

City Council Chamber, City Hall, Tuesday, June 29, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 29, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Deborah McAbee, Division Chief, Land Use Division, City Attorney's Office; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Debra Dillard, Citizens Assistance Office; Ms. Marty Stein, Agenda Director present. Council Member Mark Goldberg out of city on city business.

At 1:53 p.m. Mayor Pro Tem Alvarado stated that Council would begin with presentations and called on Council Member Garcia. Council Member Garcia invited representatives of the Lindale Park Community to the podium and stated that there had been a great renaissance occurring in the north side community and Lindale Park was in the middle of it all because of its great leadership and participation and this was the fifth year they had their parade in commemoration of July 4th; and with pride presented a Proclamation to those representatives for enhancing the quality of life in their community, extended best wishes for a successful and rewarding parade and proclaimed July 4, 2004 as "Lindale Park Parade Day" in Houston, Texas. Mayor White, Council Members Lawrence, Galloway, Wiseman, Khan, Holm, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan invited Ms. Francis Christian to the podium and stated that she was the first Miss Senior Houston to be named Miss Senior Texas and represented Houston in a very grand manner with class, style, dignity and beauty; that she would be representing Texas in the Miss America Senior Pageant, October 16, 2004, in Biloxi, Mississippi and presented her a Proclamation for representing women who had reached the age of elegance and for representing the dignity, maturity and inner beauty of all senior Texans, commended her achievements and contributions and proclaimed June 29, 2004, as "Francis Christian Day" in Houston, Texas. Ms. Christian thanked the Mayor and Council for the recognition and Houston for allowing her to represent them and stated that it was a pleasure meeting so many nice people; that she was happy to bring the Title back to Houston and hopefully she would be bringing back the National Title in October. Council Members Galloway, Wiseman, Khan, Holm, Ellis, Green and Berry absent.

Council Member Quan invited those present with the American Chinese Post to the podium and stated that he was being joined by Mayor Pro Tem Alvarado; that today as everyone thought of those serving our country so valiantly around the world he thought it appropriate to take an opportunity to recognize a group he was very proud of, The American Chinese Legion Post 596; that in late 1968 several individuals met and formed an American Chinese Legion Post and it was unique in that only five other Post in the nation were established primarily for Chinese American veterans of the Armed Services of the United States and it was the only such Post in the State of Texas. Mayor Pro Tem Alvarado stated that the Post received its National Charter January 9, 1970, from National Headquarters and it was Named American Chinese Post 596 and presented them a Proclamation extending best wishes for continued success and proclaimed June 29, 2004, as "American Chinese Veterans Day" in Houston, Texas. A spokesperson for the group stated that on behalf of the American Chinese Post 596 they were honored to accept the Proclamation especially for those who sacrificed their life for our country; may God bless our troops as they accomplish their missions, with prayer may they come home safely; thanked all who made this possible and stated may they be blessed and may God Bless America. Council Members Galloway, Holm and Berry absent.

At 2:08 p.m. Mayor White called the meeting to order and Council Member Ellis led all in prayer and in the pledge of allegiance.

At 2:09 p.m. the City Secretary called the roll. Council Member Goldberg out of the city on city business.

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

Council Member Garcia moved that the rules be suspended for the purpose of adding Mr. Omar Garcia and Ms. Tanya Rodriguez to the Speakers List at the top of the three minute Non-Agenda speakers, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg out of the city on city business. MOTION 2004-0789 ADOPTED

Council Member Green moved that the rules be suspended for the purpose of hearing Ms. Jane Cahill for one minute after Mr. Scott Carver, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Goldberg out of the city on city business. Council Member Wiseman absent. MOTION 2004-0790 ADOPTED

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing Dr. Patrick McColloster, Dr. Dilawar Ajani, Dr. Aijaz Ali Khowaja, Mr. Nasruddin Rupani, Ms Fatima Hemani and Dr. Aman Jafar out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Member Wiseman absent. MOTION 2004-0791 ADOPTED

Mr. Scott Carver, 3550 West Dallas, Houston, Texas 77019 (713-525-8401) appeared and a gentleman read a statement for him in which he spoke in favor of Council Member Quan's amendment to provide funding for The Center Serving Persons with Mental Retardation, Agenda Item 66, and stated that he lived at the Center and through those services he gained skills and now has a job and apartment and would not have been able to without the services offered; and urged Council's support. Council Members Wiseman and Ellis absent.

Ms. Jane Cahill, 2112 Lubbock, Houston, Texas 77007 (832-721-9080) appeared and stated that she was a member of the Consolidated Plan Citizen's Advisory Task Force and that Council Member Quan and Council Member Sekula-Gibbs amendments presented opportunity for Council to state federal funds intended for the needy should be used for that purpose; and urged it's support. Council Members Holm, Ellis and Berry absent.

Mr. Alan Garms, 3550 W. Dallas, Houston, Texas 77019 (713-525-8401) appeared and spoke in favor of the Consolidated Plan, Agenda Item 66, and stated that he was executive director of the Center Serving People With Mental Retardation, a private, not for profit United Way Agency, that their services were much needed and the cost per day was more that what was allotted; and urged support of Council Member Quan's amendment. Council Members Holm and Berry absent.

Council Member Quan thanked Mr. Garms for coming; and upon questions, Mr. Garms stated that in the past the City had not provided funds, but did provide a dental clinic and because of funding pulled that out two years ago and they now ran that also in addition they had lost a great deal of state funds over the past year. Council Members Holm, Garcia and Berry absent.

Council Member Edwards thanked Mr. Garms for his work and his passion; and upon questions, Mr. Garms stated that funds were cut in many programs and they wanted to continue serving the number of people they served but could only do it if they continued getting funding; that they would receive about 12% through private fund raising this year and if the center was not able to continue people who received funding for day programs would end up staying at home and that had another affect in that someone had to be at home and they could not work, so things just worsened; and it was also a case of aging parents trying to care for a child with a disability and when they became ill or passed away there was no one left to supervise that person and it was happening more and more. Council Members Holm, Garcia, Ellis and Berry

absent.

Mayor White thanked Mr. Garms for what he did and upon questions, Mr. Garms stated that \$11.4 million was budgeted for the next budget year; that the City did lease land to them at a nominal cost. Council Member Garcia absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Garms stated that they served children as young as one year old so their services ranged from a one year old to those in their seventies and ranged from day service programs to work programs. Council Member Sekula-Gibbs stated that she applauded him and Ms. Cahill for their work. Council Member Garcia absent.

Mr. Patrick Schott, 3550 W. Dallas, Houston, Texas 77019 (713-525-8401) appeared and spoke in favor of the Consolidated Plan, Agenda Item 66, and stated that he represented one of the families which received services from the Center; that his child was born with a severe disability and the challenge was almost unbearable; that the Caroline School offered support groups, therapy for children and much more; that his family could not express how grateful they were to the Center for such a school; and urged support for Council Member Quan's amendment. Council Member Garcia absent.

Dr. Patrick McColloster, 9325 Kempwood, Houston, Texas 77080 (713-462-6565) appeared, presented information and spoke in favor of the Agenda Item 66, and stated that he was with the Spring Branch Community Health Center and in their area 60,000 persons were at or below poverty level; that they were wanting funding to build out and have a dental and pharmacy area; and urged Council's support for funding. Council Member Berry absent.

Council Member Sekula-Gibbs thanked Dr. McColloster for coming and stated that Council Member Lawrence was interested in his work also and she hoped they could introduce the clinic to opportunities available in the CDBG Fund Program as they were needed. Council Member Berry absent.

Council Member Lawrence stated that she would be by to see him Thursday. Council Members Holm, Garcia, Ellis and Berry absent.

Council Member Edwards thanked Dr. McColloster for coming; and upon questions, Dr. McColloster stated that regarding teenage pregnancies and HIV doubling he wanted to gather statistics on background. Council Member Edwards stated that she would be in support of Council Member Quan's initiative and would like her staff member to meet with him and see if they could be of assistance. Council Members Holm, Garcia, Ellis and Berry absent.

Dr. Dilawar Ajani, 9888 Bissonnet, Houston, Texas 77036 (281-748-8374) appeared and spoke in favor of Agenda Item 66C, and stated that he was vice chairman for the IBN Sina Foundation which ran a medical center; and spoke of his family and the troubles they had with his father's disease and supply of medication, how they drove to Chicago twice monthly because of a clinic there which would serve them and that because of that clinic which helped his father he wanted to have a preventative health care clinic here in Houston; and urged support of funding for the Spring Branch Clinic.

Council Member Sekula-Gibbs stated that it was an honor to have him present today; that he was a well known internist; that he brought up Chicago and some of the local physicians and members of the Mayor's team traveled to Chicago and looked at their clinics and discovered they had 80 such clinics which were receiving large amounts of federal and community funds and were able to give citizenry good care; that it was the partnership starting at the grassroots level and growing which was making it possible; and upon questions, Dr. Ajani confirmed that the doctors volunteered and staff was paid and stated that 60% of patients were minority and 40% low income. Council Member Green absent.

Council Member Khan thanked Dr. Ajani for what he did for the community; and upon questions, Dr. Ajani stated that they had not received any funding from city, state or federal, it was all donation or a small amount paid by those who could afford it; that there was a \$25.00 fee, but for those who could not pay it was no charge and their medicine was donated. Council Member Green absent.

Upon questions by Council Member Edwards, Dr. Ajani stated that the foundation was the IBN Sina Foundation and the clinic was the Community Medical Center; that they were running in a 1,000 square foot clinic and saw almost 30 to 40 patients daily; that they were wanting a larger space as they were going to provide dental care also and would be serving more people; and they were applying for funding. Council Members Galloway and Green absent.

Council Member Wiseman stated that as a point of personal privilege she wanted to introduce children present in the Junior Page Program and asked them to stand to be recognized. Council Members Galloway and Green absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing Ms. Celina Charania after Dr. Aman Jafar; and Mayor White stated that with no objection they would do it by unanimous consent. Council Members Galloway and Green absent.

Dr. Aijaz Ali Khowaja, 9888 Bissonnet, Houston, Texas 77036 (281-748-8374) appeared and spoke in favor of Agenda Item 66, and stated that he was responsible for IBN Sina's operation and general execution; that in two and a half years they had seen over 11,500 patients from 12 nationalities with 90% uninsured; that they were a preventative health care clinic who would like to make sure health care was able to get when needed. Council Members Galloway, Edwards, Garcia, Quan and Green absent.

Council Member Sekula-Gibbs thanked Dr. Khowaja for doing a splendid job on directing the clinic and for being present today. Council Members Galloway, Edwards, Garcia, Alvarado, Quan and Green absent.

Mr. Nasruddin Rupani, 9888 Bissonnet, Houston, Texas 77036 (281-748-8374) appeared, presented information relative to the IBN Sina Foundation and spoke in favor of Agenda Item 66C, and stated that this was a cause very dear to those involved and he wanted to thank all for giving them this opportunity and urged all to support them. Council Members Galloway, Edwards, Alvarado, Quan and Green absent.

Upon questions by Council Member Sekula-Gibbs, Dr. Rupani stated that with expanded space they believed the patients would double to 12,000. Council Members Galloway, Edwards, Alvarado, Quan and Green absent.

Council Member Khan thanked Dr. Rupani for his work and stated that he visited the clinic last Thursday for the first time and it was a very small place, but the volunteers did a very good job of keeping it neat and clean and stories from patients were very heartwarming and they said they had no where to go but Ben Taub with out them; and upon questions, Dr. Rupani stated that the clinic was opened to anyone who came. Council Members Galloway, Edwards, Garcia, Alvarado, Quan and Green absent.

Mayor White stated thanked Dr. Rupani for what he had done for the community. Council Members Galloway, Edwards, Garcia, Alvarado, Quan and Green absent.

Ms. Fatima Hemani, 1710 Jourdon Way, Sugarland, Texas 77479 (281-565-5272) appeared and read a statement in Gujrati which was paraphrased by Ms. Celina Charania as she was originally from India and the US was now her home; that she had no Medicare of

insurance and suffered from heart disease, diabetes and suffered with joint pain and kidney problems; that until IBN Sina was formed her family spent over \$500. on her medical expenses monthly and now the clinic helped and doctors spoke her language; that she saluted their noble cause and appreciated their help to all very much. Council Members Alvarado, Quan and Green absent.

Council Member Sekula-Gibbs asked that Ms. Charania extend her respect and thanks to Ms. Hemani for coming today and expressing her thoughts. Council Members Alvarado, Quan and Green absent.

Council Member Edwards stated that on a point of personal privilege she wanted to introduce her two grandchildren who were relocating to Houston with their parents; that their father was in the Marines for over 20 years and the last 18 months in Iraq and they were happy to have him back; and asked that her grandchildren stand to be recognized. Council Members Alvarado, Quan and Green absent.

Dr. Aman Jafar, 9888 Bissonnet, Houston, Texas 77036 (281-748-8374) appeared and spoke in favor of Agenda Item 66C, and stated that he was an internal medicine specialist; that all had heard about IBN Sina Foundation and their cause and he was also a proud member and voluntary physician; that daily in emergency rooms he and his colleagues faced patients who had suffered from stroke, etc., and the problem was they could not do much after such complications and that was where IBN Sina came in and were able to help them and decrease the burden on the emergency rooms. Council Members Alvarado, Quan, Green and Berry absent.

Council Member Khan thanked Dr. Jafar for what he was doing for people who had no medical care and no options; and upon questions, Dr. Jafar stated that from the get go they wanted their clinic designed the same as their private practices and they had an office manager and staff and the filing data, etc., and were very important aspects. Council Members Alvarado, Quan and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Dr. Jafar stated that they opened at 5:00 p.m. and closed at 9:00 p.m. and they were open Saturdays; that it was prime time for working people and children after school or those going to the ER; that their phone number was 832-328-1680 and located at 11246 S. Wilcrest Drive. Council Members Galloway, Wiseman, Alvarado, Quan and Berry absent.

Upon questions by Council Member Edwards, Dr. Jafar stated that doctors volunteered and they were in private practice and had private insurance for malpractice so they added the clinic into that where they did not need to carry extra insurance; that the staff was paid and they carried the liability insurance for them; that anyone was able to come and if they could not pay the \$25.00 they still took care of them. Council Members Galloway, Wiseman, Alvarado, Quan and Berry absent.

Ms. Celina Charania, 910 Louisiana, Houston, Texas 77002 (713-229-1957) appeared and stated that she had translated for Ms. Fatima Hemani previously; and Mayor White stated that he did not know if she wanted to add anything, but he would comment to all of them that by various criteria used for allocation of CDBG funds they were met by their organization; that people would say the application needed to be reviewed and the source of funds identified and in plain English that was it needed to be identified as to whose money was being taken away and they needed to hear from the public and it needed to be approved by HUD, but Council needed to know whether they supported them because it helped them in raising private funds and they would work clearly and in good faith to express policies and criteria used so they could come up with something understandable and subject to the same standard they would apply to other organizations under the same circumstances and with Council Member Quan's assistance one thing would be to increase the transparency in the objective criteria used for allocation of

funding for CDBG and they needed to be tested so they would have a template as organizations came before them; and Ms. Charania stated that she was sure that would be appreciated by them and other organizations in town. Council Members Galloway, Wiseman, Alvarado and Berry absent.

Council Member Quan stated that they did want it to be an open process and the consolidated plan was prepared on a major basis every five years with annual renewals and this was renewal; that they would be working closely with Housing and Community Development as HUD required a thorough analysis from all over the city and next year would even be bigger; and he thanked them for coming. Council Members Galloway and Berry absent.

Ms. Norma Hines, 9888 Bissonnet #420, Houston, Texas 77036 (713-271-1177) had reserved time to speak but was not present when her name was called. Council Members Galloway and Berry absent.

Ms. Barbara Stout, 8580 Katy Freeway #220, Houston, Texas 77024 (no phone) appeared and spoke in favor of Agenda Item 66B, and stated that she was speaking on providing money to the Houston Asset Building Coalition which was a broad based partnership comprised of organizations interested in strengthening families and neighborhoods; and they were grateful to Council Member Quan and others for introducing the amendment and for their support. Council Members Galloway, Khan, Sekula-Gibbs and Berry absent.

Council Member Quan commended Ms. Stout for moneys brought back to help low-income citizens; and upon questions, Ms. Stout stated that it was estimated 20% of the families who qualified for the funding did not claim the credit and with more awareness the amount would double; that there was no paid staff as it was volunteer only, but they were looking at hiring a paid staff member to coordinate all aspects of the coalition; that they were interested in increasing their impact in financial literacy; and they felt that because of the population they served and the impact it had on them it would definitely fall in the CDBG fund guidelines and that they must have a minimum of \$50,000 to \$60,000 to provide staff support. Council Members Galloway, Khan, Sekula-Gibbs and Berry absent.

Mayor White stated that he understood CDBG funds could not be spent for organizational overhead; and upon questions, Ms. Stout stated that they looked forward to discussing it with the City departments that used the funds. Council Member Quan stated that it was a grey area and they were trying to get clarification on that point. Council Members Galloway, Sekula-Gibbs and Berry absent.

Ms. Ann Cahill-Sandlin, 10619 Ashcroft Drive, Houston, Texas 77096 (713-252-9600) appeared with her brother and spoke in favor of Agenda Item 66, and stated that her brother was mentally retarded and was asking that Council support Council Member Quan's amendment and provide funding to The Center Serving Persons with Mental Retardation; that many would not be able to work, such as herself, if they did not have somewhere to leave a family member who was mentally retarded. Council Members Galloway, Sekula-Gibbs and Berry absent.

Council Member Quan stated that the Mayor's Office was working with him to see if they could provide assistance; and thanked them for sharing their story. Council Members Galloway, Sekula-Gibbs and Berry absent.

Mr. Joe Rubio, 2900 Louisiana, Houston, Texas 77006 (713-874-6672) appeared and spoke in favor of Agenda Item 66A, and stated that he was vice president of Catholic Charities and a member of the City's Day Labor Task Force; that he was in favor of Council Member Quan's amendment providing funding to the Second Ward Day Labor Center; that it was in disrepair and in need of repairs, staffing, etc. Council Members Galloway, Alvarado, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Khan, Mr. Rubio stated that he was familiar with the day labor services all over the city; that he was familiar with the center on Gulfton and it also needed upgrading. Council Member Khan stated that it used to be near Westpark and very effective, but since it had moved it was almost hidden and everyone was upset; that the day laborers would not use it because they felt it not effective and the neighbors were upset because they felt it disrupted their quality of life; and upon questions, Mr. Rubio stated that there were about 16 centers which received the same complaints and in his opinion they needed a series of work centers which would provide the basic service of bringing the contractors but also other services so when they did not go out on a job they could provide community service to that area and receive groceries or something; that they felt they could break the system by funding the Second Ward Center and showing a new model, how effective it could be and then transporting it to other parts of the community. Council Member Khan stated that he was fully committed to having centers all over the city, he would ask that the Mayor see how they could best utilize city dollars and resources to effectively serve the community. Council Members Lawrence, Galloway, Alvarado and Berry absent.

Council Member Garcia stated that he supported Council Member Quan's effort on this and looked forward to weighing in on it; that he was particularly excited that Neighborhood Centers agreed to partner; and thanked Mr. Rubio for coming. Council Members Lawrence, Galloway, Alvarado and Berry absent.

Council Member Quan stated that Mayor White attended a forum of TMO along with Council Members Khan, Garcia and Edwards and at that time TMO asked them if they would support the funding to the Second Ward Center and making it a model and he was pleased that challenge was accepted; that it helped men and women not only with day jobs but with life skills as well; and he thanked Mr. Rubio for coming. Council Members Lawrence, Sekula-Gibbs and Berry absent.

Council Member Ellis stated that he had been to day labor sites and the business which surrounded them; that they kept putting money into them and thought there were problems with them they were a worthy cause; that the problem which continued to remain was the odds for work were enhanced if they did not go to the site; and upon questions, Mr. Rubio stated that he thought if you staffed them properly and provided services such as the proposed center; that you needed to make them attractive enough for the laborers to come, you needed outreach and he felt they would see that at this center. Council Members Lawrence, Sekula-Gibbs and Berry absent.

Council Member Garcia stated that he would like to take Mr. Rubio to a meeting with him in the Second Ward area and discuss the new concept. Council Members Lawrence, Sekula-Gibbs and Berry absent.

Mayor White stated that he really thought prior to any meetings there were three criteria for the centers which was that they be accepted by the community, be well managed and whether they could legally fund it; that this one was largely accepted, but he received different answers as to it being well managed; and bringing in Neighborhood Centers was very impressive; that he wanted to be sure there was good communication as there were federal matching fund requirements and if their amount was too high it was just like getting zero, but if they were going to do day labor centers this would be the one to go at the top of the list. Mr. Rubio stated that a lot of the partners were committed to provide resources including dollar contributions; and Mayor White stated that he authorized Ms. Stiner with Neighborhood Centers to pull together those commitments so they would all understand what they were talking about. Council Members Lawrence and Berry absent.

Mr. Joshua Hill, 9302 Renter Drive, Houston, Texas 77031 (713-272-8076) appeared and spoke against the Ruffino Trash Transfer Station, and stated that he thought it should be placed

where there were not a lot of families; and if there was nothing wrong with it why would not Bellaire place it in their area. Council Member Berry absent.

Mr. Omar Garcia, who was previously added to the speakers list, appeared and stated that he was a member of the Houston Police Department Explorer Post 2461 and present to discuss the issue of terminating such a great program; that he had been a member for four years and it was great; that he grew up in an area infested with gangs, drugs and violence and then he moved and found out about the Explorer Program and ever since he has run with it and now was Captain of that Post; that such a program brought positive recognition to the City of Houston as well as Houston Police Department and he was Explorer of the Year for the State of Texas for 2003 and was one of two selected to go to a national academy out of 3,000 applicants; that it taught about law enforcement but also responsibility, integrity, selfless service, courage, etc., which they could use later in life and they all gave back to the community with him having given over 150 hours of community service; that they had raised money for over a year to go to competition in Atlanta and they did not know if they would be able to go; that if the program was done away with there would be no way for teens to interact with officers and get the feel of law enforcement. Council Member Berry absent.

Council Member Garcia thanked Mr. Garcia for coming and upon questions, Mr. Garcia stated that the coordinator at the Post guided them; that she did not say which fund raisers they should do but let them know what could be done; that at the nationals they competed with Puerto Rico, England, etc., and last year they placed in the top 10% and that was competing with NYPD, etc., big police departments, and it was a honor to represent the City of Houston and the Houston Police Department. Council Member Garcia thanked him for coming and stating what the Explorer Program had done for him, it was a great match and this was a challenge the city had with financial obligations and such stories as his made the discussion even tougher; and he learned many officers did it on their own time and he thanked them and thanked him for representing Houston; and asked Mayor White to see if Chief Hurtt would give an answer on their funding; that he was organizing a stakeholders meeting between PAL, DARE and the Explorers because they were all important. Council Members Wiseman and Berry absent.

Council Member Quan thanked Mr. Garcia for coming and commended his accomplishments; and upon questions, Mr. Garcia stated that he just graduated and it was his dream since he was very young to become an officer; that his Post had 15 people, but there were five Post through the City of Houston. Council Member Quan stated that he also thought it was a wonderful program and did help prevent crime by introducing young people to the Police Department. Council Members Wiseman, Garcia and Berry absent.

Council Member Khan thanked Mr. Garcia for coming and being a part of the Explorer Program and stated that he was extremely impressed with everyone who was a part of the program; that he would request of Mayor White and Council Member Garcia that if any program deserved expanded this one did and it should not be curtailed; that when there is a will there is a way and if it was just funding then he was sure it could be found and if not from them from the private sector; that he thought Chief Hurtt would be inviting the private sector to partake in some activity which may be like this and he looked forward to Council Member Garcia's leadership and was requesting Mayor White to see what could be done. Council Members Wiseman, Garcia and Berry absent.

Council Member Lawrence stated that she had a couple of letters concerning the Explorers and she checked on it and they were not cutting the scout program and they would stay intact with HPD. Council Members Wiseman, Garcia, Green and Berry absent.

Ms. Tanya Rodriguez, who was previously added to the speakers list, appeared and stated that she was a part of the Houston Explorers Post 2461 and had been for a year and four months; that she was told it would be cancelled and could not believe it; that they raised their

own money and represented the City of Houston in a positive way; that she now realized she wanted to be an officer; that all her life she gave up all she cared for, but she did not want to give up the Explorers; that her life has changed now, the country limits her of her hopes and dreams with her legal status, but this program was helping her accomplish her dreams and she was asking that it not be cancelled not just for her but for generations yet to come. Council Members Wiseman, Garcia, Ellis, Green and Berry absent.

Council Member Garcia thanked Ms. Rodriguez for coming and stated that according to Council Member Lawrence maybe the Post would not be leaving; that it was important for them to hear what the program accomplished and this was part of the work Council had, to make sure they did the best with the resources they had and it helped to put a face to the program and she and Omar were a part of it and he thanked her for having the courage to come; and many officers gave of their time for this and that concept should be embraced. Council Members Wiseman, Ellis, Green and Berry absent.

Upon questions by Council Member Edwards, Ms. Rodriguez stated that the Explorers spent over 100 hours of community service yearly, but with the Explorers they spent about four hours each week training with the officers; that they trained in police tactics and different scenarios and officers said with each thing they trained in they should use it in their life situations; that if you are really into this program you dedicate yourself to it and it takes much time, but without the Explorer Program she would be involved in no activities. Council Member Edwards stated that from what she had seen from her and Omar and others who participated in PAL, Explorers and DARE it was in her opinion one of the best bangs for their city bucks and she thanked her for her work and looked forward to her serving on HPD. Council Members Wiseman, Ellis, Quan, Green and Berry absent.

Ms. Barbara Hite, 7707 Vickeyjohn, Houston, Texas 77071 ((713-771-4121) appeared and stated that she was a staff member for Council Member Goldberg and was present to read a few words written by one of their constituents, Dr. David Cotler, and read that he was vigorously protesting the Ruffino Transfer Station for all the justified and sensible reasons expressed today and because of a particular health concern which was an extra amount of diesel exhaust fumes in a residential area; that studies showed severe health affects, especially in children and could cause asthma and bronchitis and a risk factor for cancer among other things. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Sekula-Gibbs thanked Ms. Hite for coming and also all those coming behind her; that she was given copies of the permit issued in 1981 and now it was being reissued so the permit to have a landfill and transfer station had been maintained; that she understood they were asking for a delay to keep the construction of a new building away; and upon questions, Ms. Hite stated that the others were more knowledgeable about the construction, but she wanted to bring his letter since he was unable to come. Council Members Wiseman, Holm, Green and Berry absent.

Mr. David Doyle, 9434 Portal Drive, Houston, Texas 77031 (713-223-4971 X221) appeared and stated that his residence was 150 feet from the edge of the landfill and where the transfer station would be built; that a number of Council Members committed to further investigate this earlier in the year and they were respectfully requesting that Council completely investigate the permitting activity and delay it as long as necessary and before the window of opportunity closed. Council Members Wiseman, Holm, Green and Berry absent.

Ms. Elaine Gaskamp, 9513 Petersham, Houston, Texas 77031 (832-423-9671) appeared and stated that she was with the Greater Fondren Southwest Super Neighborhood and president and asked all those present with her to stand and be recognized. Ms. Gaskamp further stated that all types of waste were allowed in the transfer facilities and there was a potential threat to sewage treatment plants and bayous as liquid from the waste would enter the system; and they were asking for the issue to be studied and to hold up on approval of permits

until resolved; that a transfer station should be in an industrial area, not a residential area; and she was asking Council to direct Public Works to study the issue, make a special and separate inquiry into the waste water from a transfer station and to withhold all approvals and permits pending the outcome of the study. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of extending time to Ms. Gaskamp by thirty seconds; and Mayor White stated that by unanimous consent Ms. Gaskamp should continue. Council Members Galloway, Wiseman, Holm, Green and Berry absent.

Ms. Gaskamp further stated that as the Mayor and Council were caretakers for citizens of the City of Houston she was making the request for the health, safety and welfare for those in this city. Council Members Galloway, Edwards, Wiseman, Holm, Garcia, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that Council Member Goldberg asked that she extend his welcome and support to everyone today, but she wanted to say they were asking the city to delay the one permit they had some control over which was building a structure on the land; that they were not in a position to permit the actual handling of garbage that was through the state; and Ms. Gaskamp stated that was correct, the permit granted which was now 24 years old was in the City of Houston's hands to do something with and they were asking that they look at every possible avenue. Council Member Sekula-Gibbs stated that it was her understanding Ruffino Hills had applied for a permit to build a structure as of yesterday; and Mayor White stated that the permit application came to his attention today and he thought the citizens had a good cause of complaint on the whole thing; that there were various legal theories and ideas under discussion and he would fade the heat, they were undertaking a thorough review of all laws to give them the flexibility and have the strongest position to do lawfully what they needed to do to put the community in front of special interest group. Council Members Galloway, Wiseman, Holm, Garcia, Green and Berry absent.

Council Member Quan stated that he knew when she came to meet with them two years ago their concern was Bellaire; that Houston, as a city was not using it; and upon questions, Ms. Gaskamp stated that Bellaire was not using it either and it was a good question as to who was; that they wanted to keep privatization in their city with their own City of Bellaire services; that there was only greed and no need for this facility; and it was 135 acres of land that could be wasted as it surrounded it and who wanted to be near that, but if it could be prevented Super Neighborhood had plans. Mayor White, Council Members Galloway, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Michael Hatley, 8019 Twin Hills Drive, Houston, Texas 77071 (713-560-4021) appeared and stated that he was troubled about the transfer station and the company leasing it, CER, Capital Environmental Resources, was a Canadian company and he had a problem with their history and reviewed some issues such as them being found guilty of health and safety violations, they were found in violation of six sections of the Workers Compensation Act by the Workers Compensation Board and maintenance procedures not adhered to; that if the incident had occurred this calendar year Canada's newly implemented Bill C35 would have seen to it the decision makers in the case would have gone to jail; and he urged Council put a stop to it. Mayor White, Council Members Galloway, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Lela Jones, 10310 Twin Hills Drive, Houston, Texas 77031 (713-772-2634) appeared and stated that her concern about the transfer station was it would cause flooding, health hazards and traffic in and around the neighborhood; and urged that it not be authorized. Mayor White, Council Members Galloway, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Nancy Letness, 9430 Portal Drive, Houston, Texas 77031 (713-348-3654) appeared, presented a petition and stated that she lived in Braburn Valley West and they were a part of the fight 24 years ago when the permit was requested and they still opposed it; that the City of Bellaire had hauled in over 100,000 cubic yards of fill from the park pond area and mud was caked all over; that she could not image a 24 year old permit being reissued again as the neighborhood had totally changed; that there was so much that could be done to the 150 acres and they needed to work together on the issue and the 700 signatures presented against it could have more added easily; and urged more investigation. Mayor White, Council Members Galloway, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Pat Dorsey, 9211 Rentur Drive, Houston, Texas 77031 (713-779-6907) appeared and stated that she was asking for Council's assistance in stopping the building of the transfer station as it was right near their park and pool area; that she was concerned if it was built it would change character of the neighborhood and ruin its streets; that time was running out and she would ask the Mayor and Council do all they could to help stop its approval. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Ms. Dorsey agreed that that applicant was Capital Environmental Resources for the building permit; and upon further questions, Ms. Gaskamp came back to the podium and stated that after researching through the Planning Department it was Ruffino Hills LP; that if you went to the website of Capital Environmental Resources they talked about both the landfill and the transfer station site which they alluded to being in southwest Houston; and Council Member Quan stated that if she would provide him the website address later he would check it out. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mrs. Clyde Shelley, 9443 Portal, Houston, Texas 77031 (713-777-7658) appeared and stated that their home was directly across from the location where the transfer station was to be built and it was hardly a place where anyone would want to be; that there would be toxic fumes, rodents, roaches, flies, etc., the health issues for the young and old would be paramount and a child care service was at the end of that road; and no one would any longer be able to sit outside. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Ruth Hurst, 8503 Twin Hill Drive, Houston, Texas 77071 (713-776-2760) appeared and stated that she was president of the new Braeswood Revitalization Association and a stakeholder under Super Neighborhood 36; that they played an active role in the opposition of the City of Bellaire's supported project being the Ruffino Trash Transfer Station; that the City of Bellaire had forced this on the citizens of Houston with absolutely no regard for their quality of life and the massive amounts of mud hauled in had changed the natural contours of land and in turn changed the storm water run off and was now flooding in areas which had never flooded before and health issues were mounting; that it was now in the City of Houston's hands; and they were urging for the City of Houston to just say no. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she was sure they had heard earlier Mayor White stated that he would be doing all he could to make sure their neighborhood was safe. Mayor White, Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Richard Rabe, 8507 Twin Hill Drive, Houston, Texas 77071 (713-772-7622) appeared and stated that he was president of Braeburn Valley Subdivision with over 530 homes and none in favor of the transfer station; that he was pleading with Council and the Planning Department that they not rubberstamp the application and that each and every item be investigated to see if they could keep from allowing it to be built. Mayor White, Council Members Lawrence, Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Marcy Williams, 7626 Bankside, Houston, Texas 77071 (713-774-3150) appeared and stated that she was a resident of the southwest area and treasurer of Super Neighborhood 36 and read a letter from the Super Neighborhood Alliance supporting their efforts to keep the integrity of their communities from being diminished as the transfer station would negatively affect the neighborhood and their way of life. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Harry P. Lohrke, 10519 Huff, Houston, Texas 77031 (713-541-2350) appeared and stated that every city needed greenspace and the City of Houston could possibly make a park there; that they did not want a landfill and he was asking for Council's best efforts for them and their neighbors. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, 1122 Sol, Houston, Texas 77029 (713-649-8358) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Gary Wilkins, 1818 N. Memorial Way, Houston, Texas 77007 (713-426-5588) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Edgar Earl Reese, III, 2914 Ebbtide, Houston, Texas 77045 (713-433-0422) appeared and stated that he had documents to substantiate what he was saying and he had a twofold subject matter involving the City of Houston and its departments and it was tied with the civic club and its leaders and how it was governed and how much authority had; that he owned classic automobiles and that should be no ones business, but the civic club called the city and the city responded and each time the city would ask why was the civic club calling on him. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that she would allow Mr. Reese another 30 seconds; and Mr. Reese stated that he had to take off a portion of his house for being three inches over and yet others did not have to. Mayor Pro Tem Alvarado stated that someone from Neighborhood Protection would meet with him and he could give Ms. Dillard his photos. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

The City Secretary stated that Mr. Gary Wilkins was now present and called on him to come to the podium. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Gary Wilkins, 1818 N. Memorial Way, Houston, Texas 77007 (713-426-5588)

appeared and stated that with him was Ms. Jenny Aviasi and they were volunteer board members of the Houston DARE Corporation; that they were concerned with HPD's 2005 budget as they had a long standing partnership with HISD to have DARE officers in classrooms teaching about dangers of drugs and violence and if the program was removed there would be no drug prevention programs in the schools; and they were urging that the budget be scrutinized to find funds for such a valuable program. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Holm, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan thanked Mr. Wilkins for coming today and stated that he was encouraged by Council Member Garcia's indication that he would be looking at all such programs; and upon questions, Mr. Wilkins stated that he transferred to Houston in 2000 and part of their outreach was to find a program that interested them; that he loved children and thought drugs were probably one of the greatest problems facing children in today's society and he looked for an organization addressing both concerns and had been involved with DARE for four years now. Council Member Quan stated that he thought it was a worthwhile program and regretted that at this time they had to exclude it from their budget. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Rodney Bush, 3100 Cleburne, Houston, Texas 77004 (713-826-8229) appeared and stated that he was the Sports Information Director for Texas Southern University and present to invite the mayor, Council and the community in joining them in celebrating a historic event, an accomplishment by the men's baseball team which was that they captured the Southwestern Athletic Conference Championship Title; that it had never been done before in TSU history and that led to the university's first appearance in the NCAA Division I Baseball Regional Tournament; that because of all the support received they organized an event to celebrate and thank the public; that July 1st there would be a parade and celebration at 11:15 a.m. on the TSU campus. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that he could leave any information with Ms. Dillard; and Mr. Bush stated that he had E-mailed most Council offices. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Rufus Brown, 906 Marcolin, Houston, Texas 77088 (281-591-0437) appeared and stated that he was president of Black Men of America and had interest in properties in Districts B, H, F and D and he was present regarding the ditches; that he had come the last six years trying to get something done about them and he wondered how many of Council had lost a family member in a ditch or how many of them signed a petition to get a street constructed; that in Acres Homes they had been trying to get ditches removed for years; that since the tragedy last week the ditches were now brought to the forefront and he wondered if they would continue taking the cheap way out or if they would change the way people had to go about getting street construction; that the City of Houston only had a thoroughfare plan and not a neighborhood plan; and urged something be done before another tragedy. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan thanked Mr. Brown for coming and stated that he knew a lot of work was needed in those areas and he would be glad to work with Council Member Galloway to see that his neighborhood was included in the Neighborhood to Standards Program. Mayor White, Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Lawrence stated that the petition process was the way to get curbs and gutters and money was allotted last week to clean ditches, but he should get the area to call 311 and let it be known that their ditches needed cleaning and it was necessary to get the petition and let Council know they wanted curbs and gutters because some preferred keeping their ditches; and Mr. Brown stated that if 75% of the people were not in the neighborhood they could not do it; and Council Member Lawrence stated that they could go to the Harris County website and lookup addresses and then contact the owners by mail; and Mr. Brown stated that the system was wrong and it needed to be changed, they should not have to go through that. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

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

Mr. Bruce Simpson, 122 Shady Lane, Huffman, Texas (no phone) appeared and stated that he went to the head of the FBI about a government project, the Fred Hartman Bridge, where four lanes went into two lanes on the Baytown side and accidents occurred, but he was told it was too much to handle as they were trying to put Bush in the White House and no one would vote for a governor with a bunch of dead Americans in a government project; that evidence was buried from an accident and he was sent to court to be punished; and continued stating that he was trying to expose corruption until his time expired. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Darrell Lucas, 2411 Green Rock Road, Houston, Texas 77032 (281-821-2640) had reserved time to speak but was not present when his name was called. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Ms. Pamela Curvey, 7607 Moline, Houston, Texas 77087 (713-847-8365) had reserved time to speak but was not present when her name was called. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) appeared and stated that he was being attacked 24 hours a day and continued expressing his personal opinions until his time expired. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

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 Galloway, Edwards, Wiseman, Khan, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was judging the Sedam Hussan case and continued expressing his personal opinions until his time expired. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Lonn Vasquez, 1704 Webber, Houston, Texas 77007 (713-376-6880) had reserved time to speak but was not present when his name was called. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

At 5:04 p.m. City Council recessed until 9:00 a.m., Wednesday, June 30, 2004. Council Member Goldberg out of the city on city business. Council Members Galloway, Edwards, Wiseman, Khan, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, June 30, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, June 30, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present. Council Member Mark Goldberg out of the city on city business.

At 8:22 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 Mayor White reconvened the meeting of the City Council and stated that the first order of business was a public hearing and recognized Mr. Robert Litke, Director, Planning and Development to make comments on the hearing. Council Members Galloway, Wiseman, Holm, Alvarado and Berry absent.

1. **PUBLIC HEARING** to consider the creation of a **TAX ABATEMENT REINVESTMENT ZONE (MEMORIAL HERMANN REINVESTMENT ZONE) - DISTRICT D - EDWARDS**

HEARING - 9:00 A.M.

Mr. Litke stated that it was a public hearing regarding the designation of a tax abatement reinvestment zone, the Memorial Medical Plaza LP and Memorial Hermann Hospital, that the zone would be called the Memorial Hermann Reinvestment Zone and the purpose of the hearing was to consider ultimately a tax abatement agreement to facilitate development of a \$162 million project which would include 1.5 million square feet of medical space, out patient surgery and imaging center and a 2,500 space parking garage, which would include approximately 20,000 square feet of retail space, the development would take place at the corner of Main St. and McGregor, that right now Memorial Hermann owned the 2 point acre site at that corner, which was tax exempt, it would be developed and if the program was approved by Council the hospital would sell the land to the Memorial Hermann Medical Plaza LP for \$50 million, which would then be taxable, that right now it was non taxable, so the first element of that project would generate approximately \$97,000 in real property taxes to the City, presently it generated zero, that the development itself was seeking a 90% tax abatement over a 10 year period which the Council had granted to several other large scale office type development projects in the past, that the overall purpose of it was to expand the systems income generating capacity and patient mix so that it could remain competitive over the longer term and hopefully absorb some of the \$50 million a year in uncompensated care that they had to handle due to maintaining the level 1 trauma center and the Life Flight facilities, that as part of any abatement agreement that the Council might consider and approve they would require the continuation of the level 1 trauma center and the Life Flight facilities during the full term of the abatement, the abatement was intended to help reduce the rent levels that were required to maintain economic feasibility in the project, without that abatement there was no economic feasibility and the development would not occur, they projected the retention of 111 jobs through the hospitals

level 1 trauma and Life Flight facilities and the creation of 157 new full time jobs in the new facilities themselves, that over the life of the 10 year abatement period the City would abate approximately \$750,000 averaged annually over the 10 year period and the City itself would be generating, during the 10 year period, approximately \$356,000 in revenues, a combination of the taxable properties as well as sales taxes that would be generated from the new facility, they were also seeking certain variances to the existing ordinance, the first would be to increase the standard abatement scale from 56% over a 10 year period to 90% over the 10 year period, the second would be to delay the start of the abatement period itself until January 1, 2006 and the third would be to extend the standard two year construction period to a full four years to give them the opportunity to build the building, lease it and include tenant build out space in the overall development program. Council Member Wiseman absent.

Upon questions by Council Members, Mr. Litke stated that they asked for 90% and they analyzed all of the implications of that and came to the conclusion that they did need that abatement in order to make the economics work, that they had approved 90% abatements for three previous major office developments in the City, Continental Airlines, Amarata Hess, Dynegy and Chevron, so it was not an uncommon standard for the Council, that he did not believe it set a precedent for every hospital to go out and create a professional building, that he was aware of only one institution, other than Harris County itself, that provided a level 1 trauma center and Life Flight and thought that was the critical connection here, that they had never given the 90% to any hospital facility, this was the first hospital type project they were dealing with, that they did the Chevron deal several months ago and had not done one for about two years prior to that, that the position that Memorial Hermann had taken was if the Council did not grant the tax abatement the project was economically un-feasible and would not happen, that the patient load would include the people who were not insured, that the condition that they would impose and recommend to Council would be that they maintain, during the abatement period, the level 1 trauma center and the Life Flight Program, that he could not think of any fiscal reason why the abatement would not be beneficial for the City. Council Member Galloway absent.

Mr. Chris Cooke, 14 Fosters Green Dr., Houston, Texas 77079 (713-927-8109) appeared and stated that he was a CPA and had been in the property tax business for the last 13 years representing many different types of clients, that he was present representing an owner of three medical office buildings and two hospitals in Harris County, including one medical office building that was presently under construction, of which they did not apply for the abatement because they would not have met the abatement criteria and requirements, that his client did not support the Memorial Hermann abatement, that it created an un-level playing field and basically a rent subsidy, that basically it would open Pandora's box and everybody else was going to apply for an abatement as well in the future, that it did set precedent and they believed that the private market would provide that space if and when it was needed, that in most abatements there was a level of site competition as part of the requirement and in this particular one there was obviously none. Council Member Galloway absent.

Upon questions by Council Members, Mr. Cooke stated that the clients he represented were smaller, that they did not have a trauma center but did provide charitable care as well, that the owner owned two hospitals and were building a third medical office building just to the south of the Medical Center to rent out, that they offered psychiatric care, that his client provided mental health care, that his client was Cambridge, that because they provided such a high level of charity care they were filing a charitable exemption to make the hospitals non profit and exempt from property taxes.

Mr. Keven Matocha, 9025 Rutland, Houston, Texas 77035 (713-355-8855) appeared and stated that he was the President of Stonehedge Development, based in the City of Houston, Texas, that he wanted to state his support for the proposed project, it would benefit the Medical Center and the patients of Memorial Hermann could receive quality health care, that he commended Memorial Hermann on its dedication to provide quality health care to Houstonians

and the rest of the world, that he was present to voice his concern to the Council granting any or all of the tax abatement for the proposed medical center development, that as a commercial real estate developer planning to break ground on a medical office building in the Medical Center, which was part of an out patient surgery center and a parking garage, he was very familiar with development costs associated with such a development, as a for profit company they found no need to request such a subsidy from the City for their development, therefore he wondered a not for profit would require such a subsidy, he was concerned in the way that they calculated property taxes that the adjacent property owners could possibly be required to pay the tab for Memorial Hermann so that they could realize a larger return and an increase return in their investment, that the abatement was not about a trauma necessarily, it was about an MLB, garage and surgery center, that the Texas Medical Center had one of the highest occupancy rates of any sub market in the State of Texas, that typically subsidies were granted for areas that were in need of revitalization and in need of assistance, they were granted for terms of five to ten years and typically in the 50% range, that as was stated earlier he did not believe the City had granted tax abatements of this magnitude in the Medical Center, which was a very thriving market, that he would like to see the Council treat all participants in the Medical Center in the same manner and to ask the partnership to examine the project from their cash flow standpoint just like they did, that in reviewing the proposed development breakdown they noticed a building shell cost of approximately \$95 per square foot and a garage hard cost number of approximately \$13,000 per stall, that compared to recent developments indicated very high initial construction costs and he would ask that the partnership do the same things that the rest of the developers in the Medical Center did and that was if their project did not cash flow to reevaluate that project and determine ways to make it cash flow, that the applicant requested the subsidy so that it could attract additional physicians to increase the cash flow to the adjacent hospital, that he just asks the Council to call it exactly what it was, they were subsidizing a medical office building so it could have increased cash flow and advantages over other office buildings in the Medical Center in order to subsidize different subsidies, that possibly the way to do that was to subsidize those services directly instead of a tax abatement.

Upon questions by Council Members, Mr. Matocha stated that they were prepared to break ground on their project in the next few weeks so their project would not apply to LEED Certification, but thought it was something for new developments and throughout the City that would be helpful, that their development ranged anywhere from \$26.50 to \$30.00 per square foot rents, that understanding that they were clearly in the Medical Center but out side the core area, the closer they get to the core area clearly that drove rates and in their opinion the rates were substantially higher as they got closer to that core area so their location compared to the Memorial Hermann location, they believed, the market would take care of itself, that he did not think that there was justification for an abatement that would reduce the rents by \$3 per square foot because they believed market rates would bring them to that number, that he had been in the building development business 10 years, that in his opinion typically they were in the 92% range of occupancy and compared to other markets there was lots of interest in the Medical Center, that the market was very strong in that area.

Mr. Walter Mischer, 2727 North Loop West, Ste. 200, Houston, Texas 77008 (713-802-7950) appeared and stated that he had letters of support from County Judge Ekels and Commissioner L. Franco Lee to hand out to the City Council, that their project had been described in terms of its building components but he wanted to address what the building was compared to standard medical office buildings, that first of all it's sitting was on significantly greater expensive ground than its competitor buildings, additionally it was a high rise medical office building with a 125,000 ambulatory care center in it and the result of that its life safety codes were higher than the normal professional medical building so when other people come up and address the cost they were doing it in an uninformed basis, that he was not new at developing office buildings, he had been doing it for 25 years and could assure them that they had scrubbed their costs down as tight as they could get them and they did not envision the project initially as needing a tax abatement, if it did not need one they would not be at Council, the rent levels as were represented in the information in the application were completely

accurately, there was no one achieving \$30 rents out there, as a matter of fact most of the rents were in the \$23 to \$26 range, that further during the abatement period, if they grant it, they would pay taxes to the City of Houston of approximately \$3 million, they would pay the Houston Independent School District \$21.5 million during the abatement period and they would pay Metro approximately \$1 million, that during the 10 years the project would pay \$30.8 million of taxes to those various entities and following the period the project would pay \$4.5 million per year, that concerning the abatement, if they took the cost of Life Flight, the trauma center and the taxes they were paying during the abatement period, for every dollar the City invests in the abatement they would be returned \$50 in services or taxes paid and he would say that any abatement that had ever been given by the City he would bet that none had a greater return to the community as nearly as high as this one. Council Member Berry absent.

Upon questions by Council Members, Mr. Mischer stated that the standard of what was done in other abatements that got 90% they had met those guidelines and were providing a 10 year agreement for the trauma service, \$54 for \$1 that the City invests is what they would receive, that the architects had taken a leadership position in LEED Certification, that at the time they began design of the project there was no LEED Certification process for their type of building, there was only now a pilot program being studied by the Green Building Council and on their project they had completed the design and had met roughly 15 points on the LEED Pilot evaluation out of 24 that were necessary for certification, and to have to backup and certify would be precedent setting in terms of City policy and was not sure that they could even comply with it because it was only a pilot program and did not think it was even complete, that they had done a lot of things with the building that did comply with the LEED Certification, just not enough and they had done it voluntarily, that if the City would give them an 80%, 70% or 60% abatement on a precedent level, it would seem to him to impose a higher standard on a health care facility than they would for an integrated oil company that was moving to town and did not see that as sound. Council Members Galloway, Garcia and Green absent.

Mayor White announced that he and Council Member Quan would be meeting with the Secretary of Housing and would be leaving the Council meeting at 11:00 a.m. Council Members Galloway, Garcia and Green absent.

Ms. Juanita Romans, 6411 Fannin, Ste 71, Houston, Texas 77031 (713-704-6614) appeared and stated that she was the Chief Executive Officer at Memorial Hospital and Memorial Hermann Children's Hospital, that the abatement was important to them, that over the last 80 years Hermann had been providing health care services to the under served of Houston and it had not gotten any easier, they had one of the highest uninsured rates in the whole Country and believed that it was very interesting to know that Memorial Hermann Health Care System did multiple times its requirement for its non for profit status at \$330 million per year, that \$130 million of that was provided at Hermann and Hermann Children's alone, that they were growing and had continued to try and increase the number of ICU beds for trauma and for the care that they provide from the Level 1 Trauma Center, that being the only other Level 1 Trauma Center in the City had a real burden to it because they had to stay open and they could not have their emergency rooms backed up, that providing the opportunity to provide the new building gave them new space and they would be moving some of their services from the hospital proper into the plaza building and those things were for out patient surgery and imaging, as well as endoscopies, that was a third of the building, so a great deal of the building was going to contribute to their mission, they must grow, it had been said to the Council that there had not been an office building built in the Texas Medical Center since 1991 they were at a very high occupancy rate so having the building also provided a new home for physicians that would practice at Memorial Hermann and Hermann Children's, that Hermann Children's was growing and their occupancy rate there was very high, providing children's care required more space sometimes than it did for the adult, particularly in things like imaging where they needed to have space for the family as well, that some of the imaging that was going over into the new center would support those children to get that care. Council Members Galloway and Green absent.

Upon questions by Council Members, Ms. Romans stated that as to an 80%, 70% or 60% abatement she thought the question was provocative because she did not know what effect that would have, all she knew was that the 90% was requested and was thought to be needed to reduce the rent rates, that when physicians practiced at Memorial Hermann and Memorial Hermann Children's they had a large Medicaid and indigent population as well, their office rates and overhead was very important to them so it was no small matter for them, it was very important, that there was \$130 million of charity care provided by Memorial Hermann and Memorial Hermann Children's every year, that it was the environment that they found themselves in, they were spending more in charity care every year, that the types of patient and the number of uninsured had grown every year, that she had been with Memorial Hermann and Memorial Hermann Children's for the last three years and the number of managed care patients had fallen every year and the number of Medicaid and without insurance patients had risen every year, that she thought it was quite related to what was happening in the City of Houston, that the services they provided were available to everyone, that she thought that was important, that trauma happened to everyone, to the uninsured as well as to the people who had insurance, that she would get Council Member Edwards more information on those figures. Council Members Galloway, Garcia, Quan and Green absent.

Mr. John Kirksey, 2501 Westgate, Houston, Texas 77019 (713-850-9600) appeared and stated that he was with Kirksey Architecture and they were the architects on the project, that he had an interest in the building and was a 15 year Board Member of the Hermann Health Care System and previously was on the Board of Hermann Hospital, that he had spent his career very much focused on environmental issues and trying to move their profession and the building industry toward more environmental responsibility and in his time frame as a Board Member of Memorial Hermann he had worked closely with Mr. Marshall Hines, Vice President of Construction, in trying to instill and require as high a standard as they possibly could in the design of their buildings relative to their environmental issues, that when they started the project three years ago the LEED Program was not in effect, that Mr. Brian Malarky, a Vice President from their office, was instrumental in bringing the US Green Building Council to Houston, that was the sanctioning agent for the LEED Certification, that Mr. Malarky was a founding member of that and he had met with almost all of the Council Members individually and was instrumental in the passage, last week, of the ordinance for the City of Houston's recommendation of LEED Certification for all of their buildings, that they were very much aware of the whole LEED process and had used it on the building as much as possible as a guideline for the design of the building, but there was no LEED Program in effect for the building, it was in pilot phase and even if they wanted to initiate it now it would still be in a pilot phase, but he would assure them that they had done everything possible to implement as many LEED related design components to the building as possible, that they were the firm that would have the first two LEED certified buildings in the City that were being completed right now, that it was an excellent program and applauded the City Council for adopting the program for the City of Houston, that retroactively applying it to the building he would be concerned that it would put an undue burden on the project to go back and try to utilize LEED standards, but would tell them that they had done everything possible to incorporate LEED related issues and requirements to the building and that it would be an environmentally responsible building as it was designed. Council Members Galloway, Edwards, Garcia, Quan and Green absent.

Upon questions by Council Members, Mr. Kirksey stated that the building was core and shell, that the core and shell program was still in a pilot stage and the difficulty there was the two LEED certified buildings that they had designed were occupied by the tenant owner and so they were in control of the entire environment of the building and the core and shell building they had basically a core and shell being developed by a developer, in this case Mischer Health Care, and that was followed then by the interior build out by a different component or users of the building, in one case Memorial Hermann Health Care System and the ambulatory health care component and in the other case of private doctors and other health care related activities that would happen in the building, the Core and Shell Program was still in the pilot stage so

even if they wanted to go back and do it they would still only be dealing with a pilot program and could not certify a building as LEED right now because it would open them up to litigation if they could not indeed hit LEED certification, that it was a fundamental rethinking of the building that they would have to do to reach LEED certification and he could not tell them that they could reach LEED certification because it was not clearly defined right now and there was no program so technically they could not reach LEED certification, they could try to meet as yet undefined standards and it would be hard to put a number on it.

Mr. Jeff Anthony, 7400 Fannin, Ste, 650, Houston, Texas 77054 (713-852-1500) appeared and stated that he was present representing the Gulf Coast Division of HCA (Hospital Corporation of America), that they owned 10 hospitals in Houston, that he was the Chief Financial Officer for the division and they were clearly in opposition to the 90% tax abatement application that Memorial Hermann had submitted for the following reasons, that one, it was a highly unusual request that sets a dangerous precedent that had already been outlined and was an unfair tax burden on the existing taxpayers, the residents and businesses of Houston, that two, it provided the developers of the project and Memorial Hermann a unique competitive advantage over other similar projects of which right now they had two projects going up at Women's Hospital in west Houston and they had many projects in the past that they had put up, that regardless of the cost impact of charitable services, Life Flight and the Level 1 Trauma Center that Memorial Hermann used to support why they needed a tax abatement, and to please not get him wrong because they did provide a much needed service to the community, however one, if they had the opportunity to review their 2003 audited financial statements they would find that they had earnings in 2003 of \$117 million, in 2002 of \$115 million and had cash available of \$266 million, investments of \$200 million, patient accounts receivable of \$300 million, they had a five year major capital expansion plan of \$500 million, which involved two brand new hospitals, various MLB's and various JVASE, ambulatory surgery centers, in the paragraph three of their justification it stated that Memorial Hermann would provide medical office space for physicians which would improve financial performance of the hospital through additional admissions, which he might say was why they added MLB's to their hospitals because there was a need for physicians to service that area and it typically also resulted in bed additions, and he often found that the projects would fund themselves through obviously increased incremental volumes, which they indicated in their justification, in addition in paragraph six of the justification, uncompensated charitable care that Memorial had provided historically exceeded that of other hospitals, that his financial statements were based on June 2003 from Memorial Hermann and they provided, as mentioned, about \$334 million, their 10 hospitals in the community currently provided \$277 million of charitable care, of which he might add, charitable and bad debts was a percent of net revenue that would exceed Memorial Hermann's 18.6%, where they achieved a 19% level, that in addition they paid property tax of \$15 million, Sales Tax of \$17 million and in addition to that they paid approximately \$10 million on capital projects that they had invested in the community for a total of about \$320 million and if they compared the two they were roughly the same, so in summary he would just recommend to the Council that they oppose the tax abatement. Council Members Garcia, Quan and Green absent.

Council Member Lawrence requested that Mr. Anthony provide the Council with a spreadsheet of the numbers that he went through and Mr. Anthony stated that he would. Council Members Garcia, Quan and Green absent.

Upon questions by Council Member Edwards, Mr. Anthony stated that the figures he stated were referring to the company he represented, the Gulf Coast Division, a Subsidiary of Hospital Corporation of America, they owned 10 hospitals, that they had not applied for an abatement because in the past they did not think they qualified, however based on the numbers and a comment on the amount of charity care that they provided which was very comparable he would say that they might consider putting in for a tax abatement, however they felt very strongly that since they operated under the same conditions that the abatement should not be granted to Memorial Hermann. Council Members Galloway and Garcia absent.

Ms. Helen Huey, 1517 Monarch Oaks, Houston, Texas 77055 (713-465-4529) appeared and stated that one of her favorite quotes was from Thomas Jefferson, "a little disagreement now and then was a good thing and as necessary in the real world as storms in the physical one", so they had a little disagreement, she believed that they should not approve the requested tax abatement for the Memorial Hermann Plaza Project, she believed that it was unusual and unwarranted, at the same time, although it was for a noble cause she did not think it was a precedent that they should set, having said that she would like to see them consider perhaps a separate agreement strategically tied to the Trauma 1 Center and Life Flight, because she shared that concern and thought they all shared that concern, however every trauma center or emergency room, whether it was a hospital in the Medical Center, a profit or non profit, was overloaded, overcrowded and under reimbursed with the cost for caring for the under insured and the uninsured, that every hospital whether it was out in the suburbs of the City or whether in the Medical Center, the problem was not unique to Memorial Hermann Hospital or the system and the cost to HCA affiliated hospitals and other un-reimbursed care were as great as those, on the other hand there was no shortage of developers who were willing to build and were building joint venture medical office buildings, ambulatory surgery centers and garages in the City in the Medical Center area and outside of that area and they could do that at competitive rates, lease them and have full occupancy without benefit of a tax abatement, that she thought it was a topic that required more time and more attention, it was a broader topic and was one that the Save Our ER Task Force was currently working on with a report due out tonight, that the Health Care Advisory Committee of the Greater Houston Partnership was also working on the issue. Council Members Galloway, Garcia and Green absent.

Mr. Brian Malarkey, 4917 Louisiana St., Houston, Texas 77006 (713-522-7658) appeared and stated that he wanted to make one correction to the HCA comments on behalf of the team, that it was a point of law that it was illegal for a not for profit health care system to subsidize a private physicians rental rates, that he had met with many of them to talk about Green Building advantages for the City of Houston and applauded them for passing the resolution and thought it was excellent. Council Members Galloway, Garcia, Alvarado and Green absent.

Mayor White asked Mr. Malarkey if he and his firm would be available for detailed questions about some of the issues posed by Council Member Khan and others, and Mr. Malarkey stated yes. Council Members Galloway, Garcia, Alvarado and Green absent.

Council Member Quan moved to close the public hearing, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Members Galloway, Garcia, Alvarado and Green absent. MOTION 2004-0792 ADOPTED.

MAYOR'S REPORT - Briefing on financing strategy for police priorities as identified by the Administration and City Council

Mayor White stated that they had circulated a handout for the Council Members, that the Houston economy had gotten so much stronger, that it was not some big National or even regional trend, it had to do with what was happening in Houston, that this year they had added over 10,000 jobs in Houston and that was through May 2004, that they were on track to add over 30,000 this year in the Houston area which was a very fast pace, that their rate of job growth was over 40% faster than the other large cities in Texas, that because the economy was moving it gave them some source of revenue even with a budget that decreased the tax rate, that the sales tax increases had been up in the first six months of the year compared to the first six months of last year by 10%, which was a blistering rate and reflected the optimism that they were all feeling when they talked to people in the community, that obviously there were a lot of people who felt left behind and needed to be lifted up but the trend was in the right direction, that because of that he knew that Chairman Ellis had a committee report yesterday that they had some revenue projections which they continued to use both in sales tax numbers, more

conservative or less of an increase in sales tax than was predicted by their economist and they continued to use less escalation of property tax revenues than HCAD did so they did not have that perennial thing of coming up short at the end of every year, that with that Chief Hurtt he had charged with addressing some of the priorities within the administration and by Council Members and asked Chief Hurtt to describe how he had done that with some of the money that was described by Ms. Judy Johnson yesterday.

Chief Hurtt stated that he had been informed, as a result of progress that the Mayor had just mentioned, had access to another \$5.4 million and when the Mayor asked him how he would spend that as far as providing service to the citizens of Houston the following were his recommendations, that number one, that they start a police cadet class in January 2005 that would graduate in June 2005 of 70 candidates at a cost of \$1,325,000, that also they would purchase tasers for the 3,600 officers that they had on the front lines as far as call answers or first responders at a cost of \$1,370,000 that would be a payment on debt for equipment acquisition of \$680,000 and initial supplies, such as the darts and supplies for training, \$690,000, they would also restore some of the positions that had been identified for reduction in the previous budget process, they would restore senior police service officers to the family violence unit because they thought it was very important that they continue to provide those services to families in distress, 10 senior police service officers at a cost of \$331,000 plus, also restore police service officers so that they could continue to have the store fronts operated and not have to take officers off the street to run those store fronts, and also provide people who would interact with the public when they came to the store front or to the stations and that was 19 public service officers at a cost of \$553,000 plus, that in the area of the jailers it would allow them to retain 21 senior jailers at a cost of \$811,000 plus and retain some of the other jailers, that was 29 other jailers at a cost of approximately \$1million, that would lead to the retention of a total of 79 individuals within the Police Department that had been targeted for reduction or elimination of their position, and then of course they would be putting 70 new candidates in a class in July and those new programs and efforts came to a total of \$5.4 million.

Mayor White was commended by Members of Council for finding some money to support the class coming up as well as to make sure they kept the services on the street.

Chief Hurtt was questioned at length by Members of Council, and Council Member Holm requested further dialog in her office regarding tasers, and Council Member Garcia stated that he would like to ask the administration if pursuant to the foundation, in short order that they raise private funding for the tasers, that they would reimburse the police budget so that they could bring on additional jail personnel to keep officers in support of each other in the field, and Council Member Edwards requested a breakdown of how many actual shootings there were and where tasers would make a meaningful change in that dynamic, and Council Member Galloway requested a report on the jailers that were laid off, that she wanted to know how many had been placed in other jobs and if any jailer still had not been placed in a job or returned as a jailer. Mayor White and Council Members Quan and Green absent.

Council Member Galloway moved to suspend the rules to consider Item Numbers 66, 66a, 66b, 66c, 66d, 29, 67, 71, 72, 60, 61, 39, 37, 36, 35, 33, 8, 24 and 30 after the Monthly Financial Report, seconded by Council Member Ellis. Council Member Wiseman voting no, balance voting aye. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0793 ADOPTED.

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 enter Surprise funds, and a report on the status of bond funds

Mayor Pro Tem Alvarado stated they would move to the Monthly Financial Report and

recognized Ms. Annise Parker, Controller and Ms. Judy Gray Johnson, Director, Finance and Administration. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding.

Ms. Parker stated that she was present to talk about the 2004 Budget, the month of May, that the 2004 budget was almost wrapped up and everybody was focused on the 2005 Budget, that revenue was going up, the Sales Tax Revenue had been picking up steadily and was really a great sign for the next fiscal year budget, that they revised their revenue projection upward by \$1.1 million and a little bit of that was more collections in Municipal Courts, but the majority of that was the Sales Tax Revenue, they did decrease their projections for General Fund expenditures, they recognized some expenditure cuts that the administration had already made and were not able to pick up in the last MOFAR and then finally she just wanted to say that as the request of Council Members they had done some more number crunching on the Super Bowl, particularly since the All Star Game was looming and where they had been saying that they thought the City broke even, made a little money on the Super Bowl, their current number was that they thought the City of Houston may have made as much as \$900,000 on the Super Bowl from all sources of revenue and that reflected spending in hotels, sales tax and many a few fines and fees and that concluded her report. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Ms. Johnson stated that they were pleased to present the monthly report for May because things were indeed looking good, that she would not belabor the point that sales taxes and property taxes had held steady, they had not changed their estimates for those two items, they made a few other revenue adjustments in various miscellaneous items that amounted to about \$500,000, that expenditures changed almost not at all, only \$250,000, so they were definitely holding on the same course that they had been and looking good, that they had good news in terms of the General Fund cash balance, they were expected to close the books today on the cash that was coming in and yesterday she had said they would be surely be over \$15 million and were probably closer to \$20 million in cash balance for the General Fund as they closed the fiscal year, which was a definite improvement over the past, that two or three years ago they scrambled and sometimes had to borrow to make ends meet at the end of the year so this was very good news that they were no longer in that situation, and that concluded the report. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Ms. Parker stated that Council Member Quan asked a question yesterday that she did not have an answer for and that was the C&E Operating Revenues showed an increase in facility rentals but a decrease in parking revenues, the decrease in parking revenues was occurring at Tranquility Garage and apparently there were fewer contracts there, that the surface lots around the George R. Brown were up in conjunction with increased activity at the George R. Brown Convention Center. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Lawrence stated that in the Mayor's Economic message he said that sales tax receipts had increased more than 10% and asked if they could give her a dollar figure instead of 10% in the last 6 months, and Ms. Johnson stated that she did not have that with her but would send it to Council Member Lawrence. Mayor White and Council Members Edwards, Wiseman and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs moved to accept the Monthly Financial Report, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Council Members Galloway, Garcia, Alvarado and Green absent. MOTION 2004-0794 ADOPTED.

Council Member Holm moved to suspend the rules to consider Item Numbers 2 and 2a out of order first, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent.

Mayor Pro Tem Alvarado presiding. MOTION 2004-0795 ADOPTED.

2. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the appointment and functions of the Director of Public Health; amending the Job Title - was presented. all voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0684 ADOPTED.
- 2a. REQUEST from Mayor for confirmation of the appointment of **MR. STEVEN L. WILLIAMS** as Director of Public Health - was presented, moved by Council Member Garcia, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0796 ADOPTED.

Mr. Williams stated that he was excited about taking the helm of the Health and Human Services Department and knew there were a number of challenges that the City was facing in the realm of Health and Human Services, that he thought they had a lot of confident staff within the department and was really wanted to get a thorough orientation so they could begin to pick on those challenges, and thanked them for the appointment.

Members of Council congratulated Mr. Williams on his appointment as Director of Public Health and wished him well in his new position. Mayor White and Council Member Quan absent.

66. MOTION by Council Member Quan/Seconded by Council Member Khan to amend Item 66D below to provide the following:
\$300,000 for the Developmentally Disabled. Service provider: The Center Serving Persons with Mental Retardation. The Center is a private, not-for-profit, 501(c)(3) United Way Agency. Funding available from either the Program Income and/or Reprogrammed Prior Years Funding - **(TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** - was presented.

Council Member Khan moved to table Item Numbers 66, 66a, 66b and 66c, seconded by Council Member Green. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0797 ADOPTED.

- 66a. MOTION by Council Member Quan/Seconded by Council Member Khan to amend Item 66D below to provide the following:
\$100,000 to Neighborhood Centers, Inc. for the operation and development of the Second Ward Day Labor Center. Funds available from either the Program Income and/or Reprogrammed Prior Years Funding - **(TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** - was presented, and tabled by MOTION 2004-0797. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding.
- 66b. MOTION by Council Member Quan/Seconded by Council Member Khan to amend Item 66D below to provide the following:
\$100,000 to the Houston Asset Building Coalition for the development of an educational program for home buyer education, working with other community based organizations such as ACORN, REAL, etc. Funds available from either the Program Income and/or the Reprogrammed Prior Years Funding - **(TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** - was presented, and tabled by MOTION 2004-0797. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding.
- 66c. MOTION by Sekula-Gibbs/Seconded by Council Member Khan to amend Item 66D below

to provide the following:

| Clinic: | Purpose: | Amount of request: |
|---|--|--------------------|
| Denver Harbor Clinic (need to insert address) | 1,750 square foot expansion of the existing clinic | \$153,000 |
| Spring Branch Community Health Center 9325 Kempwood Houston, Texas 77080 | 800 square foot expansion for a pharmacy and examination rooms, and additional parking spaces | \$100,000 |
| Ibn Sina Community Clinic 11246 Wilcrest Drive #190 Houston, Texas 77099 | 1,000 square foot expansion of existing clinic and extension of operating hours | \$356,000 |

(TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and ALVARADO) - was presented, and tabled by MOTION 2004-0797. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding.

- 66d. ORDINANCE approving and authorizing the City of Houston to submit the 2004 Consolidated Annual Plan to the United States Department of Housing and Urban Development, including the following 2004-2005 Grant Applications: 1) 30th Year Community Development Block Grant in the amount of \$40,851,100.00 (\$36,210,000.00 Entitlement Grant, \$3,000,000.00 Program Income and \$1,641,100.00 Prior years funding); 2) Home Investment Partnerships Grant in the amount of \$16,887,269.00 (\$14,658,000.00 Grant, \$500,000.00 Program Income and \$1,729,269.00 from the American Dream Down Payment Initiative [ADDI]); 3) Housing Opportunities For Persons With AIDS Grant in the amount of \$5,068,000.00; and 4) Emergency Shelter Grants in the amount of \$1,353,110.00; and to accept the aforementioned grant funds; if awarded – **(This was Item 22 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and ALVARADO)** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0685 ADOPTED.

Council Member Green moved to suspend the rules to remain in session beyond the noon recess until 1:00 p.m., seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0798 ADOPTED.

29. ORDINANCE approving and authorizing contract between the City of Houston and **DENTON, NAVARRO, ROCHA & BERNAL, P.C.**, for Professional Services in Negotiating on behalf of the City a Collective Bargaining Agreement between the City and the **HOUSTON PROFESSIONAL FIRE FIGHTERS ASSOCIATION** - \$137,286.00 - General Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Wiseman and Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0686 ADOPTED.
67. ORDINANCE amending Ordinance No. 2001-0129 to increase the maximum contract amount for Contract No. C52372 between the City of Houston and **CINGULAR WIRELESS (formerly HOUSTON CELLULAR TELEPHONE COMPANY, L.P.)** for Wireless Communications Services for Various Departments - \$900,000.00 - Central Service Revolving Fund – **(This was Item 25 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER ALVARADO)** - was presented. Council Member Berry voting no, balance voting aye. Council Member Goldberg out of the city on city business. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0687 ADOPTED.
71. ORDINANCE appropriating \$2,251,300.00 out of Water & Sewer System Consolidated

Construction Fund; awarding contract to **C AND C SERVICES** for Waterline Replacement in various Unserved Subdivisions, Fifth Ward Area, GFS S-0700-58-3 (WA10566-1); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B – GALLOWAY – (This was Item 51 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. Mayor White and Council Member Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that she tagged the item last week and after doing some extensive research she wanted to thank Mr. Gary Norman, Public Works, for his assistance and after further discussion by Members of Council, a vote was called on Item No. 71. All voting aye. Nay none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0688 ADOPTED.

72. ORDINANCE appropriating \$1,609,200.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** for Waterline Replacement in various Unserved Subdivisions, Montrose Area, GFS S-0700-59-3 (WA10566-2); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - GOLDBERG and D - EDWARDS – (This was Item 52 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that as they could see it said 4 inches and 6 inches and they did not see a 2 inch in this area of town and wanted to bring to her colleagues why she was agitated as to what was going on in her district, that she wanted to compare the areas of town as to what was already there. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

A vote was called on Item No. 72. All voting aye. Nay none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0689 ADOPTED.

60. ORDINANCE appropriating \$533,200.00 out of Public Health Consolidated Construction Fund, awarding construction contract to **TEXAS LIQUA TECH SERVICES, INC** for Roof Replacement Health Department Headquarters Building and Fifth Ward Multi-Service Center CIP H-0018-02-3; providing funding for contingencies relating to construction of facilities financed by the Public Health Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and D - EDWARDS** - was presented. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway that at last they were taking care of the roof that had been leaking for some time now, that now it had finally come to light and wanted to thank the administration for bringing it for Council approval. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

A vote was called on Item No. 60. All voting aye. Nay none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0690 ADOPTED.

61. ORDINANCE appropriating \$5,200,000.00 out of Series E Commercial Paper Metro Projects Fund, \$616,500.00 out of Street & Bridge Consolidated Construction Fund, and \$1,880,000.00 from Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION, INC** for Neighborhood Street Reconstruction

Project No. 438; GFS N-0371-01-3 (SB9080); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund, the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund- **DISTRICTS A - LAWRENCE and G - HOLM** - was presented, and tagged by Council Member Galloway. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

39. ORDINANCE appropriating \$310,401.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **COBB FENDLEY & ASSOCIATES, INC** for Design of Long Point Road from Hempstead Road to Bingle Road, CIP N-0674-01-2 (SB9088); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - LAWRENCE** - was presented, and tagged by Council Member Galloway. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that she had a problem with the item, that she wanted to administration to tell her how the item had a raised median. Mayor White and Council Members Quan and Berry absent.

37. ORDINANCE appropriating \$385,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City and **ESOR CONSULTING ENGINEERS, INC** for Neighborhood Sidewalk Program, CIP N-0646H-01-2 (SB9185); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - GARCIA** - was presented, and tagged by Council Members Wiseman and Galloway. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.
36. ORDINANCE appropriating \$1,033,600.00 out of Street & Bridge Consolidated Construction Fund and \$172,000.00 out of Water & Sewer System Consolidated Construction Fund for a total of \$1,205,600.00 and approving and authorizing professional engineering services contract between the City of Houston and **WALTER P. MOORE AND ASSOCIATES, INC** for the Design of Cook Road Paving Improvements from Bissonnet Road to Bellaire Boulevard, CIP N-0639-01-2 (SB9176); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT F - KHAN** - was presented and tagged by Council Member Galloway. Mayor White and Council Members Quan and Berry absent. Mayor Pro Tem Alvarado presiding.
35. ORDINANCE appropriating \$350,460.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **SPARKS-BARLOW-BARNETT, INC** for Design of Lockwood Drive Paving from Bennington to Tidwell Road; CIP N-0612-01-2; (SB9181) providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY** - was presented. Mayor White and Council Members Quan and Berry absent.

Council Member Galloway stated that the street was supposed to have been constructed in 2004 and the design was supposed to be done in 2003 and was what she was talking about that District B was always left out and left behind, that it was the one where there were no sidewalks in the design and no raised medians, that she would tag the item, that she knew her community wanted sidewalks, that she wanted Public Works to know and would put it on record, that she read everything she was given, that she was an avid reader, that she was going to watch everything so they needed to get it together, that she was not going to let her side of town

continue to be neglected. Mayor White and Council Member Quan absent.

Council Member Lawrence stated that the item that Council Member Galloway tagged in District A was supposed to be built in 1996. Mayor White and Council Member Quan absent.

Council Member Lawrence stated that one of the things that she found was really effective was when it went to design she met with all her engineers to input and give them recommendations to see what she wanted to see happen in the project. Mayor White and Council Members Edwards and Quan absent.

Council Member Garcia moved to suspend the rules to consider Item Numbers 25, 26 and 68 out of order, seconded by Council Member Holm. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0799 ADOPTED.

33. ORDINANCE appropriating \$250,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to professional engineering services contract between the City of Houston and **BINKLEY & BARFIELD, INC** in connection with Miscellaneous Improvements at George Bush Intercontinental Airport/Houston (Project No. 598); CIP A-0063 and A-0366 **DISTRICT B - GALLOWAY** - was presented, and tagged by Council Member Galloway. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding. (Note: Council Member Galloway released her tag later in the meeting.)

Council Member Galloway stated that she would tag the item because she did not know why they were extending the contract, they did not meet their previous MWBE goals and did not show good faith or response. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

8. **INLAND ENVIRONMENTS, LTD.** for Asbestos Abatement, Demolition and Site Clean-Up Services for Planning & Development Department - \$42,727.00 and contingencies for a total amount not to exceed \$44,863.35 - Dangerous Building Consolidated Fund - was presented. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that it was one house in her district and the owner lived in the house that what was going on for the City to spend almost \$40,000 to tear down an apartment connected to the house, that they were going to have to change the legislation because she did not feel it was right to use taxpayers money to tear down someone's building, part of the structure they were living in and the City pay for it, that she was going to tag the item. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

24. ORDINANCE approving the use of the Competitive Sealed Proposal Method and declaring the Competitive Sealed Proposal Method as best value for a Home Repair Program including a major rehabilitation and reconstruction component - was presented. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan stated that on behalf of Council Member Quan they really appreciated the administration finding \$2 million for repairs which would be used for Tier 2 and Tier 3 and understood the Mayor was meeting with the Secretary of HUD and Council Member Quan would be meeting with him this afternoon in one of the neighborhoods. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Ellis stated that he was encouraged that they were creating a new

method with the competitive sealed proposals and wanted to know if they could expand it and if not why they were limited on infrastructure such as roadways, water lines and sewer lines and so forth, because all of them around the Council table had issues with certain contractors, so he would like to see if they expand it and if they were limited by State law maybe that was something they could take up in the next State Legislative session. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs asked why they were doing it just for the Department of Housing and Community Development, she would like to have an answer by next week. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Berry stated that he wanted to commend Mr. Dadoush because it was something that in 2001 State Legislature authorized them to do and allowed them to go best value, that he hoped the administration would explore because he was told that there were ways to deal with people who continued to come in with low bid and change order them to death and had quality control problems, that it was a good move for the City of Houston. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

A vote was called on Item No. 24. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0691 ADOPTED.

30. ORDINANCE approving and authorizing contracts between the City and **DR. PEPPER BOTTLING COMPANY OF TEXAS** and **FRESH BREW GROUP, USA** for Soft Drink and/or Vending Marketing Partnerships – Revenue – was presented, and tagged by Council Member Khan. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

25. ORDINANCE delegating authority to the Director of the Building Services Department to determine which alternative delivery method is the best value for the Westside Command Station Rehabilitation – was presented. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan stated that he visited the facility yesterday and it was a classic example of people sleeping on the job, that he understood it was completed in 1994 so it was not a very old facility but it was already falling apart and in order to fix it they had to completely replace the entire first floor and all the walls, that it was a massive undertaking and in talking to Mr. Dadoush it may take as much as \$6 million to \$7 million to fix it and there was some litigation and out of court settlements but thought taxpayers were very much shortchanged in the project, that he wanted to thank Mr. Dadoush for visiting with him at the facility. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

A vote was called on Item No. 25. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0692 ADOPTED.

26. ORDINANCE approving the use of the Competitive Sealed Proposal Method and declaring the Competitive Sealed Proposal Method as best value for the Jesse H. Jones Central Library Renovation, Library Resource Center Renovation and Carnegie Regional Branch Phase II Renovation - **DISTRICTS H - GARCIA and I – ALVARADO** – was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0693 ADOPTED.

68. ORDINANCE appropriating \$2,100,000.00 out of Series E Commercial Paper Metro Projects Fund and \$162,000.00 out of Street & Bridge Consolidated Construction Fund,

awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for El Dorado Boulevard Paving Extension from Beamer Road to 3,000 feet east, GFS N-0712-01-3 (SB9170-01); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Series E Commercial Paper Metro Projects Fund and the Street & Bridge Consolidated Construction Fund **DISTRICT E - WISEMAN** – **(This was Item 37 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Garcia stated that there was a lot of discussion on Texas Sterling last week, that they met and with cautious optimism he was watching the project, that he wanted to thank Mr. Dan Kruegar and Mr. Gary Norman for bringing Texas Sterling to the table and for creating that meeting, that there was some good discussion with his constituent, that it looked like they were going to be working out those concerns. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding.

Council Member Wiseman stated that she appreciated the concerns that Council Members had for a project in her district, that it was a project that they had worked long and hard to put into place and was one that was very much needed by the people in Clear Lake, that she had worked very hard with the community and the school district and with the administration who was very supportive of putting the project into place and was very appreciative of that, that she would continue to monitor the project and was sure the City would not be disappointed in the project.

A vote was called on Item No. 68. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards and Quan absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0694 ADOPTED.

CONSENT AGENDA NUMBERS 2 through 64

ACCEPT WORK - NUMBERS 3 and 4

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,381,622.17 awarded to **D. E. WILLIAMS CONTRACTING COMPANY, INC** and acceptance of work on contract with the Surety, **INSURANCE COMPANY OF THE WEST** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-81-3 (4257-16) - 00.77% under the original contract amount - **DISTRICTS A - LAWRENCE; B - GALLOWAY; C - GOLDBERG; D - EDWARDS; E - WISEMAN; F - KHAN; G - HOLM and I - ALVARADO** - was presented, moved by Council Member Garcia, seconded by Council Member Holm. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis and Quan absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0800 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$695,521.42 and acceptance of work on contract with **ADS ENVIRONMENTAL SERVICES, INC** for Physical Inspection of Wastewater System in Northside Service Area, GFS R-0266-86-3 (4748-1) - 26.69% under the original contract amount **DISTRICTS A - LAWRENCE; H - GARCIA and I - ALVARADO** - was presented, moved by Council Member Garcia, seconded by Council Member Holm. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis and Quan absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0801 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 13

7. **GBS ENVIRONMENTAL, INC** for Asbestos Abatement, Demolition and Site Clean-Up Services for Planning & Development Department - \$46,500.00 and contingencies for a total amount not to exceed \$48,825.00 - Dangerous Building Consolidated Fund - was presented, moved by Council Member Holm, seconded by Council Member Khan. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0802 ADOPTED.
11. **GODWIN PUMPS OF AMERICA, INC (Bid Nos. 2, 3 & 12) - \$96,650.80, THE ANDRESS-WALSH COMPANY (Bid No. 1) - \$27,452.94, JERSEY EQUIPMENT COMPANY OF HOUSTON, INC (Bid No. 3) - \$58,875.12 and NEWMAN REGENCY GROUP, INC (Bid No. 3) - \$42,966.15** for Pumps for Department of Public Works & Engineering - \$232,933.00 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount of \$225,945.01 - Enterprise Fund - was presented, moved by Council Member Garcia, seconded by Council Member Holm. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0803 ADOPTED.
13. **AMEND MOTION #00-909, 7/12/00, MOTION #01-256, 3/7/01 and #01-691, 6/20/01**, as previously amended by **MOTION #01-371, #01-1273 and #03-612, TO EXTEND** the expiration date from July 13, 2004 to July 12, 2005, for Equipment Rental Contracts, Parts I, II and III, for Various Departments, awarded to **HI-WAY EQUIPMENT CO., MAXIM CRANE WORKS (Anthony Crane), MUSTANG RENTAL SERVICE and HERTZ EQUIPMENT RENTAL CORPORATION** and **TO INCREASE** spending authority by \$29,000.00 from \$1,367,391.00 to \$1,396,391.00 awarded to **MUSTANG RENTAL SERVICE** - was presented, moved by Council Member Garcia, seconded by Council Member Holm. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0804 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 64

14. RESOLUTION approving the issuance and sale by **HOUSTON HOUSING FINANCE CORPORATION** of Multifamily Housing Revenue Bonds (Kensington Place Apartments) Series 2004 - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. RESOLUTION 2004-0016 ADOPTED.
15. ORDINANCE approving and authorizing the sale of the former Ludington Drive Water Well Site No. 49 located at 11833 Chimney Rock, Parcel No. SY3-005A to the Houston Independent School District, being out of Reserve K, Westbury, Section 3, containing 3,951 square feet of land, more or less and finding and determining that public convenience and necessity no longer require the continued use of a portion of the Ludington Street right of way, a drainage easement, a utility easement and a storm sewer easement containing an aggregate of 58,042 square feet of land, more or less, Parcels SY3-005B being out of Westbury Subdivision Section 3 and Parcels SY3-005C, SY3-005D and SY3-005E being out of the Westbury Subdivision, Section 4; vacating and abandoning the four easements to the Houston Independent School District, abutting owner; all in consideration of owner's payment of \$37,331.00 and other consideration to the City; containing various findings and other provisions related to the subject - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0695 ADOPTED.

17. ORDINANCE establishing the north and south sides of the 2300 block of Robinhood Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0696 ADOPTED.
18. ORDINANCE establishing the north and south sides of the 2300 block of Tangley Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0697 ADOPTED.
19. ORDINANCE establishing the east and west sides of the 1800 block of Columbia Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0698 ADOPTED.
20. ORDINANCE establishing the north side of the 900 block of Key Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0699 ADOPTED.
21. ORDINANCE establishing the south side of the 800 and 900 blocks of Key Street within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0700 ADOPTED.
22. ORDINANCE establishing the north and south sides of the 600, 700, 800 and 900 blocks of West Melwood Street and the east side of the 4100 block of Watson Avenue within the City of Houston as a special minimum lot size requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H - GARCIA** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0701 ADOPTED.
23. ORDINANCE approving and authorizing amendment to lease agreement for Grimes Park between the City of Houston, as lessee, and **HOUSTON INDEPENDENT SCHOOL DISTRICT**, as lessor, for purposes of modifying the area of the leased premises - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0702 ADOPTED.
27. ORDINANCE appropriating \$425,000.00 out of Public Health Consolidated Construction Fund for Build Back of the Riverside Health Center; GFS H-0052-01-3 - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and

Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0703 ADOPTED.

31. ORDINANCE appropriating \$540,000.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing the purchase of land and improvements thereon out of Greenview Manor Section Two, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-07-1 (Project 617); approving purchase and sale agreements with the owners of the land (Jose M. Reyes and Josefina Reyes; Johnny B. Gomez and Susie A. Gomez; and Lucy McDonald) - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0704 ADOPTED.
32. ORDINANCE appropriating \$362,100.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing the purchase of land and improvements thereon out of Greenview Manor Section Two, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport; CIP A-0476-37-1 (Project 617); approving purchase and sale agreements with the owners of the land (Rolando Martinez and Tina Martinez, Pattie L. Payne, Patsy Louise Alldredge Holmes and Max A. Holmes, Eldridge Palmer and Irma Palmer) - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0705 ADOPTED.
40. ORDINANCE appropriating \$197,812.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **DEMOPULOS FERGUSON & ASSOCIATES, INC** for Design of Long Point Road from Bingle Road to Gessner Road, CIP N-0674-02-2 (SB9109); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0706 ADOPTED.
41. ORDINANCE appropriating \$750,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **WESTON SOLUTIONS, INC** for Design of the Sims South Wastewater Treatment Plant Improvements; CIP R-0265-30-2 (WW4874); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0707 ADOPTED.
42. ORDINANCE appropriating \$660,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for Design of Westway, Homestead and Chocolate Bayou Wastewater Treatment Plant Improvements; CIP R-0265-31-2 (WW4867); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - GALLOWAY and D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0708 ADOPTED.
43. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated

Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **BINKLEY & BARFIELD, INC** for Design of Sims Bayou Wastewater Treatment Plant Improvements; CIP R-0265-32-2 (WW4875); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0709 ADOPTED.

45. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CLAUNCH & MILLER, INC** for Design of Northside and Gulf Meadows Wastewater Treatment Plant Improvements; CIP R-0265-34-2 (WW4876); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS E - WISEMAN and H - GARCIA** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0710 ADOPTED.
46. ORDINANCE appropriating \$770,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CAMP DRESSER & MCKEE, INC** for Design of Southeast Wastewater Treatment Plant Improvements; CIP R-0265-35-2 (WW4878); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0711 ADOPTED.
47. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **S & B INFRASTRUCTURE, LTD** for Design of Pump and Lift Station Renewal and Replacement; CIP R-0267-80-2 (WW4870); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0712 ADOPTED.
48. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of Pump and Lift Station Renewal and Replacement; CIP R-0267-83-2 (WW4873); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0713 ADOPTED.
49. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **CIVILTECH ENGINEERING, INC** for Design of Neighborhood Sewer Systems Improvements; CIP R-0211-43-2 (WW4868); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays

none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0714 ADOPTED.

50. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **SUNLAND ENGINEERING COMPANY D/B/A SUNLAND GROUP** for Design of Neighborhood Sewer Systems Improvements; CIP R-0211-44-2 (WW4869); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0715 ADOPTED.
51. ORDINANCE appropriating \$398,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **LIN ENGINEERING, INC** for Design of Water Line Replacement in Cambridge Village; CIP S-0035-B6-2 (WA10779); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0716 ADOPTED.
52. ORDINANCE appropriating \$3,776,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Fourth Amendment to contract between the City and **J. F. THOMPSON, INC D/B/A THOMPSON** for Design of Plant Rehabilitation and Reliability Improvements at the East Water Purification Plant (EWPP) Complex. (Approved by Ordinance No. 2000-225); CIP S-0056-29-2 (10594); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0717 ADOPTED.
53. ORDINANCE appropriating \$448,100.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **INFRASTRUCTURE ASSOCIATES, INC** for Design of 12 MG Ground Storage Tank At East Water Purification Plant (Plant #3), CIP S-0056-40-2 (WA10594-10); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - WISEMAN** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0718 ADOPTED.
55. ORDINANCE appropriating \$102,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **TLC ENGINEERING, INC** for Design of HVAC Upgrading at Central Water Plant and Elevator Rehabilitation at the East Water Purification Plant (EWPP) at Plant 1; CIP S-0522-04-2 (WA10803); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS E - WISEMAN and H - GARCIA** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0719 ADOPTED.

56. ORDINANCE appropriating \$941,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CH2M HILL, INC** for Design of Improvements of Disinfecting Facilities to comply with the Safe Drinking Water Act Requirements as Promulgated by the Texas Commission on Environmental Quality (TCEQ); CIP S-0533-04-2 (WA10805); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and F - KHAN** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0720 ADOPTED.
57. ORDINANCE appropriating \$252,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **PATE ENGINEERS, INC** for Design of New Ground Water Storage Tanks at Parkglen-1, District 159 and Plantation Hill Pump Station; CIP S-0610-34-2 (WW10812); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; E - WISEMAN and F - KHAN** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0721 ADOPTED.
58. ORDINANCE appropriating \$345,400.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **GARY MONTGOMERY & ASSOCIATES, LLC D/B/A MONTGOMERY & ASSOCIATES** for Design of Well Collection Line and Flow Meter from Water Plant D-107 to Water Plant D-175 and Waterline along Hwy. 90 from Wallisville to vicinity of Barnes Worth; CIP S-0936-07-2 (WW10810); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS B - GALLOWAY and G - HOLM** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0722 ADOPTED.
59. ORDINANCE appropriating \$289,523.30 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS G & M, INC** for Design of Access Roads and Drainage Improvements at various Water Plant Locations; CIP S-1000-24-2 (WA10811); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; E - WISEMAN; F - KHAN and G - HOLM** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0723 ADOPTED.
62. ORDINANCE appropriating \$4,167,779.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method; GFS R-0266-D6-3 (WW4257-54); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0724 ADOPTED.

63. ORDINANCE appropriating \$4,123,924.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **PM CONSTRUCTION & REHAB, L.P.** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Method; GFS R-0266-D7-3 (WW4157-55); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0725 ADOPTED.
64. ORDINANCE relating to the Disaster Recovery Fund; appropriating \$3,591,047.00 from the Disaster Recovery Fund and authorizing transfer of such funds to the Convention & Entertainment Revenue Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0726 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,226,766.31 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of 48-inch and 54-inch water main along Westview from Gessner to Campbell and 24-inch water main along Blalock from Old Katy Rd., to Westview, GFS S-0900-46-3 (10602) - 04.89% over the original contract amount - **DISTRICT A – LAWRENCE** – was presented, and tagged by Council Member Green. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

PURCHASING AND TABULATION OF BIDS

6. **HOUSTON G & G DEMOLISHING SERVICES, INC** for Demolition and Site Clean-Up Services for Planning & Development Department - \$38,160.00 and contingencies for a total amount not to exceed \$40,068.00 - Dangerous Building Consolidated Fund - was presented, moved by Council Member Holm, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. MOTION 2004-0805 ADOPTED.
9. **LONE STAR UNIFORMS, INC** for Apparel, Motorcycle Patrol for Police Department \$202,296.00 - General Fund – was presented, and tagged by Council Member Wiseman. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.
10. ORDINANCE appropriating \$2,275,677.50 out of Water & Sewer System Consolidated Construction Fund for Water Meters, Cold Water Contract – was presented, and tagged by Council Member Green. Mayor White and Council Members Edwards, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.
- 10a. **AMEND MOTION #2001-1102, 10/3/01, TO EXTEND** expiration date from October 3, 2004 to October 2, 2005, for Water Meters, Cold Water Contract for Department of Public Works & Engineering, awarded to **BADGER METER, INC** – was presented, and tagged by Council Member Green. Mayor White and Council Members Edwards, Quan and Berry

absent. Mayor Pro Tem Alvarado presiding.

12. **AMEND MOTION #2001-748, 7/3/01, TO EXTEND** expiration date from July 9, 2004 to July 8, 2005, for Special Purpose Clothing Contract for Various Departments, awarded to **ACADEMY ADVERTISING SPECIALTIES & AWARDS** – was presented, and tagged by Council Member Wiseman. Mayor White and Council Members Edwards, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

RESOLUTIONS AND ORDINANCES

16. ORDINANCE consenting to the addition of 44.124 acres of land to **MEADOWHILL REGIONAL MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0727 ADOPTED.
28. ORDINANCE appropriating \$17,868.00 out of Police Consolidated Construction Fund for Construction Services in connection with the George R. Brown Convention Center Police Station Renovation; CIP G-0096-02-3; providing funding for fencing services financed by the Police Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0728 ADOPTED.
34. ORDINANCE appropriating \$242,500.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional consulting services contract between the City of Houston and **DECISION INFORMATION RESOURCES, INC** for Development of a Community Needs Assessment for Multi-Service Centers, CIP D-0111-01-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - EDWARDS; F - KHAN; H - GARCIA and I - ALVARADO** – was presented. - was presented. Mayor White and Council Members Edwards, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan stated that he understood that there was a study done for the multi service centers in the past, for most of the same centers, and now they were doing the study again, that he thought it was in some ways a waste of taxpayers money, and would tag the item to see if they could get some more answers, and Council Member Sekula-Gibbs stated that she would add her tag to the item also. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

38. ORDINANCE appropriating \$220,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **EDWARDS AND KELCEY, INC** for Intersection Redesign and Street Safety Improvements; CIP N-0650-14-2 (SB9050-02); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – was presented, and tagged by Council Member Wiseman. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that she would release her tag on Item No. 33 and Mayor Pro Tem Alvarado stated they would take it up at the end of the agenda. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

44. ORDINANCE appropriating \$701,000.00 out of Water & Sewer System Consolidated

Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Design of the Beltway and White Oak Wastewater Treatment Plant Improvements; CIP R-0265-33-2 (WW4877); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE and F - KHAN** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0729 ADOPTED.

54. ORDINANCE appropriating \$106,600.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **LEGGETTE, BRASHEARS & GRAHAM, INC D/B/A LBG-GUYTON ASSOCIATES** for Design of the Rehabilitation of Existing Water Wells, CIP S-0200-15-2 (WA10562-4); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0730 ADOPTED.

MATTERS HELD - NUMBERS 65 through 74

65. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,490,938.72 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Neighborhood Sanitary Sewer Systems Improvements; Tilfer/Fairway, Cullen Boulevard, Woodhead and Yellowstone Boulevard Relief Projects, GFS R-2011-19-3 (4808) - 02.07% over the original contract amount - **DISTRICTS D - EDWARDS and I - ALVARADO** - **(This was Item 63 on Agenda of June 16, 2004, POSTPONED BY MOTION #2004-690)** - was presented, moved by Council Member Khan, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0806 ADOPTED.
69. ORDINANCE appropriating \$4,585,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **COLT UTILITIES, INC** for Sanitary Sewer Improvements in the Gulf Freeway #2 Lift Station Service Area, GFS R-2011-37-3 (WW4841-02); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - ALVARADO** - **(This was Item 47 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0731 ADOPTED.
70. ORDINANCE appropriating \$2,356,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **LANDMARK STRUCTURES I, L.P.** for Construction of 1.5 MG Braeburn West Elevated Storage Tank, GFS S-0620-28-3 (WA10596-28); providing funding for engineering, testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG** - **(This was Item 50 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0732 ADOPTED.

73. ORDINANCE appropriating \$3,088,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for On-Call Rehabilitation to Large Diameter Water Lines, Valves and Appurtenances, Package 3, GFS S-0701-01-3 (WA10700-3); providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – **(This was Item 57 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0733 ADOPTED.
74. ORDINANCE appropriating \$4,491,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for Rehabilitation of Air Release Valves Package No. 1 and 42/36-Inch Waterline along Federal, IH-10 East Frwy., IH-610N. Loop E., Eastland, Rand and Kelly from East Water Purification Plant to Hirsch, GFS S-0701-02-3 (WA10775); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO**– **(This was Item 58 on Agenda of June 23, 2004, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0734 ADOPTED.
33. ORDINANCE appropriating \$250,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to professional engineering services contract between the City of Houston and **BINKLEY & BARFIELD, INC** in connection with Miscellaneous Improvements at George Bush Intercontinental Airport/Houston (Project No. 598); CIP A-0063 and A-0366 **DISTRICT B - GALLOWAY** – was again before Council. All voting aye. Nays none. Council Member Goldberg out of the city on city business. Mayor White and Council Members Edwards, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. ORDINANCE 2004-0735 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Galloway stated that she wanted to bring to the administrations attention the flooding in her area and the drainage problem they were having, that she took the Mayor out to the Northwood Manor subdivision to show where the homes were flooded and that the streets always flooded due to the fact that it rained for about 15 minutes the water just stood in the streets and those people had been subjected to the flooding for many years, that when the Mayor came out with the infrastructure and storm drainage projects she noticed that the area was not included and she was upset about it, that the area was going to have some relief. Mayor White and Council Members Lawrence, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to let people know that on Friday was their next round of Don't Wait Vaccinate, Viva La Vacuna event at the Northside Health Clinic on Arkansas Street from 8:00 a.m. to 2:00 p.m. Mayor White and Council Members Lawrence, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that the Lindale Park Parade would be occurring on the Fourth of July in the Lindale Community and encouraged all to participate. Mayor White and Council Members Lawrence, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that in the same light he wanted to let the citizens know that celebratory gunfire was a big concern in the City of Houston and it was great to celebrate the Fourth of July but just not to do it with a firearm. Mayor White and Council Members Lawrence, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that the Freedom Fest would be on the Fourth of July at Allen Parkway and he received an email from a citizen concerned about the amount of parking that occurred on the freeways on the evening of the Fourth of July, that he wanted to ask the citizens to understand the risks they were putting themselves in by doing that, by parking along the freeways and shoulders, that he would encourage the citizens not to extend the practice any longer, that it was too dangerous. Mayor White and Council Members Lawrence, Galloway, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that on Thursday was the Homeland Security Forum in the Council Chamber at 1:00 p.m., that they had a great group of people participating in the event. Mayor White and Council Members Lawrence, Galloway, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia requested a moment of silence in memory of Mr. Ted Bauer, who passed away a few days ago, that he was a founder of the Aim Fund and a very prominent business man and had a wonderful family. Mayor White and Council Members Lawrence, Galloway, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Holm stated that she wanted to congratulate Mayor Pro Tem Alvarado who was elected to NALEO, which was the National Association of Latino Elected Officials in Washington this weekend, and also Council Member Ellis who had been named by the Governor to a five year term on the Texas Public Finance Commission. Mayor White and Council Members Lawrence, Galloway, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that Council Member Galloway was celebrating her 47th wedding anniversary. Mayor White and Council Members Lawrence, Galloway, Edwards, Wiseman, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that wanted to say thanks for the opportunity to celebrate another birthday under the flag of the United States of America and to have a safe birthday, that on Sunday was Freedom Over Texas Day and would have it in Eleanor Tinsley Park. Mayor White and Council Members Lawrence, Galloway, Edwards, Holm, Garcia, Ellis, and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she wanted to commend everyone for passing the budget last week, and this week for passing the Consolidated Plan. Mayor White and Council Members Lawrence, Galloway, Edwards, Holm, Garcia, Ellis, and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to wish everyone a Happy Fourth of July, and would request everyone while they were celebrating the Nations birthday to take a moment and reflect what it meant to be an American and what freedom meant and then share and have discussion with their children, that it was important to be reminded what it meant to be free. Mayor White and Council Members Lawrence, Galloway, Edwards, Holm, Garcia, Ellis, and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he would like to thank the Mayor for coming up with the funds for the cadet class and to help the Police Department. Mayor White and Council Members Lawrence, Galloway, Edwards, Holm, Garcia, Ellis, and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he was happy that Council approved Item No. 24. Mayor White and Council Members Lawrence, Galloway, Edwards, Holm, Garcia, Ellis, and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated that she was sure they were aware of the situation that occurred last Friday involving the drowning of a 13 year old boy in the Cimmarron area of her district, off of Interstate 10, that she wanted to share what action they were taking in regard to open storm drains in the City of Houston, that the storm drain system that they had in the neighborhood was an open storm drain system, it was throughout the entire neighborhood, that the system had been modified in front of the Cimmarron Elementary School for two blocks over to accommodate parking spaces and for two blocks to the side of it to accommodate sidewalks, the open ditches were piped in and filled in for those purposes, the sidewalks were part of the City's Safe Sidewalk Program, they were put in in 1995, that it was something that was not foreseen by the engineers, that she had asked the department to put in rebar in any open culvert that tied into a closed drainage system and they had agreed to do so, that she had asked them to look at all storm drains that immediately surrounded any elementary schools in the City of Houston and had also asked for changes in the design manual that would require that any culvert that was part of a project where a storm drain would be closed off for 20 feet in length or greater be equipped upstream with the rebar, that she wanted to thank the Mayor for acting very quickly in supporting the efforts that she had asked for, he had agreed to, that he was also very disturbed by the tragedy, that the family had her sympathy as well as the Mayor's. Mayor White and Council Members Lawrence, Galloway, Edwards, Khan, Holm, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated that in the same neighborhood an establishment burned down however the remains were still there, that the community association president called to report it March 2, April 7 and June 2 and they were still dealing with a tremendous amount of debris, that they had to have the City moving on it. Mayor White and Council Members Lawrence, Galloway, Edwards, Khan, Holm, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated that she had been told that there was an abandoned refrigerator at 9954 Mango, that they had reported it to Neighborhood Protection and still they had not seen it removed. Mayor White and Council Members Lawrence, Galloway, Edwards, Khan, Holm, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated that the lights in Kingwood were still going out at Kingwood Drive and Green Oak. Mayor White and Council Members Lawrence, Galloway, Edwards, Khan, Holm, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 12:52 p.m. Mayor White and Council Members Lawrence, Galloway, Edwards, Khan, Holm, Garcia, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)
DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

Anna Russell, City Secretary