

City Council Chamber, City Hall, Tuesday, September 21, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 21, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D. and Michael Berry; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Mr. Richard Cantu, Director, Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director, Mr. Jose Soto, Deputy Agenda Director, present. Council Member Carol M. Galloway absent due to being ill. Council Member Mark Goldberg out of the city on city business. Council Member Ronald C. Green absent.

At 2:18 p.m. Mayor Pro Tem Alvarado stated that Council would begin with presentations starting with Council Member Sekula-Gibbs. Council Member Sekula-Gibbs stated that it was her pleasure to present the Latino Art Beat Scholarship recognition which was nationwide with several winners in the area and invited those present with that presentation to the podium. Mr. Nuchio, founder and president of Latino Art Beat, thanked the Mayor and Council for honoring the winners and stated that this years theme was What Hispanic Heritage and Culture Means To Me that he and his staff were proud of all art work entered by Houston youth this year and along with General Motors they were present today to encourage further education of them in pursuing their careers; and thanked General Motors for their participation and support. Ms. Leticia Sanchez with General Motors stated that General Motors valued the talent of young people and giving them an opportunity to go on to higher education; and invited the third place winner Matt De Leon to the podium and presented him a Certificate; invited second place winner Roberto Barron to the podium and presented him with a \$1,500 scholarship; and invited first place winner Elvin Roman to the podium and presented him with a \$3,000 scholarship. Council Members Edwards, Quan and Berry absent.

Council Member Alvarado congratulated all the artist who captured the history of the Hispanic culture and sent a special congratulations to Elvin the first place winner and student in District I. Council Members Edwards, Quan and Berry absent.

Council Member Lawrence stated that it was rewarding to make presentations to those who deserved recognition and Crime Stoppers started in 1981 with Ms. Kim Ogg joining them in the 1990s and this year alone 203 crimes in schools were deterred because of them. Council Member Lawrence invited the board and executive director of Crime Stoppers to the podium and presented them a Proclamation for being the largest and most successful crime stoppers group in the world, saluted them, extended best wishes for continued success and proclaimed September 21, 2004, as "Crime Stoppers Day" in Houston, Texas. Council Members Edwards, Ellis and Sekula-Gibbs absent.

Council Member Garcia stated that he wanted to recognize Kim Ogg and all those who put effort into allowing closure to such tragic events in people's lives. Council Members Lawrence, Edwards, Ellis and Sekula-Gibbs absent.

Council Member Garcia stated that today it was his honor to recognize someone who would be taking the helm in District H; that Baptist Temple Church remained deeply dedicated to the needs of its members and they had welcomed their tenth pastor in its ninety six year history and invited Reverend Kelly Burkhart to the podium and presented him a Proclamation extending best wishes and proclaimed September 12, 2004, as "Kelly Burkhart Day" in Houston, Texas. Council Members Lawrence, Ellis and Sekula-Gibbs absent.

Council Member Garcia stated that on September 11th District H held a candlelight visual at Veterans Memorial Park and John Daniel, from his staff, wanted to add a personal touch and his wife drafted an incredible poem to commemorate that day and she asked that a version of that poem be presented to the Mayor and invited Mrs. Daniel's to the podium. Council Member

Garcia read the poem and Mrs. Daniel presented it to Mayor White. Council Members Lawrence, Ellis and Sekula-Gibbs absent.

At 2:44 p.m. Mayor White called the meeting to order and called on Council Member Khan to lead in prayer. Council Member Khan called on Imam Zoubir Bouchikhi who led all in prayer and Council Member Khan led all in the pledge.

At 2:47 p.m. the City Secretary called the roll. Council Member Galloway absent due to being ill. Council Member Goldberg out of the city on city business. Council Member Green absent.

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

Mayor White stated that as a point of personal privilege he wanted to apologize for the late start today; that he was not aware of how long the press conference would go on; that he would also like to say many had given good suggestions and he always wanted to improve communication with City Council, but today during the press conference a question came up along the line of police having had pay increases and municipal and fire had not and there were those from time to time who played employees against each other and he thought all the municipal workforce, safety and non safety, was in this together and should be treated fairly; that in the last five years the police and EMS payroll had gone up in equal percentages with Fire and EMS doing it by raising head count and police raised compensation and now they may need the reverse and they wanted all labor organizations working together, not playing off each other, and all Council Members felt the same; that firefighters were not adequately paid compared to counterparts in Austin and Dallas and improvements would be made.

Council Member Garcia thanked Mayor White for the work done on his announcements and on comments just made; that he appreciated the clarity and that he understood it was a sensitive issue and that he wanted to bring it up to a competitive position with their counterparts.

Council Member Berry moved that the rules be suspended for the purpose of adding Mr. David Shomet and Mr. Gary Markowitz to the Speakers List for a presentation, seconded by Council Member Khan. Mayor White stated that with no objections they would be allowed to speak by consent.

Mr. David Shomet appeared and stated that he and Mr. Markowitz were speaking together, they were members of the steering committee, Cultural Bridges Houston, which was a young professionals group associated with the Holocaust Museum which educated the public on dangers of prejudice, hatred and violence against the backdrop of the holocaust; that on September 1st Mayor White was a speaker on the Strength of the Diversity of Houston and today they were thanking him for that and gave a token of their appreciation to him.

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.

Mr. Jermyn Herell, 110 Fargo Woods, Houston, Texas 77015 (713-330-8414) appeared and stated that on September 7, 2004, he stopped at San Felipe and MLK to get gas at the Corner Store when a driver backed up into his vehicle and he called 911; that HPD came and the officer harassed him, handcuffed him and put him in the police car, then used his cell phone to call his mother asking questions on whether she had sons; that Officer Parker, badge number 140396, refused to identify himself as a Houston police officer, then took him to headquarters for about an hour trying to make him someone he was not; that he was a victim of a crime and within his rights to call 911 and could not understand why he was harassed. Council Member

Garcia absent.

Council Member Lawrence stated that she hoped all would be resolved and thanked him for coming and making Council aware; that officers were present and could get a statement from him and take care of it. Council Member Garcia absent.

Council Member Khan stated that they were hearing this more often and he would request that there be a better process to take care of this and asked that Mayor White get a formal process to put a curb to this; and commended Mr. Herell on coming. Council Members Edwards and Garcia absent.

Council Member Berry stated that as a point of personal privilege Houston this week was host to the Airport's Council International Conference and a special guest, the Mayor of Saginaw Michigan was present, and asked her to stand to be recognized; and Mayor White thanked her for being present. Council Members Edwards and Garcia absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Edwards and Garcia absent.

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (713-941-8000) appeared, presented information and stated that the Fire Department Enforcement Section had harassed him and he did not have the finances; that he was trying to do a good thing saving resources and people and was asking for help; that the Fire Department did not know about compost and considered it wood and cited him with eight tickets which could be \$2,000 per ticket; and if there was anyway the City could assist he would appreciate it. Council Members Edwards, Garcia and Berry absent.

Council Member Sekula-Gibbs stated that Mr. York had been present many times with issues but never had anything other than positive suggestions for the city and now seemed to be in a jam; and upon questions, Mr. York stated that he had been inspected three or four times and every time asked him to do things he could not afford; that what they were asking for in bringing it up to Code was wrong, because there was no code for dirt; that his competitors had much bigger operations with piles five times higher than his and they were not in compost and theirs would burn, but he had compost and dirt did not burn; that they wanted paved roads through his property. Council Member Sekula-Gibbs stated that she would encourage the Fire Department to do what they could to work with Mr. York that he was trying to work with probationers and help people get a new start in life; and Mr. York stated that he appreciated it. Council Members Holm, Khan Garcia and Berry absent.

Ms. Melissa Waddy Thibodeaux, P. O. Box 740606, Houston, Texas 77274 (713-782-7738) had reserved time to speak but was not present when her name was called. Council Members Holm, Khan Garcia and Berry absent.

Mr. James Wulffen, 3238 Golden Leaf, Kingwood, Texas 77339 (281-330-5886) appeared, presented information and stated that he had a proposal to place fish and duck feeders at Herman and other city parks; that the zoo and other places had them, but none at Hermann and it was unhealthy for the ducks to be fed whatever people were throwing; that he would place coin operated feeders around the lake and it would add to the entertainment and add a revenue source to the city as he would donate the first 10% to Child Advocates and then split 50/50 with the City of Houston. Council Members Holm, Khan Garcia and Berry absent.

Mayor White stated that they had his proposal and would work on it; and thanked Mr. Wulffen for coming. Council Members Holm, Khan Garcia and Berry absent.

Ms. Isema Igwe, 14611 South Main, Houston, Texas 77035 (713-721-2503) had reserved time to speak but was not present when his name was called. Council Members Holm, Khan

Garcia and Berry absent.

Mr. Jack Terence, 2808 Morrison, Houston, Texas 77009 (713-861-1991) appeared and stated that he believed it important election laws be followed and the City had an ordinance Section 18-31 which limited an individual's contribution to \$5,000. for a General and \$5,000. for a Run-Off Election; that he made phone calls to Legal and they would not advise where he could go to file a complaint and the Municipal Courts said hire an attorney; and Legal needed to take a stand. Council Members Holm, Khan Garcia and Berry absent.

Mayor White stated that there were provisions in the Ethics Code concerning the Ethics Commission and means by which complaints were filed. Council Members Holm, Garcia and Berry absent.

Council Member Quan thanked Mr. Terence for bringing the matter to Council's attention; and upon questions, Ms. Wiginton stated that she did not have her code with her, but would get back to him. Council Members Holm and Garcia absent.

Mr. Thomas Birmingham, 1516 Beaconsire, Houston, Texas 77077 (281-752-7928) appeared and stated that there used to be a trolley system to service the Midtown and El Mercado areas and there was a tremendous amount of new housing going on; that METRO promised to provide shuttle buses to Midtown and had not accomplished it yet; and he would like to see something done in restoring them and residents stated that they would pay for a trolley. Council Member Holm absent.

Council Member Berry thanked Mr. Birmingham for coming and stated that the Mayor and Council appointed five of the METRO Board members and there was a level of oversight on the organization and he would suggest he attend one of their meetings; that he had heard some of the same things and agreed people would ride, but there were no numbers and if he could help show there were a number wanting to use it then that would be great assistance as he would like to see it in use also; and if he would place it in writing, then he would move it forward. Council Member Holm absent.

Council Member Alvarado stated that the Downtown Midtown Residents Association had expressed their support for the service and METRO may get a sponsorship program where businesses would pay for that trolley service and urged that he contact Ms. Edna Ramos with that association. Council Member Holm absent.

Ms. Lenova Williams, P. O. Box 68162, Houston, Texas 77268 (281-818-0667) had reserved time to speak but was not present when her name was called. Council Members Holm and Berry absent.

Ms. Delisa Perry, 4702 Marble Drive, Houston, Texas 77022 (281-872-5870) had reserved time to speak but was not present when her name was called. Council Members Holm and Berry absent.

Ms. Tomaro Bell, 3248 Charleston, Houston, Texas 77021 (713-747-5950) had reserved time to speak but was not present when her name was called. Council Members Holm and Berry absent.

Ms. Yvette Williams, 7923 Aylesburg Lane, Spring, Texas 77379 (832-818-0667) had reserved time to speak but was not present when her name was called. Council Members Holm and Berry absent.

Ms. Debra Smith, 3214 Elmcrest, Houston, Texas 77088 (281-447-7729) had reserved time to speak but was not present when her name was called. Council Members Holm and Berry absent.

Mr. Cristobal Patino, 79203 South Loop East, Houston, Texas 77012 (713-643-2804) appeared and stated that he had a seizure and rode METRO to the HAZMAT station on Harrisburg where they tried to get an EMT unit and then had to wait on two different ones who were out of commission and that was serious; that when someone needed 911 they expected them to be there and the units needed to be kept up and in service. Council Members Holm and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Patino stated that the EMS units arrived but two were out of commission, they needed life support on the unit; that the service was up to level but the technicians needed what was necessary. Council Member Sekula-Gibbs stated that equipment was something to always be maintained to the highest levels. Council Members Holm and Berry absent.

Ms. Deborah Elaine Allen, 1122 Sol Street, Houston, Texas 77029 (713-649-8358) had reserved time to speak but was not present when her name was called. Council Members Holm and Berry absent.

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was God; and continued expressing his personal opinions until his time expired. Council Members Holm and Berry absent.

Mr. John Johnson, 7102 Windemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Holm and Berry absent.

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. Council Members Holm, Ellis and Berry absent.

Mr. Christopher Cato, 7710 Boggess Road, Houston, Texas 77016 (no phone) had reserved time to speak but was not present when his name was called. Council Members Holm, Ellis and Berry absent.

Mr. William E. Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak but was not present when his name was called. Council Members Holm, Ellis and Berry absent.

At 3:35 p.m. City Council recessed until 9:00 a.m., Wednesday, September 22, 2004. Council Member Galloway absent due to being ill. Council Member Goldberg out of the city on city business. Council Member Green absent. Council Members Holm, Ellis and Berry absent.

City Council Chamber, City Hall, Wednesday, September 22, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, September 22, 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. Council Member Mark Goldberg out of the city on city business. Council Member Khan absent on personal business.

At 8:31 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:28 Mayor White reconvened the meeting of the City Council. Council Member Galloway absent.

### **MAYOR'S REPORT**

Mayor White stated that the Council had discussed from time to time the need to take a real look at how they governed their pension systems and most of the Council Members had provided some excellent suggestions about it, that today he was announcing the formation of a committee now that they had made tremendous progress with the Houston Police Officers Pension System in cutting unfunded liabilities in total well more than a billion dollars, taking the lead of local governments in the United States on the issue, that there was an announcement of the Council Committee consisting of Chairman Mark Ellis and Council Members Alvarado, Galloway, Sekula-Gibbs, Goldberg, Green and Holm, that he was sure that Chairman Ellis would make sure that the committee's meetings were well known and all Council Members interested could be invited to participate, that the Council Members had the letter in front of them that he had asked the committee members to look at, that among them was, how should the pension systems be governed and what should be their accountability to beneficiaries, is there adequate oversight concerning the expenditure of funds by the pension boards, how should the City organize itself to deal with pension issues, for example, would we reduce costs by having some in-house actuarial expertise, and should there be formal communications to make sharing of information easier between actuaries hired by the pension systems and actuaries hired by the City. Mayor White stated that they had a special person in the audience who had agreed to lead a private sector of experts and who dealt with very similar issues, that he had been doing incredible work in the public interest in assisting the City in understanding health benefits and pension systems and that was Mr. Mike Nichols, the Senior Vice President for SYSCO and Mayor White asked that Mr. Nichols stand and be recognized, that he would chair a group of experts, that he wanted to thank him for his service in agreeing to chair the task force.

Council Member Ellis stated that if the committee had been in place 10 years ago they would not be in the place that they were now and there would be some accountability, that he hoped that it would carry over to future administrations, that he thought it was something that should have been implemented 10 to 20 years ago, that he looked forward to chairing the committee, that he had the opportunity to have breakfast with Mr. Nichols and thought he would be a great resource along with the other individuals they selected for the blue ribbon task force, that he thought it was something that was desperately needed for the committee so that they could reach out and ask the task force, as well as management, how the corporate world was operating in their defined benefits, that he looked forward to the challenge and responsibility that the Mayor had placed on his shoulders as chair of the committee.

Council Member Berry stated that he wanted to commend the Mayor and his administration because they were seeing fresh faces at City Hall and thought they were people who were not necessarily looking to get a contract or for a job but wanted to give something back.

Council Member Edwards stated that she wanted to say it was about time and was glad to see it happen and she looked forward to the committee's work and thought the employees could also say congratulations and breathe a sigh of relief.

Council Member Galloway stated that she wanted to thank Mayor White and his administration, that she thought it was a well needed committee in order to look out for the employees and thought they would have more confidence in what the Mayor was doing and what his administration was doing.

Council Member Edwards moved to suspend the rules to consider Item Numbers 2, 2a, 3 and 8 out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1008 ADOPTED.

2. ORDINANCE appropriating \$33,303.06 out of Public Health Consolidated Construction Fund; allocating/appropriating additional funds for Bio-Safety Level 3 Laboratory (BSL-3), GFS H-0029-02-3; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICT D – EDWARDS** – was presented.

Council Member Edwards stated that she would tag the item and wanted to talk with the Health Department regarding the item, that she had some questions and concerns from the community as to what was the bio lab, that she thought that people had visions of bio-terrorism in their community, that she would like to meet with Ms. Barton or Mr. Williams regarding the item, and Mayor White stated that he would ask the staff to make sure that Mr. Williams got in touch with Council Member Edwards.

Council Member Sekula-Gibbs stated that she too had some questions about the lab and the expansion of the lab, that it was actually an item that came to Council a few months ago and they approved it and it was now a change order, that it was basically a lab that had been in existence for along period of time and they were remodeling it.

- 2a. RECOMMENDATION from Director Building Services Department for approval of Change Order No. 5 in the amount of \$33,303.06 on contract with **A-TEC ENGINEERS AND CONTRACTORS** for Bio-Safety Level 3 Laboratory (BSL-3) for Health & Human Services Department GFS H-0029-02-3 - **DISTRICT D – EDWARDS** – was presented, and tagged by Council Member Edwards.
3. **TRAF-TEX, INC** to Install Pedestrian Crosswalk Signals for Convention & Entertainment Facilities Department - \$104,320.00 and contingencies for a total amount not to exceed \$109,536.00 Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado, and tagged by Council Members Wiseman and Edwards.
8. ORDINANCE amending Exhibit “A” of City of Houston Ordinance No. 2004-801 by adding one (1) Deputy Chief Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance; providing for severability – was presented, and tagged by Council Members Sekula-Gibbs, Edwards, Lawrence and Green.

Council Member Sekula-Gibbs announced that she was tagging Item No. 8 for Council Member Goldberg.

#### **CONSENT AGENDA NUMBERS 1 through 26**

#### **PURCHASING AND TABULATION OF BIDS** – NUMBER 4

4. **AMEND MOTION #2000-1058, 8/23/00, as amended by #2003-1147, 9/24/03, TO EXTEND** expiration date from October 1, 2004 to September 30, 2005, for Chemical Water Test Materials Contract for Various Departments, and **TO INCREASE** spending authority from \$614,198.66 to \$798,458.26, awarded to **HACH COMPANY** - Enterprise Fund - was presented, moved by Council Member Alvarado, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1009 ADOPTED.

#### **ORDINANCES** - NUMBERS 11 through 26

11. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Tilson Lane Excess, Fee-owned, Street right of way, containing 409 square feet of land, more or less, being out of Lots 7 and 8, Block 5, Cedar Brook Addition, Section 1, Harris County, Texas, Parcel SY4-018, vacating and abandoning said parcel to NPSP, L.P., the abutting owner, in consideration of its payment of \$900.00 and other consideration to the City - **DISTRICT A – LAWRENCE** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0969 ADOPTED.
12. ORDINANCE approving and authorizing special warranty deed conveying to George N. Polydoros, Trustee, a parcel of land containing ±15,778 square feet, former Memorial West Water Treatment Plant Site, Parcel S95-045, located at 15107 Memorial Drive, Reserve A, Block 1, Thornwood Subdivision, Section 2, Abstract 80, Joel Wheaton Survey, Harris, Texas, in consideration of George N. Polydoros, Trustee's payment of \$221,680.90 and other consideration to the City - **DISTRICT A - LAWRENCE** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0970 ADOPTED.
13. ORDINANCE approving and authorizing special warranty deed conveying to John Chime parcel of land containing 29,132 square feet (0.6688 acres), more or less, being out of Block 8, Plantation Oaks Subdivision, Section Two, J. Jeffries Survey, A-492, Harris County, Texas (the former Water Well Plant Site No. 2 located at 3830 Tiffany Drive); and in consideration of John Chime's payment of \$44,000.00, and other consideration to the City - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0971 ADOPTED.
16. ORDINANCE appropriating \$1,100,058.65 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for professional construction management services contract with **LOCKWOOD, ANDREWS & NEWNAM, INC** (approved by Ordinance No. 99-312); CIP S-0900-43-3 (10448-2) for the Surface Water Transmission Program – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0972 ADOPTED.
18. ORDINANCE appropriating \$1,215,856.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, and approving and authorizing amendment No. 1 to construction Contract No. 53048 between the City of Houston and **BOMBARDIER TRANSPORTATION (HOLDINGS) USA, INC.**, successor in interest to Daimlerchrysler Rail Systems (North America) Inc., for Phase 2 Automated People Mover (APM) System at George Bush Intercontinental Airport/Houston; Project 536D; CIP A-0354 and A-0422 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0973 ADOPTED.
19. ORDINANCE approving and authorizing supplemental agreement No. 1 to Lease Agreement DTFA 07-01-L-01280 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, to install a Precision Approach Path Indicator (PAPI) for Runway 9 and Runway 27 at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city

business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0974 ADOPTED.

20. ORDINANCE approving and authorizing supplemental agreement No. 3 to Lease Agreement DTFA 07-02-L-02783 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, to install a Precision Approach Path Indicator (PAPI) for Runway 15R at George Bush Intercontinental Airport/Houston **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0975 ADOPTED.
21. ORDINANCE approving and authorizing supplemental agreement No. 1 to Lease Agreement DTFA 07-03-L-00940 between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION**, to install a Precision Approach Path Indicator (PAPI) for Runway 30L at William P. Hobby Airport - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0976 ADOPTED.
24. ORDINANCE repealing Ordinance No. 2004-569; approving and authorizing Replacement Loan Agreement between the City of Houston and **LITTLE YORK VILLAS, L.P.** to provide \$441,600.00 Loan of Federal “HOME” Funds for eligible costs in connection with the acquisition and rehab of an apartment building located at the 6900 block of Nuben and W. Little York, Houston, Texas, to house low and very-low income residents - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0977 ADOPTED.
25. ORDINANCE appropriating \$1,166,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services contract between the City and **CH2M HILL INC** for East Water Purification Plant, CIP S-0056-12-3 (10536-7) - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0978 ADOPTED.
26. ORDINANCE appropriating \$183,142.80 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Construction Management and Inspection Services contract between the City and **TLC ENGINEERING, INC** for Construction of a 5.0 MG Ground Storage Tank and Detention Pond at the Park Glen-1 Pumping Station, CIP S-0600-32-3 (WA10675-32) - **DISTRICT F - KHAN** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0979 ADOPTED.

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**MISCELLANEOUS**

1. RECOMMENDATION from Director Finance & Administration Department for approving Equipment Acquisition Plan for FY2005 - was presented, and tagged by Council Member Wiseman. Council Member Edwards absent.

## PURCHASING AND TABULATION OF BIDS

5. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Printing Services; providing a maximum contract amount - 5 Years - \$5,200,000.00 – General, Enterprise and Other Funds - was presented, and tagged by Council Members Green, Holm, Wiseman, Galloway, Garcia and Quan. Council Member Edwards absent.
- 5a. **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Printing Services for Various Departments - was presented, and tagged by Council Members Green, Holm, Wiseman, Galloway, Garcia and Quan. Council Member Edwards absent.

## ORDINANCES

6. ORDINANCE **AMENDING ARTICLE V OF CHAPTER 20 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Farmers Markets - was presented, and tagged by Council Member Green. Council Member Edwards absent.
7. ORDINANCE **AMENDING ARTICLE VIII OF CHAPTER 32 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Houston Parks Board – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Member Edwards absent. ORDINANCE 2004-0980 ADOPTED.
9. ORDINANCE approving and authorizing an agreement between the City of Houston and the **HOUSTON POLICE OFFICERS' PENSION SYSTEM** – was presented. Council Member Edwards absent.

Council Member Ellis stated that while he applauded the efforts of the administration and the negotiating team, both from HPOU and the administration he thought they were about one week premature on adopting the agreement because he wanted to wait and see what the HPOU's vote was on the agreement or contract as they moved forward over the next six years, that he thought it kind of skewed the numbers and calculations of the agreement as well because it was based on percentages of pay and so forth, that he was also waiting on the numbers from Mercer and thought that Mercer could not do the numbers unless the HPOU contract was adopted, as far as bring the true numbers or an assessment of what it may be in the future, so he was going to tag the item at this time, that it was in no way negative toward the negotiations, he truly believed it was one week premature. Council Member Edwards absent.

Council Members Sekula-Gibbs and Wiseman requested that their tag be added to Item No. 9. Council Member Edwards absent.

Mayor White stated that they would make sure they got to some of the actuarial numbers, they had a couple of reports by Towers Perrin and Mercer, that they would make sure that all Council Members had some of the information and a reconciliation of those numbers, that yes he thought they would assume the HPOU contract was adopted to be able to produce the numbers, that they assumed a certain percentage increase in payroll, which tied back and was consistent with some of the numbers in the HPOU contract, they did have some inter relation with each other.

Council Member Garcia stated that in one of the previous meetings he had asked the question regarding where the classified employees who were under the municipal plan were at to being shifted over or was it possible or not, that he remembered the Mayor giving some instruction to Mr. Hall but did not know what came out of that, that they were Airport Police, Park Police and those kinds of employees who were stuck in the municipal plan and not able to be treated as other classified officers, and Mayor White stated that he would get that answer to

him, that it may not be an issue that was addressed in the agreement but they would get a reply.

Council Member Sekula-Gibbs announced that she was tagging Item No. 9 for Council Member Goldberg.

10. **ORDINANCE AMENDING THE CITY OF HOUSTON CONSTRUCTION CODE, THE CITY OF HOUSTON FIRE CODE, and THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the transfer of Construction Code Enforcement and related functions from the Department of Planning and Development to the Department of Public Works and Engineering – was presented.

Council Member Wiseman stated that they had been given the RCA but no backup on Item No. 10 and were being asked to approve revisions to the Code of Ordinances but those revisions were not included, that she was tagging the item and would like to see the code revisions and would ask that for all the items, besides the Request for Council Action summary sheet that they get adequate backup with advance time.

14. **ORDINANCE** authorizing the restructuring of certain escrow funds established with proceeds of Combined Utility System First Lien Revenue Refunding Bonds, Series 2004; authorizing the Mayor and the City Controller to approve the terms of the Escrow restructuring and certain other matters relating thereto; authorizing the execution and delivery of necessary documents incident thereto; authorizing the redemption of outstanding escrowed securities and the purchase of and subscription for new Escrow Securities authorizing Escrow Verification and Bond Counsel Services – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. **ORDINANCE 2004-0981 ADOPTED.**
15. **ORDINANCE** approving and authorizing amendment No. 2 to the construction contract 53347 between the City of Houston and **J. D. ABRAMS, L.P.**, for APM Guideway Expansion, Roadway & Site Utilities at George Bush Intercontinental Airport/Houston; deappropriating \$995,000.00 which was appropriated by City of Houston, Texas, Ordinance No. 2003-939 out of Airport System Consolidated 2001 AMT Construction Fund; deappropriating \$5,000.00 which was appropriated by City of Houston, Texas, Ordinance No. 2001-1081 out of the Airport System Bonds 2000B NON-AMT Construction Fund; (Project No. 536A); CIP A-0354; A-0203 and A-0422 **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. **ORDINANCE 2004-0982 ADOPTED.**
17. **ORDINANCE** approving and authorizing amendment No. 2 to Automobile Rental Concession Agreement at William P. Hobby Airport by and between the City of Houston, Texas and **AVIS RENT A CAR SYSTEM, INC; BUDGET RENT A CAR SYSTEM, INC; DTG OPERATIONS, INC d/b/a DOLLAR RENT A CAR; THE HERTZ CORPORATION; VANGUARD CAR RENTAL USA INC**, operating its brands **ALAMO** and **NATIONAL**; and **DTG OPERATIONS, INC d/b/a THRIFTY CAR RENTAL** to extend the agreements on a month to month basis - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Berry.

Council Member Berry stated that they had Enterprise representatives before the Council in the past over an issue and before Mayor White was Mayor a long standing debate or dispute had been going on between Enterprise and some other car rental companies as to whether they had the ability as a City to assess a tax or fees on them for people who rented their cars incurred, that it had been litigated, that he was of the opinion that the City was in direct violation of Judge Dorfman's opinion that they could not go after the rental car companies to collect parking tickets, that the opinion very clearly said that, that he had asked the City Attorney to get

involved in it because it was his opinion that they had a personality problem in the Legal Department between one attorney and the attorney for Enterprise, that their job was to be fair to the taxpayers and collect every dime they were due and to be fair to every company operating in the City, that he was going to tag the item and suggest that rather than go after company's that they had petty disputes with that they go after Vanguard and not renew their leases with Alamo and National since they owe the City \$640,000 in back taxes.

Council Members Green, Wiseman and Sekula-Gibbs requested that their tag be added to Item No. 17.

22. ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY** relating to joint elections to be held on November 2, 2004; providing a maximum contract amount - \$1,400,000.00 - General Fund – was presented, and tagged by Council Member Alvarado.
23. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SIMDESK, INC (Formerly INTERNET ACCESS TECHNOLOGIES, INC)** for Software Licensing and Support – was presented. Council Members Sekula-Gibbs and Wiseman voting no, balance voting aye. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. ORDINANCE 2004-0983 ADOPTED.

#### **NON CONSENT AGENDA - NUMBER 27**

#### **MISCELLANEOUS**

27. **AMEND MOTION #2004-985, 9/8/04, TO CORRECT** block description of a designated residential parking permit area in the Washington Avenue / Memorial Super Neighborhood (1300 block of Logan should be the 5700 block of Logan) - **REQUIRES THREE MOTIONS - DISTRICT G - HOLM**

Council Member Holm moved to suspend the rules for the purpose of reconsidering Motion 2004-0985, 9/8/04, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1010 ADOPTED.

Council Member Holm moved that Motion 2004-0985, 9/8/04 be brought back to Council for reconsideration, seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1011 ADOPTED.

Council Member Holm moved to correct block description of a designated residential parking permit area in the Washington Avenue / Memorial Super Neighborhood (1300 block of Logan should be the 5700 block of Logan), seconded by Council Member Lawrence. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1012 ADOPTED.

#### **MATTERS HELD - NUMBERS 28 through 35**

28. RECOMMENDATION from Finance & Administration Department to award to **TRAYLOR MOTORS HOMES, INC** for Mobile Health Clinic for Health & Human Services Department \$144,351.00 Grant Fund – **(This was Item 5 on Agenda of September 15, 2004, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented, moved by Council Member Ellis, seconded by Council Member Quan.

Council Member Sekula-Gibbs that she had tagged the item because she was concerned

about the purchase of a motor home because the Health Department already had a mobile unit, a mobile clinic, but this was a facility that had more expanded resources and they could do a lot more with it, that it was required by the Texas Department of Health, they had mandated it, it was part of their overall plan.

A vote was called on Item No. 28. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1013 ADOPTED.

29. ORDINANCE naming a private street located between Westhollow Drive and Panaguard Drive as Queensbury View Path - **DISTRICT G - HOLM – (This was Item 10 on Agenda of September 15, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. ORDINANCE 2004-0984 ADOPTED.
30. ORDINANCE appropriating \$1,300,000.00 out of Homeless and Housing Consolidated Fund as a Cash Match; approving and authorizing the submittal of a grant application to the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** for Lead-Based Paint Hazard Reduction Control Grant Program; declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's Representative in the application process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$3,000,000.00 – **(This was Item 13 on Agenda of September 15, 2004, TAGGED BY COUNCIL MEMBER EDWARDS)** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. ORDINANCE 2004-0985 ADOPTED.
31. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON-GALVESTON AREA COUNCIL (HGAC)** and the acceptance of grant funds for the FY05 Illegal Dumping Community Action Program - \$250,533.05 - Grant Fund – **(This was Item 16 on Agenda of September 15, 2004, TAGGED BY COUNCIL MEMBER GARCIA and EDWARDS)** – was presented.

After discussion by Members of Council, a vote was called on Item No. 31. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. ORDINANCE 2004-0986 ADOPTED.

32. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **BUFFALO RIDES, INC** for Hermann Park Miniature Train Ride Concession Revenue – **(This was Item 18 on Agenda of September 15, 2004, TAGGED BY COUNCIL MEMBERS WISEMAN, GARCIA and SEKULA-GIBBS)** - was presented.

Council Member Garcia stated that he had tagged the item because vendors at Herman Park were separate and unrelated to the item and he was looking forward to seeing the other vendor contracts being done directly with the City versus a private entity at Herman Park.

Council Member Sekula-Gibbs stated that the item was a three year contract extension for the Buffalo Rides and would allow children and family to continue to enjoy the concession and entertainment of the ride, that she wanted the City Council to be kept in the loop if they were moving to a people mover, and Mayor White stated that they would do that.

A vote was called on Item No. 32. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. ORDINANCE 2004-0986 ADOPTED.

33. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2003 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2004 MTFP in map form – (This was Item 24 on Agenda of September 15, 2004, **POSTPONED BY MOTION #2004-1005**) – was presented, moved by Council Member Quan, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1014 ADOPTED.
34. ORDINANCE approving and authorizing Communication Equipment Licenses at George Bush Intercontinental Airport/Houston between the City of Houston and the following companies: (1) **SPRINTCOM, INC** and (2) **VOICESTREAM HOUSTON, INC** - Revenue - **DISTRICT B - GALLOWAY – (This was Item 28 on Agenda of September 15, 2004, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented.

Council Member Garcia stated that he continued to have some concerns on the item but did want to express his appreciation to Aviation, Mr. Vacar, that they hounded him last week to discuss the item and he appreciated that, that he understood how it was being worked out but his concern was about MWBE participation and was looking towards Aviation to encourage that the folks demonstrate being a good neighbor within the City and encourage them to make meaningful outreach towards the certified firms.

A vote was called on Item No. 34. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. ORDINANCE 2004-0988 ADOPTED.

35. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from John Weddle, on behalf of C. M. Garver, trustee, for abandonment and sale of Avenue B, from 75th Street to 76th Street, in exchange for the conveyance to the City of a 15-foot-wide sanitary sewer easement, both located within Magnolia Park, Section 2, Parcels SY5-003 and DY5-005 - **2 APPRAISERS and 1 ALTERNATE APPRAISER - DISTRICT I – ALVARADO** – (This was Item 30 on Agenda of September 15, 2004, **POSTPONED BY MOTION #2004-1006**) – was presented.

Council Member Alvarado named Ms. Julie Nagle and Mr. Travis Cooper as appraisers and Mr. Lee Burns as alternate appraiser and moved approval of the recommendation, seconded by Council Member Green. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. MOTION 2004-1015 ADOPTED.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Galloway stated that she wanted to commend Mayor White for the reorganization structure of Neighborhood Protection, that she felt that it was appropriate for it to be moved under HPD. Council Member Alvarado absent.

Council Member Galloway stated that as to Mayor White's concern about the Council rules, she and Council Member Wiseman were talking about it but they could create all of the rules on paper but nobody would follow them so they felt they did not need more rules brought to the table. Council Member Alvarado absent.

Council Member Green stated that he wanted to congratulate the Houston Chapter of the National Black MBA Association who had a great turn out in Houston last week, that they had over 20,00 delegates from across the Country, that he was interested to see what the Hot Tax looked like downtown because they had a total of 13 hotels around town booked to capacity.

Council Member Alvarado absent.

Council Member Green stated that State Senator Rodney Ellis was hosting an open house and voter registration opportunity at his Alief office at 7474 South Kirkwood on Saturday from 3:00 p.m. to 5:00 p.m. and they all encouraged all of the Southwest Houston constituents to attend. Council Members Alvarado and Sekula-Gibbs absent.

Council Member Green stated that he wanted to congratulate Mayor White on all of the work he was doing on the pension fund and looked forward to serving on the committee. Council Members Alvarado and Sekula-Gibbs absent.

Council Member Green stated that on Saturday he would be leaving, along with a couple of his colleagues, on a trade mission to Jamaica. Council Member Sekula-Gibbs absent.

Council Member Edwards stated that as to the bio lab, they had several people from their community call because they had seen or heard about the agenda item and it was not necessarily an issue of whether it was there before or not, it was an issue that the community was aware of it and they wanted to know what it was and what it did, so she thought it was her responsibility to do that.

Council Member Edwards stated that about two months ago they got a call from a constituent about the closing of the storefront on Montrose at night, they called the Police Department and were assured it was not happening and now they were told it was closed at night, that they worked very close with the community and the storefront was a very strong institution in the community, that she would like to have someone from the Police Department let her know what was going on.

Council Member Edwards stated that she wanted to congratulate State Representatives Turner and Coleman, State Senator Ellis and Congresswoman Jackson Lee in their efforts to maintain the funding for Riverside Hospital, that funding was restored.

Council Member Edwards stated that she wanted to give them an update on the Chocolate Bayou Festival, that the fundamental reason for the festival was to recognize the community and to start partnerships with the community residents and institutions in that community, that with all of the awesome support they had cleared approximately \$10,000 for their scholarship fund and they were very excited about that and were going to start their scholarship workshops with HCC at the Willie Gay Campus in November and the Heritage Group was still meeting on the first Monday of the month at the Sunnyside Park. Council Member Galloway absent.

Council Member Edwards stated that she wanted to remind everyone to register to vote. Council Member Galloway absent.

Mayor White stated that they needed a prompt answer on the Montrose Storefront because there was an inconsistency. Council Member Galloway absent.

Council Member Edwards stated that there was a response to her inquiry regarding slot machines in the stores and the last paragraph stated that the slot machine was also an illegal gambling device if the coupons were capable of being used as money in the retail stores and that was what they did, they gave them vouchers to be spent in the stores, and asked if anyone was looking at it from HPD, and Mr. Michel stated that he did not know if they were but would contact them and coordinate an effort. Council Members Galloway and Green absent.

Council Member Lawrence stated that yesterday was a very special day because of the Mayor's press release, that it was a day she had waited for since 1995 when Chief DeFore and a number of citizens and created the DRT Program. Council Members Galloway and Green absent.

Council Member Lawrence stated that she wanted to commend the Aviation Department who was doing a fabulous job of their convention and all of the departments who were helping them succeed, that the George R. Brown Convention Center was set up very nicely, that it was one of the best conventions that she had seen so far. Council Members Galloway and Green absent.

Council Member Lawrence stated that she attended a promotion dinner for Captain Gretchen Wolf, who had some tremendous health problems that she was overcoming and was finally able to have her promotional dinner Sunday night. Council Members Galloway and Green.

Council Member Garcia stated that he too wanted to sing Mayor White's praises and encouraged Chief Lumpkin to move the project forward, that it had long been waited for, that it was a good move in the right direction and he was looking forward to seeing it produce the kind of results that the neighborhoods were looking for and needing. Council Members Galloway and Green.

Council Member Garcia stated that on Friday, LULAC Council 18 would be recognizing Ms. Mamie Garcia, who was a wonderful person and a great leader. Council Members Galloway and Garcia absent.

Council Member Garcia stated that on Saturday at 9:30 a.m. was the Denver Harbor Little League Football Parade and Mayor White stated that he would be there because there was a Bill White Team. Council Members Galloway and Garcia absent.

Council Member Garcia stated that on Saturday and Sunday Saint Joseph's Church Bazaar would be going on, it was very well attended and they had great attendance. Council Members Galloway, Edwards and Green absent.

Council Member Holm stated that she wanted to thank Mayor White for his aggressiveness to neighborhood protection. Council Members Galloway, Edwards and Green.

Council Member Holm stated that back in January a long term lawsuit or battle was culminated over some signs, that since that time, for nine months, they had been trying to pursue some remedy and wanted the Mayor's help in really aggressively pursuing a position that the City needed to take in order to uphold the judgment and the judges orders to find remedy in getting the signs removed. Council Members Galloway, Ellis and Green.

Mayor White stated that they got the judgment affecting approximately 200 signs and he ordered immediately for there to be photographs taken of every one of them because he heard some rumor that they were going to change the sign faces or had changed the sign faces so that they were non commercial, and he read the statute under the ordinance about non commercial advertising, that he sent them a letter to take them down and the response was basically that they had changed the sign faces to be a loophole and as far as he was concerned they ought to close the loophole if they thought it was appropriate by ordinance, that he wanted the signs to come down and was under the impression that there was a legal issue concerning the enforcement of the judgment concerning whether they qualified under that non commercial exception and asked Mr. Michel if he was familiar with what the position, and Mr. Michel stated that was an issue as to whether they could do that, what the judgment did was uphold the City's ordinance and the question was whether they could change the character under that and thought any action they took involved some risk but it may be a risk that was worth taking, and Mayor White asked the City Attorney to get back to him and the Chair as to what action they should take to enforce a judgment, and Mr. Michel stated that he would outline a plan this week. Council Members Galloway, Ellis and Green absent.

Council Member Alvarado stated that she too would be at the Denver Harbor Parade, but before that there was a bike ride that was called "Tour Da Hood" and was sponsored by Mayor White, Council Members Alvarado and Edwards offices, Senator Ellis, State Representative Coleman and TSU's Wellness Program, that it would start at 8:00 a.m., that they would meet on the corner of Wheeler and Ennis. Council Members Galloway, Ellis and Green.

Council Member Alvarado stated that as to the issue on the storefront, they had a similar situation off of Highway I-10 and Federal at one of the storefronts, there was some miscommunication and the hours were cut and the community went out there for a meeting and it was closed, that she thought the issue needed to be addressed, that she did not know if the Police Department had come out with a different policy on storefronts hours of operation, and Mayor White stated that they would get that information to them, and Council Member Alvarado asked that the captains contact the Council offices and let them know what the hours were and what the changes had been. Council Members Galloway, Ellis and Green.

Council Member Alvarado stated that she to wanted to commend the Department of Aviation for the Airport's Council International North American Annual Conference, they had about 3,000 visitors in the City, that she was out there Sunday and was interacting with some of the participants over the last couple of days and they were praising the City, the George R. Brown and the Convention Center Hotel and they said that of all the conferences they had been to in the last ten years for that particular conference the Houston one was probably the most well attended and the most organized, that she thought they were making some in roads in Convention and Tourism, so she wanted to thank the Department of Aviation and the Convention and Visitors Bureau for the work they had done in recruiting the convention. Council Members Galloway, Ellis and Green.

Council Member Sekula-Gibbs stated that yesterday she visited the Ridgecrest Civic Club, that was in Council Member Lawrence's District and had an opportunity to talk with them and their big concern was traffic control and they talked about health care access, that she wanted to thank Mr. Gary Schatz, Chief Engineer, Public Works, who joined her and was very helpful.

Council Member Sekula-Gibbs stated that the night before she visited the Kingwood Super Neighborhood in Council Member Wiseman's District and had a chance to talk with them and one of the big concerns that they expressed to her was the noise level that was being issued out of George Bush Intercontinental Airport and they expressed concern that noise and vibrations was really impacting their quality of life, that she knew they had heard about it at the Council table in the past and they just continued to express deep concerns that it was an ongoing and growing problem, that she talked with Mr. Vacar about it and he indicated that he was sensitized to that problem and would be pursuing a study that was federal grant funding and would be addressing it to the best of their ability. Mayor White and Council Members Galloway, Ellis and Green. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs stated that she wanted to congratulate Dr. Joseph Jankovic who was going to be awarded the Medical Excellence Award by the Huntington Disease Society, that he was a Professor of Neurology and the Director of Parkinson's Disease Center and the Movement Disorders Clinic at Baylor College of Medicine, that she had known Dr. Jankovic for a long time and he was a wonderful and compassionate physician who had made a huge difference in the lives of thousands of patients who had movement disorders and wanted to thank him for his lifetime of work and effort in the difficult arena. Mayor White and Council Members Galloway, Holm, Ellis and Green. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that as most of them were aware Houston was a member of the National League of Cities, which represented 18,000 cities across the County, one of the major campaigns this year of the NLC was equitable opportunity, how they could recreate the American dream, that they were having their national townhall meeting during the week of September 27, 2004, and Houston would be having their townhall meeting on September 30,

2004 in conjunction with all of the other cities across the Country, and he invited all of them to attend, they were going to be doing it in conjunction with the Center for Public Policy, Priorities, One Voice and Catholic Charities, they would be meeting at Ripley House earlier in the day and they would really like to hear elected officials in the afternoon, so if they could make it a point to attend it would be great, it would be from 4:00 p.m. to 5:30 p.m. and was open to the public, that he would encourage each person interested to attend, if they had any questions they could call his office. Mayor White and Council Members Galloway, Holm, Ellis and Green. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that on Sunday the Aga Khan Foundation was having their partnership walk at the University of Houston at 10:00 a.m., that last year they raised over \$10 million for development of water wells around the world and this year they had already raised \$750,000 that would go to education, especially of women, in third world countries, that usually they had several thousands of people participating and knew they would love to have each of the Council Members who had time to attend. Mayor White and Council Members Lawrence, Galloway, Wiseman, Holm, Ellis and Green. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he also wanted to thank the Mayor, that he was out at the Chinatown Storefront on Sunday along with Council Member Khan and members of the Police Department as they previewed a crime prevention handbook which was in Chinese, other copies of the book would be done in Korean and Vietnamese and the Mayor Office and the Police Department were very instrumental in having that done. Mayor White and Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Sekula-Gibbs and Green. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that Council Member Alvarado was working on the CMC Campaign this year and if they looked on the website they had the online auction again, that last year Council Member Goldberg did a great job raising funds with the Superbowl tickets and they were looking for other items for auction this year such as jewelry, dinners or lunches with Council Members so if anyone had items that they would like to donate to the CMC Auction they would greatly appreciate that. Mayor White and Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Sekula-Gibbs and Green. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Berry stated that he wanted to echo Mayor Pro Tem Alvarado's comments, they were at the Airport and the directors of all the major airports in the Country were present, all of the vendors, that all they wanted to talk about was how kind the people had been and he repeatedly heard the comment that in the last 10 years this was by far the best conference that anyone had seen and was the best City for a conference, so they could realize that it was a great City for conventions and hopefully others would hear that and take it back to their City and they would see more of them, that it was good work by the Airport System for bringing the conference to Houston. Council Members Lawrence, Galloway, Wiseman, Holm, Ellis, Sekula-Gibbs and Green. (NO QUORUM PRESENT)

Council Member Berry stated that he was sure all of the Council Members had received the Building Services cell phone, home phone and office phone list, that the fact that each of those individuals had given them their home and cell numbers he wanted to commend Mr. Issah Dadoush for doing that, that he would not call them at home but the fact that they had those numbers says that they were available to the Council Members and he would really like to see every director to the same, that he would like to know every person in every position, that it was very useful. Council Members Lawrence, Galloway, Holm, Ellis, Sekula-Gibbs and Green. (NO QUORUM PRESENT)

Council Member Wiseman stated that she wanted to thank and recognize an act of kindness by a City employee in the tunnel between the two buildings, that yesterday F&A

employee Mr. Casey Crossnoe was kind enough to assist an elderly woman who was having a difficult time making her way through the tunnel, that it spoke well of City employees. Council Members Lawrence, Galloway, Holm, Ellis, Sekula-Gibbs and Green. (NO QUORUM PRESENT)

Council Member Wiseman stated that last Thursday she had her Forest Cove, Kingwood Area, Constituent Meet and Greet Coffee, that it was very well attended and she wanted to thank the Forest Cove Property Owners Association for graciously opening their doors to allow them to have their coffee in their civic center, that she wanted to thank the Citizen Advisory Committee for all of the work they had put into it. Council Members Lawrence, Galloway, Holm, Ellis, Sekula-Gibbs and Green. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:07 a.m. Council Member Goldberg out of the city on city business. Council Member Khan absent on personal business. Council Members Lawrence, Galloway, Holm, Ellis, Sekula-Gibbs and Green. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary