the companies on the list that were due to pay those assessments before the end of June to make sure they were aware of it and those phone calls paid off, they had a much larger percentage of the bills collected by the end of June 2004 than they had for the last couple of years, that was an additional \$400,000, that the Direct Interfund Revenues were below expectations, as the Controller noted, that they were going to be investigating, that either they did not get all of the bills processed that should have been processed or their estimating of what was going to happen should be better, that the good news was that it did not cost them anything because expenditures were down below so they were ending the year in a very good position, they had a good solid fund balance and would have about \$9 million more in fund balance than they started the year with, that it was primarily due to increases in Sales Taxes at the end of the year and their cash balance was for the first time in a long time exactly where it needed to be, they had enough cash in the General Fund to be confident that they would meet their obligations, there was no shortfall there whatsoever, and that concluded her report. Council Members Galloway, Goldberg and Khan absent.

Mayor White stated that there was an excellent memo from the Controller's Office concerning a proposed audit plan during the next year, where she wanted their feedback, that many Council Members had issues that they thought ought to be part of that plan, that he really appreciated the spirit of the Controller in circulating the memo. Council Members Galloway and Khan absent.

After discussion and questions by Council Members, Ms. Johnson stated that regarding the lower amounts collected per ticket per June, they believed it was the result of the amnesty, that when they gave an amnesty their dollars per ticket sometimes dropped a little bit, that they would look to see if it was a blip due to the amnesty or a long term trend, that their projection for sales tax increase for Fiscal Year 2004 was zero, except for the effect of the limited purpose annexations, which were expanding the base, they had a projection of no other increase, that they actually saw an increase of about 4%, that this year they were projecting an additional 5.25%, that the property tax came in above what they anticipated and that appeared primarily due to the delinquent collections, that with regard to the Police Pension Plan, the number of police officers payroll was not charged directly through Aviation, they were all on the payroll of the General Fund and then a bill was sent to the Airport for their share of that cost, that as to note number one, the contributions for the Firefighters Plan would increase the City number to 18%, the employees contribution would go to 9% and that was happening this year, that they were 97% funded and that was based on State Law. Council

Members Lawrence and Green absent.

Council Member Ellis moved to accept the Monthly Financial Report and the Quarterly Investment Report, seconded by Council Member Wiseman. All voting aye. Nays none. Council Members Lawrence and Green absent. MOTION 2004-0865 ADOPTED.

Council Member Wiseman moved to suspend the rules to consider Item Numbers 21, 22, 33, 34, 35, 38 and 20, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Green absent. MOTION 2004-0866 ADOPTED.

21. ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty – was presented, and tagged by Council Members Wiseman and Sekula-Gibbs. Council Member Green absent.
22. ORDINANCE approving and authorizing contract between the City of Houston and **VINSON & ELKINS, L.L.P.** for Legal Services to the City relating to Implementation of the Freeway Towing Ordinance; providing a maximum contract amount - \$25,000.00 - Police Special Services Fund – was presented.

Council Member Garcia asked if there was any conflict of interest for him because V&E was representing him in the pension suit, and Mr. Michel stated that there was no conflict of interest, they were two completely separate matters.

Council Member Galloway asked if they ever considered if there was any cost factor involved in any of the ordinance prior to approval because as to Item No. 22 there was now going to be a cost factor involved, and Mayor White stated yes, that a lot of them were aware by the very fact that the issue was brought up at Council for discussion.

A vote was called on Item No. 22. Council Members Galloway, Edwards and Wiseman voting no, balance voting aye. ORDINANCE 2004-0813 ADOPTED.

33. MOTION by Council Member Quan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department, to **AMEND MOTION #2001-0903, 8/8/01, TO EXTEND** expiration date from August 15, 2004 to August 14, 2006, for Tools, Lawn, Garden and Striking Contract for Various Departments, awarded to **GROVES INDUSTRIAL SUPPLY – (This was Item 18 on Agenda of July 28, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Wiseman moved to postpone Item No. 33 for one week, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0867 ADOPTED.

34. MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration Department, to award to **W. W. GRAINGER, INC** for spending authority in an amount not to exceed \$1,025,205.33 to purchase Maintenance, Repair and Operating Supplies from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments General, Enterprise, Fleet Management, Parks Special Revenue and Building Inspection Funds – **(This was Item 19 on Agenda of July 28, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Wiseman moved to postpone Item No. 34 for one week, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0868 ADOPTED.

35. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt

recommendation from Finance & Administration Department, to award to **HALL'S LANDSCAPING AND MAINTENANCE LLP (Bids #1 and #2)** - \$388,025.18 and **BWISCHULENBURG (Bid #14)** - \$94,948.47 for Landscape, Plants, Trees, Grass and Associated Materials for Various Departments - \$497,910.98 minus a commission fee (3% for Internet-based reverse action services) for a net award amount not to exceed \$482,973.65 - General, Enterprise and Parks Special Revenue Funds – **(This was Item 20 on Agenda of July 28, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Wiseman moved to postpone Item No. 35 for two weeks, seconded by Council Member Alvarado.

Council Member Ellis stated that he supported the delay and stated that he would like to see a lot of those services come through the reverse auction process and let the City bid on it as well.

A vote was called on the motion to postpone Item No. 35 for two weeks. All voting aye. Nays none. MOTION 2004-0869 ADOPTED.

38. ORDINANCE approving and authorizing lease agreement between the City of Houston and **ROCKETMAN AVIATION, LLC** at Ellington Field - Revenue - **DISTRICT E - WISEMAN** – **(This was Item 29 on Agenda of July 28, 2004, TAGGED BY COUNCIL MEMBERS HOLM and WISEMAN)** – was presented. All voting aye. Nays none. ORDINANCE 2004-0814 ADOPTED.

20. ORDINANCE authorizing payment to **ANTIOCH PROJECT REACH, INC, FOURTH WARD COMMUNITY COALITION, INC, MIRACLE OF HOPE** and **UPLIFT FOURTH WARD, INC** and/or their respective contractors for Eligible Water and Sewer connection costs in the City's Fourth Ward using up to \$174,615.00 of a previously awarded Federal Special Project Grant - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2004-0815 ADOPTED.

CONSENT AGENDA NUMBERS 1 through 32

MISCELLANEOUS – NUMBER 3

3. RECOMMENDATION from Director Office of Public Safety and Drug Policy for approval of Change Order in the amount of \$57,513.00 on contract awarded to **PRC PUBLIC SECTOR, INC (now NORTHROP GRUMMAN PUBLIC SAFETY INC)** for the Implementation of the Consolidated Dispatching System at the Houston Emergency Center - No additional funding – was presented, moved by Council Member Green, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0870 ADOPTED.

DAMAGES - NUMBER 5

5. RECOMMENDATION from City Attorney for settlement of lawsuit styled **DIMITRA KRITICOS** v. City of Houston; in the 270th Judicial District Court of Harris County, Texas, Cause No. 2003-36463 - \$36,000.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-0871 ADOPTED.

ACCEPT WORK - NUMBERS 6 through 8

6. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$175,947.17 and acceptance of work on contract with **ALL PLAY**,

INC for Kingwood Skate Park, GFS F-0501-01-3 - 01.35% over the original contract amount - **DISTRICT E - WISEMAN** – was presented, moved by Council Member Alvarado, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2004-0872 ADOPTED.

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,018,837.55 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC**, for Construction of NSR 430 and NSR 429A - Phase II, GFS N-0362-43-3 (SB9016 and N-0361-03) - 03.05% under the original contract amount - **DISTRICTS A - LAWRENCE and C - GOLDBERG** – was presented, moved by Council Member Alvarado, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2004-0873 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$6,528,910.76 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L. P.**, for Construction of 54-Inch Water Line along Ella Blvd., Wheatley, and W. Montgomery from W. 43rd to Dolly Wright, GFS S-0900-69-3 (WA10642) 02.37% under the original contract amount - **DISTRICTS A - LAWRENCE and B - GALLOWAY** – was presented, moved by Council Member Alvarado, seconded by Council Member Khan. All voting aye. Nays none. MOTION 2004-0874 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 through 16

11. ORDINANCE appropriating \$65,371.00 out of Series E Commercial Paper Fund for the Electronic Sign Retrofit at the George R. Brown Convention Center for Convention & Entertainment Facilities Department – was presented. Council Member Berry absent. All voting aye. Nays none. ORDINANCE 2004-0816 ADOPTED.
- 11a. **MOMENTUM SIGNS, LLC** for Electronic Sign Retrofit at the George R. Brown Convention Center for Convention & Entertainment Facilities Department - \$65,371.00 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0875 ADOPTED.
12. **AMEND MOTION #2004-380, 4/14/04, TO INCREASE** spending authority from \$355,000.00 to \$588,000.00, for Ultra-Low Sulfur Diesel Fuel from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Finance & Administration Department, awarded to **VALERO MARKETING AND SUPPLY COMPANY** \$233,000.00 - Central Service Revolving Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0876 ADOPTED.
14. **GRAY'S WHOLESALE TIRE DISTRIBUTORS, INC** for Tires from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$1,610,000.00 - General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0877 ADOPTED.
16. **AMEND MOTION #2000-1011, 8/16/00**, as amended by **MOTION #2003-495, 5/21/03, TO EXTEND** expiration date from August 16, 2004 to August 15, 2005, for Screw Fasteners Contract for Various Departments, awarded to **D. F. SALES** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0878 ADOPTED.

ORDINANCES - NUMBERS 18 through 30

18. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 405** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0817 ADOPTED.
23. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **HYSECO, INC** for Hydraulic Cylinder, Pump and Valve Repair Services for Various Departments (as approved by Ordinance No. 99-1001) – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0818 ADOPTED.
25. ORDINANCE appropriating \$750,400.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon out of Greenview Manor Section Two, and R. F. Beeler Subdivision, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-41.1; approving purchase and sale agreements with the owners of the land (Odilon Islas, Margarita E. Islas, Jaime Delgadillo and Dionisia Delgadillo; Rodolfo L. Guardado and Marie Nava Guardado; Britton Family Trust; and Sandra J. Haddox Living Trust) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0819 ADOPTED.
26. ORDINANCE appropriating \$809,000.00 out of Airports Improvement Fund (561); authorizing purchase of land and improvements thereon out of Greenview Manor Section Two and R. F. Beeler Subdivision, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-42.1; approving purchase and sale agreements with the owners of the land (Axiom Construction Company, Inc.; Carlos Soria and Elizabeth Soria; and Jacquelyn T. Page) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0820 ADOPTED.
27. ORDINANCE appropriating \$578,742.00 out of Airports Improvements Fund, CIP A-0153, \$600,000.00 out of Airports Improvement Fund as temporary funding, CIP A-0153, and \$3,665,373.00 from Federal Aviation Administration Grant Funds; awarding construction contract to **W. W. WEBBER, INC** for Miscellaneous Airfield Pavement Repairs at Ellington Field (EFD), Project No. 599; providing funding for engineering testing services, and for contingencies relating to construction of facilities financed by such funds - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0821 ADOPTED.
28. ORDINANCE appropriating \$55,000.00 out of Convention & Entertainment Construction Fund as an additional appropriation for Professional Program Management Services under professional services contract with **PARSONS INFRASTRUCTURE & TECHNOLOGY GROUP, INC** (approved by Ordinance No. 03-0828), GFS B-0064-01-5; providing funding for contingencies related to construction of facilities financed by the Convention & Entertainment Construction Fund **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0822 ADOPTED.
29. ORDINANCE appropriating \$315,585.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between City of Houston and **DAVID E. MILLER d/b/a MILLER & ASSOCIATES** for Design of Fuqua Road Paving from Telephone Road to Mykawa Road Grade Separation; CIP N-0490-01-2 (SB9077); providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0823 ADOPTED.

30. ORDINANCE appropriating \$87,213.00 out of Public Health Consolidated Construction Fund 440 and \$90,000.00 out of FY01 Disaster Recovery Fund (FEMA), determining that the formal taking of competitive bids is not required for the work described herein; and awarding construction contract to **AAR INCORPORATED** for Braeswood Health Clinic Mechanical Room and Crawlspace Asbestos Abatement and Re-insulation Project, GFS H-0029-03-5; providing funding for project management, air monitoring and contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund and FY01 Disaster Recovery Fund (FEMA) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0824 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION from Director Planning & Development Department to accept the July 2004 Semiannual Report and Recommendations of the Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program – was presented, moved by Council Member Galloway, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0879 ADOPTED.
- 1a. RECOMMENDATION from the Director Department of Public Works & Engineering to transfer revenue and interest generated by the Water and Wastewater Impact Fees in the amount of \$7,056,487.87 to Combined Utilities System Operating Fund (Fund #702) for Revenue Bond Debt Service as recommended in the July 2004 Semiannual Report of the Capital Improvements Advisory Committee (CIAC) – was presented, moved by Council Member Galloway, seconded by Council Member Green. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0880 ADOPTED.

Council Member Quan stated that he thought they could use the water impact fee as a way to encourage development in certain areas, that they basically had two fees, if the home was below \$120,000 they paid no impact fee, but if it was above they paid one flat fee, that he would like to see a graduated scale and a waiver for certain developments in affordable housing areas, and Mayor White asked Council Member Quan what would they do if they wanted to look at alternatives and what advice or direction would he give the Mayor to give to the Planning Department and Planning Commission concerning that, and Council Member Quan stated that the State allowed a maximum impact fee of \$2,500 and their rate right now was \$1,250 so he thought that as they looked at certain areas of town that they looked at waiving the fee, that right now they were waiving the fee for a lot of properties but to make up for it they actually had a lower fee in certain areas so they could play with that and thought the Planning Department could work with them on something like that, and Mayor White asked if the criteria would be water and drainage related, and Council Member Quan stated water related, and Mayor White asked if it would need to be jointly with Public Works and Planning Department and asked the Public Works for some recommendation, that regardless of what was eventually concluded if there were alternatives which should be considered, any good decision making from time to time considers alternatives, and Council Member Quan stated that possibly when Mr. Walsh came on board perhaps they could work together, and Mayor White stated that as chairman of the committee if Council Member Quan could coordinate that it was the appropriate way to follow.

Council Member Garcia asked that for the area plans that did exist that the Planning Department encourage the Planning Commission to use that as sort of the framework for the kind of development that needed to be going on, and Mayor White stated that each Council

Member would be receiving a memo from him specifically soliciting input by name concerning people that they recommended for appointment to the Planning Commission, that the first openings would occur in September.

2. RECOMMENDATION from Finance & Administration Department for approval of payment of membership dues for the City of Houston membership in the **ALLIANCE FOR INTERSTATE 69 TEXAS** - \$30,000.00 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Khan.

Council Member Alvarado asked what did the City get in return for the \$30,000 membership, that she knew the history of the project and that the City had been a member since 1994 and that their Congressional delegation worked very diligently to make sure that the project became a high priority in Congress and was appropriately funded, she just wanted ample time to meet with some folks that were associated with the interstate initiative and ask a little bit more about the City of Houston's representation and the status of the project and because of that she would tag the item.

Council Member Quan stated that he wanted to make sure that they did have active representation on the board.

Council Member Wiseman asked that her tag be added to Item No. 2.

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the establishment of minimum standards for honorary naming of City of Houston bridges – was presented, moved by Council Member Alvarado, seconded by Council Member Khan.

Council Member Wiseman stated that she was pleased to see a new criteria for naming of bridges and such and would ask for an opportunity to visit with the Public Works Director to look at a request that had been made by the City of Humble, that there was a bridge over the San Jacinto River that was in the City of Houston's jurisdiction but on the other side was the City of Humble and they had asked for the opportunity for Houston to consider the honorary naming of that bridge after a Humble resident who passed away who was a tremendous contributor to the community.

Mayor White asked Mr. Hall if he recalled if they had a discussion at the senior staff meeting concerning some procedures within the administration to consider that, and Mr. Hall stated that it was to be worked out, that the RCA had a list of specifics but it did not involve the entirety of the process, he thought it was suggested that it be a process implemented similar to the process they used for streets and parks and that kind of thing, and Mayor White stated that the representatives of Public Works would take down Council Member Wiseman's request and that the administration might address it to because they wanted some committee of career officials to do those so that they understood the sensitivities that were involved by Council and the like.

Council Member Holm stated that she had no opposition to the naming of the bridge or any other she just thought they needed a little bit more critical process of evaluating and establishing criteria for the naming, and Mayor White stated that they would discuss it at their senior staff meeting on Tuesday.

After further discussion a vote was called on Item No. 4. All voting aye. Nays none. MOTION 2004-0881 ADOPTED.

- 4a. RECOMMENDATION from Director Department of Public Works & Engineering for the honorary naming of the future Central Ave. Grade Separation/Manchester Bridge in honor of Bernie Guerra, deceased - **DISTRICT I – ALVARADO** – was presented, moved by

Council Member Alvarado, seconded by Council Member Quan.

Council Member Alvarado stated that she wanted to thank the administration for putting Item No. 4a on the agenda, specifically Public Works, that when she was in college it was the neighborhood that she grew up in, in the Eastend, that as a young college student she would come to Council and beg for funding for the bridge, that when she went to work for Congressman Green in Washington they started the process of trying to get federal funding for it and they were successful there, that when she came to work at City Hall for Mayor Brown they were successful in getting some funding in the budget for the project, that it had been on the books for several year and was finally happening, that the bridge came about because the neighborhood was surrounded by railroad tracks, that at that time the Fire Chief testified that 25% of emergency vehicles were delayed because of the train on Central Avenue, that she was pleased to see that the bridge would be named after Mr. Bernie Guerra who was a long time activist in the community, that she wanted to thank the Mayor for putting it on the agenda and her colleagues for their support. Council Member Holm absent.

A vote was called on Item No. 4a. All voting aye. Nays none. Council Member Holm absent. MOTION 2004-0882 ADOPTED.

ACCEPT WORK

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,640,129.51 and acceptance of work on contract with **INDUSTRIAL TX CORP.**, for Construction of Well Collection Line Tie-ins for Various Facilities, GFS S-1000-M1-3 (WA10693) - 02.02% under the original contract amount - **DISTRICTS B - GALLOWAY; F - KHAN and G – HOLM** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent. MOTION 2004-0883 ADOPTED.

PURCHASING AND TABULATION OF BIDS

10. **LION APPAREL, INC** for Apparel, Uniforms for Houston Airport System - \$751,902.85 Enterprise Fund – was presented, and tagged by Council Member Quan. Council Member Holm absent.
13. **IRON AGE CORPORATION** for Safety Footwear for Various Departments - \$1,315,354.00 General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2004-0884 ADOPTED.
15. **RAY ALLOWAY SALES, INC dba U. S. WHOLESALE PRODUCTS** - \$31,619.25, **XPEDX, AN INTERNATIONAL PAPER COMPANY** - \$56,998.04 and **JOHNSON INTERNATIONAL MATERIALS, INC** - \$142,343.60 for Rags and Cleaning Towels for Various Departments and declare **RAGS AND TOWELS, INC** non-responsible for a period of 24 months - General and Enterprise Funds – was presented, moved by Council Member Ellis, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent. MOTION 2004-0885 ADOPTED.

ORDINANCES

17. ORDINANCE **AMENDING ARTICLE XVI, CHAPTER 40, CODE OF ORDINANCES, HOUSTON, TEXAS**, by adding a portion of Midtown as a designated area covered by such article; containing findings and other provisions relating to the foregoing subjects; providing an effective date; providing for severability - **DISTRICTS D - EDWARDS and I – ALVARADO** – was presented. Council Members Edwards, Khan and Quan voting no, balance voting aye. ORDINANCE 2004-0825 ADOPTED.

After a lengthy discussion by Members of Council, Council Member Wiseman called for the orders of the day.

19. ORDINANCE appropriating \$200,000.00 out of Affordable Housing Uptown 2002B Fund and approving and authorizing contract between the City of Houston and **CDI MANAGEMENT SERVICES, INC** for Implementation of the Water Intrusion Relief Service Program - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. ORDINANCE 2004-0826 ADOPTED.
24. ORDINANCE appropriating \$197,791.23 out of Water & Sewer System Consolidated Construction Fund and appropriating \$240,000.00 out of TIRZ Affordable Housing Uptown Fund approving and authorizing Developer Participation contract between the City of Houston and **NPSP, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Facilities to serve the Emnora Heights Subdivision, CIP S-0800-D6-03 and R-0800-D6-03 - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. ORDINANCE 2004-0827 ADOPTED.
31. ORDINANCE appropriating \$816,400.00 out of Public Library Consolidated Construction Fund, awarding construction contract to **HAMILTON/LUMMUS, LTD** for Scenic Woods Branch Library Renovation, GFS E-0013-01-3; providing funding for engineering testing services, funding for environmental air monitoring services, funding for Civic Art Program, funding for additional Professional Architectural Services and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund and Community Development Block Grant Funds - \$281,600.00 CDB Grant Fund - **DISTRICTS B - GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2004-0828 ADOPTED.

Council Member Galloway stated that she wanted to applaud the staff for finally getting the contract underway and knew that her constituents in the Scenic Woods area were going to be very excited.

32. ORDINANCE appropriating \$20,793.58 out of Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone) Tax Increment Fund (Fund 908); \$524,761.57 out of Tax Increment Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone) Tax Increment Fund (Fund 907); \$779,027.20 out of Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone) Tax Increment Fund (Fund 912); \$336,504.41 out of Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone) Tax Increment Fund (Fund 916); and \$90,505.14 out of Reinvestment Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone) Tax Increment Fund (Fund 924) for Administrative expenses, payment of project costs, payments to **THE HOUSTON INDEPENDENT SCHOOL DISTRICT** and certain redevelopment authorities as provided herein - was presented. All voting aye. Nays none. ORDINANCE 2004-0829 ADOPTED.

MATTERS HELD - NUMBERS 33 through 40

36. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of Glenwyck Drive, from the south to the north boundary of Brentwood Place Apartment Subdivision, Parcel SY3-054A, and of a 10-by 20-foot fire hydrant easement, Parcel SY3-054B, vacating and abandoning said easements to Brentwood Way Developers, L.P., the abutting owner, in consideration of (i) its dedication of right of way to realign Glenwyck Drive, Parcel AY3-626, and (ii) its payment of \$600.00 and other consideration to the City; the two abandonment parcels and the dedication parcel all being located within Brentwood Place Apartment Subdivision - **DISTRICT D – EDWARDS** – **(This was Item 22 on Agenda of July 28, 2004, TAGGED BY COUNCIL**

MEMBER EDWARDS) - was presented. All voting aye. Nays none. ORDINANCE 2004-0830 ADOPTED.

37. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement, within the Samuel D. Smith Survey, A-737; vacating and abandoning said utility easement to JEC Texas, Ltd., by and through its general partner, JEC Development, Inc., the abutting owner, in consideration of the owner's payment of \$3,202.00 and other consideration to the City; Parcel SY4-013 - **DISTRICT E – WISEMAN – (This was Item 23 on Agenda of July 28, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0831 ADOPTED.
39. ORDINANCE approving and authorizing contract between the City and the **TEXAS DEPARTMENT OF HEALTH, BUREAU OF LABORATORIES**, for Prenatal Screening Services – **(This was Item 46 on Agenda of July 28, 2004, TAGGED BY COUNCIL MEMBER KHAN)** - was presented.

Council Member Khan stated that he had received a memo from Director Steven Williams and it talked about the process which was followed for the testing, but he was still not clear whether any abortion counseling was provided by the City personnel and asked that somebody clarify that for him, and Mayor White stated that his recollection of the testimony last week was pretty clear about that and the memo from Mr. Williams to the Agenda Director on the issue of what was done with the screening results that he thought helped clarify that.

After further discussion by Council Members a vote was called on Item No. 39. All voting aye. Nays none. ORDINANCE 2004-0832 ADOPTED.

40. MOTION by Council Member Edwards/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, and to appoint Ms. Jasmine Quinerly and Mr. George Coleman, independent appraisers and Mr. Samuel Stewart, alternate appraiser, on request from Dr. L. James Bankston, pastor of Saint Paul's United Methodist Church, for abandonment and sale of Calumet Drive, from San Jacinto Street to Fannin Street, in exchange for the conveyance to the City of a full-width utility easement and right of way to widen Binz Avenue, within Hermann Annex to the MacGregor and DeMeritt's Southmore Addition, Section 2, Parcels SY3-066, VY4-002 and AY4-053 - **DISTRICT D – EDWARDS – (This was Item 56 on Agenda of July 28, 2004, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. All voting aye. Nays none. MOTION 2004-0886 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Sekula-Gibbs stated that it was back to school time and it was very important to recognize that it was time for vaccinations and the City offered those vaccinations, that it was a little bit different, that they did not necessarily have to go to the City Health clinics they could get vaccinations between August 2 and August 13 at Northline Mall, 4400 North Freeway and Sharpstown Center, 7500 Bellaire Boulevard, that they needed to bring shot records with them and Medicaid and CHIP cards also, that the cost was \$3 per child, for more information they could call 713-247-2411 in English or 713-247-2412 for Spanish information on the vaccination schedule. Council Members Wiseman, Holm and Green absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate Ms. Rosie Perez who was recently named one of the outstanding nurses in the City of Houston, that she worked at the Christus St. Joseph Hospital, that she had a chance to get to know her through the Gateway to Care Program, that she had been very active at the Holy Family Clinic Outreach and had done a splendid job in the community. Council Members Wiseman, Holm, Alvarado

and Green absent.

Council Member Khan stated that they had two programs going on in their district, Alief Health and Civic Sources Quorum at Notre Dame Catholic Church, 7720 Boone Road, where they would provide the community with immunizations and will provide to some students free back to school kits, that everyone was invited, that it was from 9:00 a.m. to 2:00 p.m. on Saturday, August 7, 2004, that they also would have a back to school preparation program starting at 10:00 a.m. on Saturday, August 7, 2004 at Higher Dimension Church, off of Bissonnet near Highway 59 in District F, that he hoped everyone out there would take advantage of the back to school programs. Council Members Wiseman, Holm, Alvarado and Green absent.

Council Member Khan stated that the staff in the Mayor's office was very helpful in making the arrangements for his Holiness Dr. Syedna Burhanuddin visit and he wanted to thank them once again. Council Members Wiseman, Holm, Alvarado and Green absent.

Council Member Quan stated that last week he mentioned that the White House Commission for Asian American Pacific Islanders would be in Houston this week and tonight there was a forum at the Ocean Palace Restaurant on Bellaire, that he believed each Council Member had received an invitation and hoped they could attend, that it at 7:00 p.m., that there were three commissioners plus the Executive Director of the Commission who would be there, that if anyone needed more information they could contact his office at 713-247-2013. Council Members Wiseman, Holm, Alvarado and Green absent.

Council Member Quan stated that this Saturday the African Community Development Seminar would be held at Strake Jesuit High School on Bellaire, the community would be looking at issues dealing with housing, immigration, business development and social services, that he encouraged everyone interested to attend the seminar. Council Members Wiseman, Holm, Alvarado and Green absent.

Council Member Quan stated that tomorrow he would go to jail for Muscular Dystrophy, that he would be locked up until he could get money to get out and encouraged people to make donations to MDA, Jerry's Kids, that \$139 would get them to camp and he would appreciate those donations. Council Members Wiseman, Holm, Alvarado and Green absent.

Council Member Berry stated that they had teamed with 100 Black Men of Houston and Custom Collection, that they could drop off suits that they did not need any more until August 13, 2004, that they would go to young men who were interviewing or getting ready for career opportunities, that Pilgrim Cleaners and Custom Collections were going to restore the suits, that also ties, dress shirts and shoes, if they wanted more information they could go to Dress-UpHouston.com. Council Members Wiseman and Holm absent.

Council Member Berry stated that he wanted to commend Council Member Green for his great work with the American Tennis Association, that they were excited to be a part of the celebrity tennis tournament on Friday, that Channel 26 had really stepped up to the plate, that Mayor White and Council Members Khan, Lawrence and Goldberg would be playing. Mayor White and Council Members Wiseman and Holm absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that he wanted to thank Council Member Green for the excellent breakfast for Council. Mayor White and Council Members Wiseman and Holm absent. Mayor Pro Tem Alvarado presiding.

Council Member Goldberg stated that he wanted to thank Mayor White and Mrs. White who were recognized and saluted by the International Community at an awards event last Thursday, that they deserved the recognition, that he wanted to thank Ms. Helen Chang for organizing the event. Council Members Wiseman, Holm and Khan absent.

Council Member Galloway stated that she wanted to thank Mayor White along with the Jamaican Community for signing the partnership with Spanish Town Jamaica, the Consular Beverly Ford was very excited and the Mayor of Spanish Town was also honored to carry that piece of paper back to his town. Council Members Wiseman, Holm and Khan absent.

Council Member Galloway stated that she wanted to thank Mr. Jerome Walter, one of her constituents who loved his Fifth Ward Community, that they hosted a cleanup in the Fifth Ward on Saturday and it was very successful and Mr. Walter participated and walked along with the youth out there and assisted them in the cleanup, that she wanted to thank him and those in the Fifth Ward Community who turned out to help. Council Members Wiseman and Holm absent.

Council Member Galloway stated that she wanted to congratulate her constituents in District B for having a successful National Night Out. Council Members Wiseman, Holm and Quan absent.

Council Member Galloway stated that they would be having an MWBE Committee meeting at 2:00 p.m. today in the Council Chamber and encouraged everyone to attend. Council Members Wiseman, Holm and Quan absent.

Council Member Green stated that he wanted to stress to Houstonians to come out to the City parks for the American Tennis Association event, including Memorial Park and McGregor Park, that they would have the matches going on during the week, that people were looking forward to the celebrity match where the Mayor and Council Member Berry would be playing against Mr. Neil Bush and Ms. Zina Garrison. Council Members Wiseman, Holm and Quan absent.

Council Member Green stated that he wanted to commend all the communities for the National Night Out last night, that he did nine nights out all over town and saw Council Member Sekula-Gibbs amongst some of the other Council Members including the Mayor, that some of the areas he visited were Sugar Valley, Cloverland, Acres Home, Rice Military and Precinct 6, where Constable Victor Trevino had a very big celebration in his area, that he wanted to commend those neighborhoods who really embraced the night out concept. Council Members Galloway, Wiseman, Holm and Quan absent.

Council Member Green stated that he wanted to thank Fords Fine Foods and Catering who provided the breakfast this morning. Council Members Galloway, Wiseman, Holm and Quan absent.

Council Member Edwards stated that she wanted to thank Mr. Terrace Fontaine for going out to Foster Place with her on Monday evening, that within a four to six square block radius they saw at least 10 to 15 overgrown lots and about 10 homes abandoned and in various conditions of disrepair, that she was excited any time they looked at policy that would help to bring some relief. Council Members Galloway, Wiseman and Holm absent.

Council Member Edwards stated that she wanted to thank Fundamentals Inc., that a person in their office, Nzinga Rideaux, who had worked, out of her own pocket, with young girls throughout the City, that she used her skill in basketball to try to help young girls learn how to maneuver life, that Fundamentals Inc. celebrated 10 years and had given out quite a bit of money in scholarships and honored among others were Mrs. White and Ms. Cynthia Cooper, that the event was held at the Y on Wheeler, that they would like to see those types of programs replicated throughout the community because that was how they were going to tackle a lot of the problems they had with the youth, that they wanted to thank Ms. Cooper and Mrs. White for participating. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Edwards stated that she had passed out a handout on Chocolate Bayou

Trivia, the Sky Ranch, was the first and only Black owned and operated airport in the United States and it was in Sunnyside, Texas, that it was during 1946 and 1948 era, that there were three men who came back to Texas after the war and were part of the Tuskegee Airmen Group and with the help of the Stevenson Ranch people, took 80 acres of land and operating a fully operating airfield, that it was called the Sky Ranch, that it was a combination of teaching and relaxation and getting the community involved in a new science, Aviation, that it was still going on to this day with the works going on at Sterling High School, that Ms. Azalea White, wife of one of the three young men, she was 91 years of age and lived in the Sunnyside area, that she was the first Black female pilot licensed in the State of Texas, that in working on the Chocolate Bayou Festival the Heritage Group had unearthed a lot of stuff and they were determined not to let Sunnyside go the way of other communities where they had not held on to the history, that she encouraged everyone to read the handout. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Lawrence stated that she wanted to offer a big thank you to Mr. Jordy Tollett, that they had a young woman come forward who was going to be in the Olympics, TaKwanDo, who was a single parent and she needed a transportation hotel and Mr. Tollett had stepped up to make that happen for that particular mother. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Lawrence stated that she went to the IKEA opening breakfast, that the women who pitched a tent 10 days ago was still there and would receive \$10,000 of free furniture, that it was quite an event and they looked forward to a lot of economic development. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Lawrence stated that she wanted to thank the Parks Director, Mr. Turner, that they had gone out yesterday morning and identified a number of sites for a certain sport that they all knew, that she looked for some wonderful things to come out of Parks concerning soccer. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Lawrence stated that she visited a health clinic in her district this weekend and wanted to thank the Exxon Mobil volunteers who helped vaccinate kids, that it was at the community center on Pitner Road. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Sekula-Gibbs stated that she wanted to invite people in the Denver Harbor area to visit the Houston Community Health Center in District H at 402 Halo Street, that vaccinations were \$3 and they were opened from 8:00 a.m. to 5:00 p.m. everyday, that also La Rosa Family Outreach Center was having their Get Back to School event on Saturday at Reed Memorial Church, from 8:00 to 11:00 a.m., the church was located at 5203 Fulton Street. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Garcia stated that he wanted to thank Mr. Williams and his staff for their support at the health fair and immunization project that they did at Northline Mall on Monday, that in collaboration with the Health Department and Pfizer Corporation they did 237 discussion and education workshops on whole health issues for the entire family, that they had cholesterol screening, glucose, BMI checks and just overall education for the family, that the Health Department in collaboration with Blue Cross Blue Shield of Texas, through their caravan did a total of 800 immunizations, that the Houston Police Department and the Houston Community College Police Officers combined did 500 fingerprinting of children that attended, that it was a tremendous success, thanks to Northline Mall for their tremendous support and kindness hosting of the event, Fiesta provided \$1,000 in gift cards for back to school supplies, the Houston Astros were represented by former catcher Mr. Alex Trevino who spent the entire day and became their MC and announcer and autographer and gift dispenser of the Houston Astros, that he wanted to thank Mr. Drayton McClane for having a tremendous front office in helping to sponsor the event, that this past Saturday, FUSA, had a similar and wonderful event at Almeda

Mall, that on Thursday they had a meeting with Mr. Williams and brought together other social services who were doing a lot of different health care related efforts and had a good healthy discussion on how to combine and collaborate efforts and resources because obviously the City could not or should not do it all, that they needed to look at good healthy collaborations and partnerships, that Mr. Williams spent a tremendous amount of his time just having a good down to earth discussion with those folks and everybody walked away from that with good anticipation that there was a new vision and new, good and strong leadership for the health concerns of the City, that he wanted to commend the Mayor and Mr. Williams for engaging the community so early on in his administration. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Garcia stated that the Lindale Park Civic, would be celebrating its 25th anniversary on Sunday at 1:00 p.m. at 218 Joyce Street, that he encouraged everyone to come out and enjoy the festivities. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Garcia stated that going back to the health fair on Monday he wanted to thank Ms. Debra Duncan who not only helped to promote the event but shared a lot of goodies with all the kids so kudos to Channel 11 and Ms. Duncan for her support in the event. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Garcia stated that he had stayed relatively quiet on the historical home that was razed in his district and appreciated that hat in hand was extended but if they were to compare what happened on that issue with, for example, an accidental shooting it would be a whole different story, that the Sixth Ward were besides themselves on the issue, that there were a lot of checks and balances on issues that crossed the directors desk but historical buildings and the protection of them seemed to be way down the ladder, that the community was looking for some very strong and pointed and directed responses on why did it take this to make that happen, and Mayor White stated that he sent a note to the director immediately about accountability, that they needed to realize that all human beings made mistakes but at the same time accountability did have substance and asked Council Member Garcia to share an example of what the procedure of an IA investigation of an officer was, and Council Member Garcia stated that first they had to see what policies were in place and if the Chief of Police had ever instituted a particular policy for the incident that occurred, that in all likelihood the officer would be in a different status while the investigation was brought to close, but the officer would also have a fallback on the lack of policy, training, education and priorities set by the department, that was where arbitration overturned those cases because generally the officer was able to make a good case that the department never set that policy, priority, provided that training or gave guidelines, that was why they had some frustration with arbitration because leadership at the top of the departments generally did not provide that kind of framework, that they had new leadership in the Police Department because they found that some of those issues were missing there, that the investigation would look to see what policies and practices were in place, what lack of protocol were set and whether they were followed or not and it also should say that for as much as they had been discussing historical preservation how much initiative was put out in front and beforehand to review that area to see what systems were in place to send up red flags that if a particular permit application was being put through if it was significant, whether the entire system would have captured that there was something already in motion, that they were collecting a tremendous amount of data to see if the department as a whole was doing something correctly or not, that it was all very parallel to each other, that Old Sixth Ward was really besides themselves and they could not bring the building back and the fact that a lower rung employee had been possibly disciplined was really of no comfort and the fact that some processes had been changed and instituted was really of no comfort, what other buildings were at risk, they did not know that, what other applications were out there, that tomorrow were they going to see another historical building razed, those were some concerns out there, that not only preservation of neighborhoods, but historical preservation. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Edwards stated that she wanted to thank a person who had been very

helpful in their archival search of Sunnyside area, that the City Secretary, Ms. Anna Russell, had found old street maps and old records of how streets got changed. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Alvarado stated many of those had been involved in protesting the alcohol license of bars in their districts, that they still had businesses who were getting around the process through loopholes, that they had a convenience store in the Country Club Subdivision of her district that had pretty much disguised itself as a convenience store but they had set up pool tables and had a bar and were serving alcohol and they did not have permission to do that, they were only opened during certain hours, that their office would be protesting that license, that she knew it involved other agencies, the County and TABC, but thought that it was something that perhaps the Public Safety Committee could look at and try to close some of those loopholes so that they no longer allow those type of businesses, that it was right smack in the middle of a residential area and less than a half mile from an elementary school where children walked by, and Council Member Garcia stated that he would be more than happy if they could get some help from the legislative team, and Council Member Edwards stated that there were a lot of convenience stores that had slot machines and asked if they could add that to her request. Council Members Galloway, Wiseman, Holm and Berry absent.

Council Member Garcia stated that he wanted to wish a Happy Birthday to the City Secretary, Ms. Anna Russell. Council Members Galloway, Wiseman, Holm and Berry absent.

There being no further business before Council, the City Council adjourned at 11:37 a.m. Council Members Galloway, Wiseman, Holm and Berry absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary