

City Council Chamber, City Hall, Tuesday, December 14, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 14, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Harlan Heilman, Division Chief, Claims & Subrogation Division, Legal Department; Mr. Roberto Medina, Mayor's Citizens Assistance Office and Ms. Marty Stein, Agenda Director, present.

At 1:56 p.m. Mayor White stated that Council would begin with presentations and asked Council Member Edwards to join him at the podium. Council Member Edwards stated that some of the most dedicated people she found were here at the City and was proud to be a part of the BRAVO Awards with Human Resources and she and Mayor White called Ms. Sandra Daythorn with Finance & Administration, Mr. Warren Jones with the Houston Police Department and Ms. Carolyn Moore Wright with Solid Waste Management to the podium and presented them their BRAVO Award for demonstrating outstanding service to the City and community. Council Members Galloway, Goldberg, and Berry absent.

At 2:12 p.m. Mayor White called the meeting to order and called on Council Member Holm who invited Dr. Jim Moor, Minister of St. Luke's Methodist Church to the podium to lead all in the prayer and Council Member Holm led in the pledge. Council Members Galloway, Goldberg and Berry absent.

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

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

Father Timothy Gray, 2405 Navigation, Houston, Texas 77003 (713-222-0203) appeared and stated that he was pastor of Our Lady of Guadalupe Church and they had been working to get a day labor center in their neighborhood; that they obtained help of Neighborhood Centers to be the agent to operate the day labor center; and asked that Council award the contract. Council Members Galloway, Goldberg, Edwards, Holm Khan and Berry absent.

Council Member Quan stated that TMO met previously with Council members requesting funding and his concern was that they have a good model; and upon questions, Father Gray stated that Neighborhood Centers would bring accountability and assurance to the table. Council Member Quan stated that he supported the item. Council Members Galloway, Goldberg, Edwards, Holm Khan and Berry absent.

Council Member Garcia thanked Father Gray for coming and stated that there was a good working relationship with TMO and Neighborhood Centers on coming up with a good model and they brought accountability along with expertise in programming. Council Members Galloway, Goldberg, Edwards, Holm Khan and Berry absent.

Mr. Michael Brennan, 2006 Willow Moss Court, Houston, Texas 77008 (713-326-1995) appeared and spoke in opposition to Item 20 and he stated that he was present to ask that the item be tagged for later consideration, that there were other issues than those ventilated in the newspaper article such as a new awareness of the fact that lengthening yellow lights reduced or even eliminated red light running as a problem, the basic problem being congestion so people tended to hurry when the yellow lights were short, that would solve the problem, that the congestion problem was quite severe and City Council had done a lot with respect to mass transit to address the issues but he thought it would be appropriate if Council and the City would deliberate further before going to a potential solution that might be a problem in itself. Council Members Galloway, Goldberg, Holm Khan and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Brennan stated that he was a private citizen with a background in geology; that he read an article where a city in Texas had not been challenged, but an absence by that nature did not guarantee it would not be challenged, it was based on federal constitution. Council Members Galloway, Goldberg, Quan and Berry absent.

Council Member Edwards stated that running red lights caused many accidents and an officer could not be at every intersection and asked Mr. Brennan if he had a solution or a probable solution that other cities had used, and Mr. Brennan stated that his preferred solution would be augmentation of the traffic patrol division and location of problem intersections and also to study the possibility of lengthening the yellow lights; that pilot projects for elimination would include a couple of things; that he would be willing to pay more taxes for police presence; and Council Member Edwards stated that she would appreciate him sharing his website links on the matter. Council Members Galloway, Goldberg and Berry absent.

Mr. Allan Romano, 8401 Airline, Houston, Texas 77037 (281-448-3000) appeared and stated that he would like to speak last on the subject. Council Members Galloway, Goldberg and Berry absent.

Council Member Sekula-Gibbs moved to suspend the rules to hear Mr. Romano out of order; and Mayor White stated that with no objections it would be so ordered. Council Members Galloway, Goldberg and Berry absent.

Mr. Randall Kallinen, 1406 Castle Court, Houston, Texas 77006 (713-320-3785) appeared and spoke against Item 20 and stated that he was president of the Houston Chapter of the ACLU and he echoed Mr. Brennan's request to table this for study; that in California the fine had gone up to \$271.00 and there was nothing to keep Houston from getting there; that privacy was an issue, but the ACLU's concern was the Fifth Amendment due process arguments as there would not be much due process in this situation; and if vendors were paid on a per ticket basis they would be motivated to have more tickets; that also insurance companies were interested in the information to increase rates. Council Members Galloway and Berry absent.

Upon questions by Council Members, Mr. Kallinen stated that the examples that were cited in the newspaper, based upon a large study by an independent group on red light cameras, showed that the studies done so far were not really scientifically significant, that studies had been done on the timing of the yellow light and it could be increased and it had been shown to decrease accidents and had a lasting safety effect,

that as to the privacy issue they were taking a picture of the car, furthermore, the cameras were constantly running so they had a constant video camera at 50 intersections so it was a privacy issue, that the camera would invade privacy and the benefits had not been proven, that there was a list of recommendations by various highway groups on other changes to make at intersections to lower the red light running, that he was aware that the citizen could review their being captured by the camera for their judgment, that the public had not seen the ordinance yet, if the proposed ordinance, the exact language, could be made available to the public maybe it could waive some of the public's concerns; that as to Transtar they had not supported any challenges.

Upon questions by Council Member Sekula-Gibbs, Mr. Harlan Heilman, Legal Department, stated that the proposed ordinance did provide for an administrative review process through a hearing officer, that the Administrative Review Officer was the person who was designated to hear those types of cases, similar to a parking ticket administrative person in that system, that the individual would be appointed by the Mayor, that it was set forth in 45-484 of the proposed ordinance, if the individual disagreed with the hearing officer's findings they had the opportunity to file a Notice of Appeal, no later than 31 days, to the Municipal Courts and was a trial by jury, and Mr. Kallinen stated that if they were proposing an appeal it was more the due process and would be better.

Upon further questions by Council Members, Mr. Kallinen stated that insurance rates would go up because in the city of Garland, in 5 months, tickets were issued at the rate of 19,000 in just the 5 months so in that system they would have a lot more instances of alleged red light running and the insurance companies would mine that information through open records requests and that would raise the rates of the offenders; that he would not disagree the government taking pictures at any time on a public street.

Upon questions by Council Member Alvarado, Mr. Heilman stated that it would be the same process for someone who wanted to contest the violation as basically when they got a parking ticket.

Ms. Ruth Hurst, 8503 Twin Hills Drive, Houston, Texas 77071 (713-776-2760) appeared and spoke in favor of Item 20, and stated that her understanding was they were trying to keep people from breaking the law and the camera was not activated until she ran through the light, that she could contest it and when viewing the picture if she ran it, she ran it; that they should put it in motion and urged the item not be tagged. Council Members Khan and Quan absent.

Council Members discussed the proposed ordinance at length with Ms. Hurst and Ms. Hurst stated that everyone in her community supported it; and again urged its passage. Council Members Wiseman, Khan, Ellis, Green and Berry absent.

Ned Levine, PHD, 3555 Timmons Lane #120, Houston, Texas 77027 (713-993-2457) appeared, presented a list of the 15 most serious intersections and a guidebook on use of red light cameras put out by the Federal Highway Administration and the National Highway Traffic Administration and spoke in favor of Item 20 and stated that he was safety coordinator of the Houston Galveston Area Council and he was asked to come to Council with facts, as a part of their safety program they monitored crashes in the eight county region obtaining data from the Department of Public Safety which was

several years old and only covered more serious injuries and they saw red light crashes as a very serious problem; that from 1999 to 2001 in the City of Houston there were approximately 4,700 red light crashes each year and the level of injuries was much higher because they were mostly side crashes; that in that period there were approximately 26 persons killed each year and approximately 7,000 injured per year; that cost was considerable with loss of work, wages, etc., a study showed if placed properly and the intersection was maintained properly the photo enforcement did lead to a considerable drop in red light violations and crashes. Council Members Lawrence, Wiseman, Khan, Ellis, Green and Berry absent.

Upon questions by Council Member Sekula-Gibbs, Dr. Levine stated that his position was if used carefully cameras were a very powerful tool in improving safety and it should not affect the City's ability one way or the other in getting federal funds. Council Members Lawrence, Wiseman, Khan, Ellis, Green and Berry absent.

Upon questions by Council Member Edwards, Dr. Levine stated that studies showed the cameras caused a 20% to 40% reduction in crashes so though it was civil and criminal it was enough deterrent to pay a ticket to make a difference. Council Members Lawrence, Wiseman, Khan, Ellis, Green and Berry absent.

Council Member Quan stated that in looking at his material there was over 100 cities with the technology; and upon questions, Dr. Levine stated that it was his understanding the Attorney General issued an opinion stating home ruled cities had the right to use the cameras. Council Members Lawrence, Wiseman, Khan, Ellis, Green and Berry absent.

Mr. Tom Lamert, 810 N. San Jacinto, Houston, Texas 77002 (713-615-6409) appeared and spoke in favor of Item 20 and stated that he was Chief of Police for Houston METRO and from the concept of traffic safety and mobility they recognized the three E's which were engineering, education and enforcement to make traffic safety and mobility happen; that statistics showed our community was 2-1/2 times greater in the national average on serious accidents and at the Texas Medical Center 4 times greater; that they were very supportive of the item for the city and they looked to how it could be applied regionally. Council Members Lawrence, Wiseman, Khan, Ellis, Green and Berry absent.

Mr. James Partsch-Galvan, 1610 Holman, Houston, Texas 77004 (713-528-2608) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Wiseman, Khan, Ellis, Green and Berry absent.

Mr. Allan Romano, 8401 Airline, Houston, Texas 77037 (281-448-3000) appeared and displayed a picture from the Houston Chronicle and stated that it was two cars which ran a red light; that when entering an intersection there were laws you had to abide by and if you were in the intersection you were protected by the Traffic Code which said you had to get out of it even if there was a red light; that the sooner they had properly designed intersections built the better; that cameras would not change driving habits and he wanted to know how much of the fine would be sent to the company doing the work. Mayor White, Council Members Lawrence, Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that he wanted to thank the Mayor and Council for their support of the hotel workers contract; that the hotel union reached an agreement with the Hilton Americas Hotel and it was going into contract ratification; and he wanted to add support for Items 34 and 35 regarding day labor sites. Mayor White, Council Members Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan thanked Mr. Shaw for all his efforts; that he knew he wanted the site to be a place of pride and productivity for workers; and upon questions, Mr. Shaw stated that he understood they did get parking, they were happy with the contribution on health insurance and he thought it was a minimum of \$8.00. Mayor White, Council Members Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards thanked Mr. Shaw for his work and stated that this was important to set a model as to how employees could be empowered and it was a benefit to the city. Mayor White, Council Members Goldberg, Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Galloway stated that this was the first unionized hotel in the City of Houston and she was excited to be a part of it and hoped more could come and give such conditions to other workers. Mayor White, Council Members Goldberg, Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Alfred Green, 2417 Prospect, Houston, Texas 77004 (713-522-2984) appeared and stated that he was appealing to Council to stop the closing of the South Central YMCA which was to happen Friday, December 17th; that the community was not informed of the conditions for which it was being closed and had no opportunity to do anything; that they wanted opportunity to try and meet the membership needs to maintain the "Y". Mayor White, Council Members Goldberg, Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Alvarado stated that Council Member Edwards was very active in meeting with the community and believed she had a meeting this Friday with the Mayor. Mayor White, Council Members Goldberg, Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs stated that her assistant went to the meeting last night at the South Central YMCA and the financial situation had deteriorated; and upon questions, Mr. Green stated that the community was not aware of the lack of membership so they were unable to have membership drives; that the property in Third Ward was very expensive and he did not see how they could purchase land for another "Y", he did not believe there would be another opening; that he hoped it would stay open for a year, but if it stayed until May at least school would be out and the children would not have to find another location. Mayor White, Council Members Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that they had worked with the Mayor who was working with them and they would be meeting Wednesday with the community group and the board of directors of the Central "Y" and the issue of a new "Y" in Midtown would not serve the interest of what this particular "Y" currently served, this group of children

would not use that "Y"; and thanked Mr. Green for his leadership. Mayor White, Council Members Lawrence, Wiseman, Khan, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Rachel Graham, 5800 Bayou Bend Court #410, Houston, Texas 77004 (713-748-0867) appeared and stated that they were very concerned that the YMCA was to close Friday, and as a parent of children who utilized the "Y" it seemed irregular to stop a program in the middle of the school year; that there had been no meetings of a blue ribbon taskforce and they were asking for a delay in shutting it down and keeping the staff intact so as to not disrupt their learning; that May 26th seemed a fair date as school would then be out. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Edwards stated that one issue not spoken to was lack of communication and direction from the "Y", there was no attempt to address it, but there was no grant writer or membership director there so it was as if there was a built-in failure component and the community along with her office was asking for an opportunity; and thanked Ms. Graham for her leadership. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Alicia Lewis, 8600 South Course Drive #902, Houston, Texas 77099 (832-439-0538) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Minister Johnny Jeremiah, 5406 Burma, Houston, Texas 77033 (713-545-3028) appeared and stated that the "Y" had no promoter or marketing plan and at the meeting last night not one board member was present; that in Third Ward they were having a takeover and they were talked to like children at the meeting; that there needed to be a plan to let the children stay and let them learn so they did not wind up on the streets. Mayor White, Council Members Lawrence, Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that they would be meeting with the board tomorrow at 6:30 p.m. and she believed they would get things done. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Minister Quanel X, 5406 Burma, Huston, Texas 77033 (713-545-3028) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Arletha Ford, P. O. Box 7613, Houston, Texas 77270 (713-682-4603) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Tim O'Brien, 1303 Ruthven, Houston, Texas 77019 (713-739-0011) appeared and stated that he was present represent the Freedmen's Neighborhood Association and the new Fourth Ward Home Owners Association; that he studied African history so he had knowledge of his neighborhood; that he was advocating HISD adopt the building codes the City of Houston and HCC adopted and part of that was asking Council Members to write to the superintendent and some had, unfortunately HISD was not interested in being a good neighbor and would be building two new schools on property with graves and historic homes instead of rehabbing the Gregory Lincoln Education Center; and again asked Council to represent their interest and advocate that HISD adopt the standards; that he also wanted to speak on the Fourth Ward TIRZ, there was an interim director who made \$5,000 a month. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Quan stated that several of them did write to Mr. Saavedra and did get a response saying they would consider it; that on the short-term there was a higher cost, but on the long-term it saved and paid itself back. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Goldberg, Mr. O'Brien stated that the Fourth Ward TIRZ office was blocks from his home and there was no notice Friday yet a meeting was held Monday with no quorum; that the person who handled the TIRZ was paid \$5,000 a month and yet she could not send out notice and the phone was disconnected; that they did not want people to know what was going on. Council Member Goldberg stated that he was sure Planning heard him and he would also look into it. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Nia Colbert, 5800 Bayou Bend Court #706, Houston, Texas 77004 (713-741-7544) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Brenda Routt, 9700 Court Glen Drive #914, Houston, Texas 77099 (281-495-7500) had reserved time to speak but was not present when her name was called. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

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

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (713-654-0037) appeared and stated that he wanted to thank Jacob Bullard and Larry Juno; that in February he had a house fire at 2:00 a.m. and he was alerted by the Fire Department; that his home burned down, but he and his children were saved and he wanted to publicly thank them. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

The City Secretary stated that Mr. Horton was left off the list and with no objections she would call on him to speak. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

At 4:02 p.m. City Council recessed until 9:00 a.m., Wednesday, December 15, 2004. Mayor White, Council Members Wiseman, Khan, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council reconvened in the City Council Chamber at 9:00 a.m., Wednesday, December 15, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. 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.

At 8:29 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:21 a.m. Mayor White called the meeting to order. Council Members Galloway, Garcia and Berry absent.

Council Member Alvarado stated they were honored today to have Governor Gonzalez of Nuevo Leon, Mexico present; that he served as Governor since October 2003 and had served in the Senate of Mexico and lower house of Congress; that in Houston he would be meeting with representatives of the Port of Houston and various businesses to promote international trade between the two countries and invited Governor Gonzalez to the podium. Governor Gonzalez stated that he wanted to thank the Mayor and Council for a warm welcome and that promoting the relationship between Nuevo Leon and Texas was one of his top priorities; that he had worked to form a regional partnership for progress and he believed

the relationship between Houston and Monterey would grow as they complimented one another and he looked forward to working together to improve the quality of life to those in the region. Council Members Goldberg, Garcia and Berry absent.

Mayor White welcomed Governor Gonzalez and stated that communication between the two cities was important to the communities. Council Members Goldberg, Garcia and Berry absent.

CONSENT AGENDA NUMBERS 1 through 57

DAMAGES - NUMBER 6

6. RECOMMENDATION from City Attorney for settlement of lawsuit styled **ANGELA POULARD** vs. City of Houston and Ronald Schneider, in the County Civil Court at Law No. Four (4) of Harris County, Texas, Cause No. 775,786 - \$38,000.00 - Property and Casualty Fund – was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Garcia and Alvarado absent. MOTION 2004-1211 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Items 19 and 20 out of order at this time, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Garcia and Alvarado absent. MOTION 2004-1212 ADOPTED.

19. ORDINANCE approving and authorizing contract between the City and **JOHNSON AND JOHNSON**, a partnership, to represent the City before the 79th Texas Legislature and State Agencies; providing a maximum contract amount - 1 Year - \$595,000.00 - General Fund – was presented.

Council Member Berry was recognized and stated that as they discussed the fire on December 3rd there was a thorough report of the City's response and he wanted to thank the Mayor's administration for quicker response time and asked Captain Robert Ross, who received second degree burns to stand to be recognized; and thanked another firefighter, Michael Braun, who went out of his way on his own time to make sure families of injured firefighters were taken care of. Mayor White thanked the firefighters for what they did and stated everyone was proud of them. Council Members Garcia and Alvarado absent.

Council Member Edwards stated that on Item 19 she had questions as to how the team was put together, she had no resumes and would like to know how the process was and did the money go to Johnson and Johnson or was it salary for the individual persons; and Mayor White stated that each had background and criteria used in the process and Ms. Travis could brief her.

Item 19 was tagged by Council Members Edwards, Ellis, Wiseman and Sekula-Gibbs.

20. ORDINANCE **AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the adoption of a Photographic Traffic Monitoring System – was presented and was tagged by Council Members Wiseman and Sekula-Gibbs.

Mayor White stated that the Legal Department wanted him to say the second draft provided to Council Members at the table had two or three technical changes and they should refer to that draft. Council Member Berry absent.

Council Member Edwards stated that she had no real problems with the item, but wanted to know how taxicab and rental cars would be handled; and Mayor White stated that he would be happy to provide more detail and called on the City Attorney to respond. Mr. Michel stated that the process would be administered by the Municipal Courts, an important thing to know about the draft was the ability of the owner to sign an affidavit identifying the actual operator and notification would be done in a seven to ten day period with the time period starting on each notification. Council Member Berry absent.

Council Member Ellis stated that his concern was companies identifying drivers, but the companies kept a log of drivers so there would be no problem; that a tag may be appropriate to give another week, but he was comfortable and would like to move forward on it by next week; that he did not understand why the fine was cheaper; and yielded to Council Member Garcia who stated that the fine now was \$215.00 and he spoke specifically to Chief Hurtt about it, but it was not intended to be a revenue generator and were to be behavior changers and that was why it was \$75.00; and Council Member Ellis stated that if someone ran the light, they ran the light and he thought the fine should be the same. Council Member Berry absent.

Mayor White stated there had been extensive work on this by HPD and the benefits on this would be made available to Council Members. Council Member Berry absent.

Council Member Goldberg stated that he wanted to know how the violation information would be assessable to insurance companies and there was a \$25.00 late fee if nothing was done but if nothing was done what happened; and Mr. Michel stated that it was a civil process and a warrant would not be issued, it would simply be a debt and treated as any other debt; that the only mechanism to collect would be to file suit; and Council Member Goldberg stated that there could be judgment proof and could rack up a huge amount of fines; and Mr. Michel stated that in some instances that would be true. Council Member Goldberg stated that if you got a parking ticket your car could be towed and it was a huge incentive; and Mr. Michel stated that if someone violated another traffic code provision and went to Municipal Court the records would then show and there would be opportunity to collect then. Council Members Edwards and Berry absent.

Upon questions by Mayor White, Mr. Michel stated that if someone had a lot of parking tickets they were towed away or civil suit; that in this context there were provisions for injunctive relief where they could take action against some of their property, but it involved a health or safety matter; that this violation was a safety matter. Mayor White stated that one item suggested was requiring a change in state law, why should someone with many violations be able to renew their driver's license. Council Members Edwards and Berry absent.

Council Member Goldberg stated that he would like Legal to explore booting a vehicle with a certain number of violations, it was done for parking violations and that was a much less serious offense; and Mr. Michel stated exactly. Council Member Goldberg stated that before this went out for RFPs there would be a matrix for conditions to be scored upon and he would like Council Members to have input or an idea of what went into that matrix; and Mayor White stated that was a reasonable request and it would be done; that the city would not let them control the timing on the traffic lights, it would not happen under their contract. Council Member Edwards absent.

Upon questions by Council Member Khan, Mr. Michel stated that if an officer gave a ticket it would be a criminal violation, but both the civil and criminal citation could not be issued or prosecuted; that when someone ran through the light there was no device to let a person know they ran it at that time, they would know if they saw what they did or when they received notice, there would be no flashes at the time; and someone would be monitoring the company's performance to see things were done properly; that he had not seen the list to know if any were in District F; and Council Member Khan stated that out of the 50 worse intersections in the city 19 were in District F and out of the top 10 they had 6 in District F and he wanted to be sure they were not forgotten. Council Members Goldberg and Garcia absent.

Council Member Quan stated that he asked about the legality and was told it was fairly clear this could be done, but then he read an article where Rep. Elkins wanted to close the gap and said red light cameras could not be in the state of Texas; and upon questions, Mr. Michel stated that they were seeking through the RFP that the city would not bear the cost of having the system up or down for a temporary period of time; and Mayor White stated that there was no answer yet, but there were legal and practical issues individuals in Legal, Public Works and Police Departments were working on now concerning an issue raised by the Texas Department of Transportation concerning TXDOT easements and between now and the next meeting there may be substantive information on that. Council Members Goldberg and Garcia absent.

After further lengthily discussion Mayor White stated that citizens had asked with a poor driving record could there be a certain threshold, could it be linked to the FTA Project, just as Council Member Ellis provided leadership in making sure the city did not give contracts to people who owed the city money then were there things they could explore at the time of issuance of a drivers license, but there needed to be legitimate discussion; that they were working to get the most meaningful RFP, the best value for the taxpayers dollar; that the City Attorney and individuals in Austin could assist, but it was worth having a clear explanation of insurance rate regulations in the state of Texas, there were certain allocations in the pool regulated on a degree of risk and the total amount collected over time should be based upon the loss plus some return, when a premium was increased for one part of the pool someone else should decrease and if the total pool decreased there should be an aggregate premium affect; that currently all bore the cost of undetected violations. Council Members Galloway, Goldberg and Berry absent.

Council Member Wiseman stated that if they needed more information it was their responsibility to do so; that one ticket was criminal while the ticket by camera was civil; that many questions were raised needing answers and that was why she was tagged the item. Council Member Goldberg absent.

After still further discussion Mayor White stated that he wanted to thank the chairman for his leadership on the issue and if Council Members had particular suggestions or concerns about oversight, how they did spot audits, etc., he would be happy to see them; that all wanted the streets safer in a practical way and without taking officers off patrol; that they were trying to work their way through and any kind of oversight would be great. Council Members Goldberg and Berry absent.

Council Member Galloway stated that the item was tagged and she would like to call for the next item, seconded by Council Member Sekula-Gibbs. Mayor White stated that she was the last speaker and they would move on to the next item. Council Members Goldberg, Edwards, Alvarado and Berry absent.

ACCEPT WORK - NUMBERS 7 through 10

8. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$399,015.00 and acceptance of work on contract with **TEXAS LIQUA TECH SERVICES, INC** for Roof System Repairs and Replacement at Miller Outdoor Theatre, GFS F-504C-23-3 - 04.99% over the original contract amount - **DISTRICT D – EDWARDS** - was presented, moved by Council Member Khan, and seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Edwards and Berry absent. MOTION 2004-1213 ADOPTED.

PROPERTY - NUMBER 11

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David A. Sepulveda of Bury+Partners-Houston, Inc., on behalf of The Home Depot USA, Inc. (Mark Rone, Construction Manager), for abandonment and sale of a 10-foot wide water line easement, a water meter easement, a fire hydrant easement, a 16-foot-wide utility easement, and the attendant aerial easement in exchange for the conveyance to the City of a 10-foot-wide water line easement, two fire hydrant easements, and a 16-foot-wide utility easement, all located within Continental 32 Fund Subdivision, Parcels SY5-033A, SY5-033B, SY5-033C, SY5-033D, KY5-124A, KY5-124B, KY5-124C and VY5-004 - **STAFF APPRAISERS - DISTRICT G – HOLM** - was presented, moved by Council Member Khan, and seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg, Edwards and Berry absent. MOTION 2004-1214 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 16

16. **AMEND MOTION #2000-1513, 12/13/00, as amended by 2003-1480, 12/10/03, TO EXTEND** expiration date from December 19, 2004 to December 18, 2005, for Paper and Supplies Contract for Various Departments, awarded to **UNISOURCE WORLDWIDE, INC** - was presented, moved by Council Member Quan, and seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-1215 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 17 through 57

21. RESOLUTION designating certain properties located at 815 Main Street and 124 West 17th Street in the City of Houston as Historic Landmarks - **DISTRICTS H - GARCIA and I – ALVARADO** – was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. RESOLUTION 2004-23 ADOPTED.
23. ORDINANCE consenting to the creation of **GRAND MISSION MUNICIPAL UTILITY DISTRICT NO. 2** – was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1274 ADOPTED.
24. ORDINANCE consenting to the addition of 54.12 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 290**, for inclusion in its district - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1275 ADOPTED.

25. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 412** - had been pulled from the Agenda by the Administration, and was not considered. Council Members Goldberg and Berry absent.
26. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 421** - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1276 ADOPTED.
27. ORDINANCE consenting to the addition of 46.4 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 36**, for inclusion in its district - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1277 ADOPTED.
28. ORDINANCE consenting to the addition of 1.6018 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 19**, for inclusion in its district - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1278 ADOPTED.
33. ORDINANCE approving and authorizing: (1) second amendment and Modification Agreement between the City of Houston ("City") and **LEISURE LIFE SENIOR APARTMENT HOUSING, LTD.** ("borrower") to reinstate and extend term of City's loan conditioned upon new Senior Financing; and (2) Subordination and Modification Agreement between the City, borrower and **GREYSTONE SERVICING CORPORATION, INC - DISTRICT F – KHAN** - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1279 ADOPTED.
48. ORDINANCE appropriating \$1,172,700.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing the purchase and condemnation of land and improvements thereon out of Greenview Manor Section Two and J. C. Hayes Subdivision, McAuley Survey, A-577, and out of Hartland Acres Subdivision, W.C.R.R. Co. Section One Survey, A-935, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-54.1; Project 617; approving purchase and sale agreements with the owners of the land (Smith Air, Inc; Roberto Mancin Guerzoni; and Ruth W. Nunnery) **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1280 ADOPTED.
49. ORDINANCE appropriating \$212,200.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing the purchase of land and improvements thereon out of Hartland Acres Subdivision, W.C.R.R. Co. Survey, Section One, A-935, and out of Wooded Acres Subdivision, J. W. McGinnis Survey, A-587, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-55.1; Project 617; approving purchase and sale agreements with the owners of the land (Don Leyhe and Sue Leyhe, and Fannie Joy Wright) - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1281 ADOPTED.
50. ORDINANCE appropriating \$172,371.26 out of Water & Sewer System Consolidated Construction Fund and \$174,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing Developer Participation Contract between the City of Houston and **MARKET DEVELOPERS, LLC** for Construction of Water, Sanitary

Sewer and Storm Sewer Lines to serve Section One of the Covenant Crest Subdivision, CIP S-0800-D9-03 and R-0800-D9-03 - **DISTRICT D – EDWARDS** - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1282 ADOPTED.

51. ORDINANCE appropriating \$104,236.54 out of Water & Sewer System Consolidated Construction Fund and \$59,689.46 out of Tax Increment Reinvestment Zone Affordable Housing Fund, approving and authorizing Developer Participation Contract between the City of Houston and **MARKET DEVELOPERS, LLC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Section Two of the Covenant Crest Subdivision, CIP S-0800-E1-03 and R-0800-E1-03 - **DISTRICT D – EDWARDS** - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1283 ADOPTED.
54. ORDINANCE appropriating \$283,500.00 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 Buffalo Bayou Heritage Corridor - Shared Use Trail; CIP N-0420-35-2 (SB9120); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT I – ALVARADO** - was presented. All voting aye. Nays none. Council Members Goldberg and Berry absent. ORDINANCE 2004-1284 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS - NUMBERS 1 through 5

1. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2005 Operations and Maintenance Budget for the **COASTAL WATER AUTHORITY (CWA)** \$13,784,730.00 - Enterprise Fund – was presented, moved by Council Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-1216 ADOPTED.
2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2005 Operations and Maintenance Budget for the **LAKE HOUSTON FACILITIES PROJECT** operated by the **COASTAL WATER AUTHORITY** - \$2,175,178.00 - Enterprise Fund – was presented, moved by Council Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-1217 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2005 Operations and Maintenance Budget for the **SAN JACINTO RIVER AUTHORITY** \$702,443.00 - Enterprise Fund – was presented, moved by Council Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-1218 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2005 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$3,073,620.00 - Enterprise Fund – was presented, moved by Council

Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-1219 ADOPTED.

5. RECOMMENDATION for approval of City of Houston Legislative Principles for the 79th Session of the Texas Legislature – was presented, moved by Council Member Khan, and seconded by Council Member Alvarado, and tagged by Council Member Wiseman. Council Members Goldberg and Berry absent.

ACCEPT WORK - NUMBERS 7 through 10

7. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,685,555.00 and acceptance of work on contract with **THE TREVINO GROUP, INC** for Construction of Fire Station 27, GFS C-0072-01-3 - 07.63% over the original contract amount **DISTRICT H – GARCIA** – was presented and tagged by Council Members Green and Galloway.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$429,606.30 awarded to **BRC SERVICES, INC** and acceptance of work on contract with the Surety, **THE GUARANTEE COMPANY OF NORTH AMERICA, USA** for Water Line Construction contract by Point Repair Method, GFS S-0035-MB-3 (10571) - 59.08% under the original contract amount – was presented, moved by Council Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-1220 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$555,615.37 awarded to **BRC SERVICES, INC** and acceptance of work on contract with the Surety, **THE GUARANTEE COMPANY OF NORTH AMERICA, USA** for Water Line Construction contract by Point Repair Method, GFS S-0035-PR-3 (10654) - 70.28% under the original contract amount – was presented, moved by Council Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-1221 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 16

12. **TECAN US, INC** for Laboratory Equipment for Health and Human Services Department \$63,925.00 - Grant Fund – was presented, moved by Council Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-1222 ADOPTED.
13. **RUSH EQUIPMENT CENTERS OF TEXAS, INC** for Earth Moving Equipment and Trailers through the Interlocal Agreement for Cooperative Purchasing with Houston-Galveston Area Council for Department of Public Works & Engineering - \$865,395.38 - Enterprise Fund – was presented, moved by Council Member Khan, and seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. MOTION 2004-1223 ADOPTED.
14. **ALTIVIA CORPORATION** for Chemical, Liquid Calcium Nitrate or Liquid Sodium Nitrate for Department of Public Works & Engineering - \$796,808.67 - Enterprise Fund – was presented.

Council Member Alvarado stated that a competing vendor made allegations of potential patent infringement and Legal requested they have the attached letter from Altivia; and moved

the recommendation of F & A on bids received for liquid calcium nitrate and sodium nitrate and special patent indemnity letter be adopted, seconded by Council Member Green.

Council Member Wiseman stated that she had no copy of the letter and was tagging the motion and the main item until she received information and then would release her tag if it was received in the meeting. (Note: Council Member Wiseman released her tag later in the meeting.)

15. **REMINGTON TIRE DISTRIBUTORS, INC dba GRAY'S WHOLESALE TIRES** for Automotive, Tires and Tubes Contract, Part II, for Various Departments - \$4,172,788.62 - General, Enterprise and Fleet Management Funds was presented, moved by Council Member Khan, and seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2004-1224 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 17 through 57

17. RESOLUTION approving and adopting a Revised Investment Policy for City of Houston – was presented and was tagged by Council Member Wiseman.
18. ORDINANCE approving and authorizing first amendment to Meet and Confer Agreement between the City and the **HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM (“HMEPS”)** relative to provisions for Group C Participants – was presented and was tagged by Council Member Wiseman.
22. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of a 5-foot-wide utility and drainage easement, Parcel SY4-045, and its attendant aerial easement(s), if any, located within Unrestricted Reserve A, Block 1, Bayou on the Bend Addition, John Reinerman Survey, A-642, Harris County, Texas; vacating and abandoning said easement(s) to Bayou on the Bend, Ltd., the abutting owner, in consideration of its payment of \$9,407.00 and other consideration to the City, Parcel SY4-045 - **DISTRICT G – HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2004-1285 ADOPTED.
29. ORDINANCE approving a Credit Agreement relating to the City of Houston, Texas, Airport System Senior Lien Commercial Paper Notes, Series A and B; ratifying Ordinance Nos. 1999-1338 and 2002-1165 relating to the program; ratifying the Dealer Agreement and other Commercial Paper Program Agreements; approving an amended and restated Depositary Agreement; approving a Co-Bond Counsel Engagement Letter; authorizing an Updated Offering Memorandum relating to such program; authorizing certain other matters pertaining to the program; making certain covenants and agreements in connection therewith; and declaring an emergency - was presented. All voting aye. Nays none. ORDINANCE 2004-1286 ADOPTED.
30. ORDINANCE approving first amendment to Revolving Credit Agreement relating to City of Houston, Texas Combined Utility System Commercial Paper Notes, Series A; resolving other matters incident and related thereto; approving the use of an Updated Offering Memorandum in connection with the sale of the Series A Commercial Paper Notes; and declaring an emergency - was presented. All voting aye. Nays none. ORDINANCE 2004-1287 ADOPTED.

31. ORDINANCE approving and authorizing interlocal Renewal Application between the City and the **DEPARTMENT OF STATE HEALTH SERVICES** for the City's Vaccine Preventable Diseases Program (the "Grant"); declaring the City's eligibility for such grant; authorizing the Director of the Health and Human Services Department to act as the City's Representative in the Renewal Process; authorizing the Director of Health and Human Services Department to accept the grant and the grant funds; if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the grant - \$511,750.00 - Grant Fund - was presented. All voting aye. Nays none. ORDINANCE 2004-1288 ADOPTED.
32. ORDINANCE approving and authorizing contract between the City and **JAY H. ROSENFELD** for Consulting Services for the Redesign of Administrative Support Services within the Health & Human Services Department - 1 Year - \$83,600.00 - General Fund - was presented. All voting aye. Nays none. ORDINANCE 2004-1289 ADOPTED.
34. ORDINANCE approving and authorizing tenth contract amendment between the City of Houston and **GANO, INC (GULFTON AREA NEIGHBORHOOD ORGANIZATION, INC)** to provide for an extension of such contract and additional funding in the amount of \$100,000.00 to cover costs associated with the Operation of the Day Labor Site Program located at 6909 Hillcroft - Grant Fund - **DISTRICT F – KHAN** – was presented.

Council Member Holm stated that when they as a city could not adequately provide basic services to the citizens of Houston, they could not meet the needs for street construction or drainage improvements or keep libraries open she had concerns about funding and enhancing a community driven program and felt it should be supported through the private sector and would tag the item and the next item as well and would appreciate it if someone wanted to help convince her this week it would be appropriate for the budget.

Council Member Khan stated that the item was an ongoing day labor site and the city was in process of negotiating other sites where the private sector would participate; that this was a one year extension and the sites were needed to keep people out of the neighborhoods; that much time was spent on this site and urged passage of the item.

Council Member Garcia stated that the city tried to address many various issues and this was one he believed they had an obligation to as a city; that folks were homeless and services were provided and others chose to be drug addicted and services were provided and folks who participated in day labor centers were not only immigrants; that there was a long history as to why the city had obligation in this regard and much came from exploitation where the private sector abused and exploited and he was proud they tried to address this issue; that the last Administration put in place infrastructure to address this issue and others by creating the Office of Immigration and Refugee Affairs; and encouraged passage of the item.

Council Member Alvarado stated that there was a longstanding relationship with the organization and they had a good track record; that since their existence there were not as many people on the street, they were in a confined area looking for work and not being taken advantage of; that the funds came out of Housing and Community Development and fit the criteria.

Council Member Edwards stated that it was interesting the Council Member said it should be supported by private businesses when they were the ones causing the problem; that the day labor centers helped to assist laborers from being exploited as modern day slave labor, people were picked up off the street and told they would be paid a certain amount and

then paid less or paid nothing and the laborers had no recourse; and until people stood up to be accountable for their actions this assisted the laborers and the communities and that was what Community Development Block Grant funds were to help assist in the quality of life and the community deserved the relief from business owners coming into their community and picking up workers like prostitutes or whatever and it needed to stop and if it was not going to stop officially and legally then they needed to organize it so it was not a detriment to those in the communities.

Council Member Quan stated this was something he had a great interest in and had tried to monitor since he was on Council; that there were ups and downs and he appreciated Council Member Garcia and others trying to come up with good models; that recently the U of H Design Center volunteered to try and design a new facility and Neighborhood Centers had stepped up to the plate and met with Mayor White and the other day the church stated their desire to help; that they recently had a national convention of day labor sites in Houston and Houston efforts were set among the best in the nation; that this addressed a great need and he hoped Council Member Holm's questions were answered and he would be glad to get any information to her; that he agreed more efforts needed to be on roads but that was not where this money came from; and he would be glad to answer any of the Council Member's questions.

35. ORDINANCE approving and authorizing contract between the City of Houston and **NEIGHBORHOOD CENTERS, INC** to provide \$90,000.00 in Community Development Block Grant Funds to Operate a Day Labor Program in the East End/Second Ward Area - Grant Fund **DISTRICT H – GARCIA** – was presented and tagged by Council Member Holm.

36. ORDINANCE approving and authorizing first amendment to supplemental agreement between the City of Houston and **HARRIS COUNTY HERITAGE SOCIETY** for the Relocation of the "1823 Old Place" and the "Pillot House" - **DISTRICT I – ALVARADO** – was presented.

Council Member Goldberg stated that he wanted to thank the Heritage Society for the fast response in raising the historic homes and protecting them as their value was priceless. Council Member Berry absent.

A vote was called on Item 36. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-1290 ADOPTED.

37. ORDINANCE approving and authorizing agreements terminating Tax Abatement Agreements between the City of Houston, Texas, **BMC SOFTWARE, INC** and **BMC SOFTWARE TEXAS, L.P.** - **DISTRICT G – HOLM** – was presented and was tagged by Council Members Galloway.

Council Member Galloway stated that she assumed there was to be a package about all the items coming up on tax abatement and she wanted to familiarize herself with them and she would be tagging the rest of such items as well. Council Member Berry absent.

Council Member Sekula-Gibbs stated that she also wanted to tag all the items listed Items 39 through 45; that she wanted more information as to how the recaptured dollar figure was calculated and she understood the companies were unable to meet their stated goals in terms of supplying jobs and she wanted to know how the abatement was calculated. Council

Member Sekula-Gibbs yielded to Council Member Ellis who stated that Mr. Litke was present and moved to suspend the rules to hear from Mr. Litke and Mr. Clark Lord. Council Member Galloway stated that she wanted to see more research on paper and have time to look at it; and Mayor White stated that he would not think of this as a substitute for her information but with no objection to hearing from them it was so ordered. Council Member Sekula-Gibbs stated that she also wanted her questions answered in writing. Council Members Goldberg and Berry absent.

Council Member Quan stated that each one of these came before Council as far as what the companies had to do regarding employment and what abatement they were to receive; and Mr. Litke agreed; and upon questions Mr. Litke stated that at the end of the first three year period there was an order to determine whether they met their investment obligations as well as their job creations and every year after they filed a form with HCAD indicating job status and then there was an audit if they had any doubt about their job performance and that was how they determined whether or not they were in default; that in terms of those being amended they had already collected, recaptured the taxes they had not performed on, it was paid back; that the only termination before Council today was BMC and that was because they requested the end of this agreement; that in the case of Continental they were proposing to adjust their future job requirements and had reduced their overall abatement percentage to reflect the reduced job requirement; that no companies objected to the recalculation or that they owed the money; that today they were denying exemptions for 2004 they had not complied with and 2005 and going forward as long as they complied they would be in conformance; and something on the order of \$2.6 million was coming to the city if Council accepted the determination they had already accepted and that included \$1.2 million in estimated taxes which had not been paid yet. Council Members Goldberg, Garcia and Berry absent.

Council Member Sekula-Gibbs stated that she would like her tag added to Items 37 and 38 that she had cited an insufficient listing of the numbers; and Mayor White stated okay that they were on Item 37 at this time. Council Members Goldberg, Garcia and Berry absent.

Council Member Khan stated that all the items would result in increased revenue to the City and would cost the City nothing. Council Members Goldberg, Garcia and Berry absent.

Upon questions by Council Member Ellis, Mr. Litke stated that the average length for tax abatement was 10 years and they were not extending the periods; that they had option of defaulting and terminating the agreements but he recommended and the Mayor accepted that they should be business friendly and recognize that the business cycle did impact jobs. Council Members Goldberg, Garcia and Berry absent.

Upon questions by Council Member Galloway, Mr. Litke stated that in conversation with BMC they did not want to amend or continue, they decided it in their best interest to get out of the agreement and accept termination. Council Members Goldberg, Garcia and Berry absent.

38. ORDINANCE consenting to assignment of tax abatement agreement between the City of Houston, Texas, **CABOT OIL & GAS CORPORATION** and **DNA COG, LTD** to **1200 ENCLAVE OWNER, L.P. - DISTRICT G – HOLM** – was presented and tagged by Council Members Sekula-Gibbs and Galloway. Council Members Goldberg, Garcia and Berry absent.

- 38a. ORDINANCE approving and authorizing amendment to Tax Abatement Agreement between the City of Houston, Texas, **1200 ENCLAVE OWNER, L.P.** and **CABOT OIL & GAS CORPORATION** for certain property located within the **CABOT OIL & GAS REINVESTMENT ZONE - DISTRICT G – HOLM** – was presented and tagged by Council Members Galloway and Sekula-Gibbs. Council Members Goldberg, Garcia and Berry absent.
39. ORDINANCE approving and authorizing amendment to the Tax Abatement Agreement between the City of Houston, Texas, **MALLOY REAL ESTATE LIMITED PARTNERSHIP, LTD.** and **ACTION BOX COMPANY, INC** for certain property located within the Action Box Reinvestment Zone – was presented and tagged by Council Members Galloway and Sekula-Gibbs. Council Member Garcia absent.
40. ORDINANCE approving and authorizing amendment to the Tax Abatement Agreement between the City of Houston, Texas, **CONTINENTAL AIRLINES, INC** and **TRIZEC TEXAS CS LIMITED PARTNERSHIP** for certain property located within the **DOWNTOWN CONTINENTAL AIRLINES REINVESTMENT ZONE** – was presented. All voting aye. Nays none. Council Member Garcia absent. ORDINANCE 2004-1291 ADOPTED.
41. ORDINANCE approving and authorizing amendment to the Tax Abatement Agreement between the City of Houston, Texas, **TMX REALTY, INC, INTROGEN THERAPEUTICS, INC, AMELANG PARTNERS, INC** and **THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS** for certain property located within the **INTROGEN THERAPEUTICS REINVESTMENT ZONE** – was presented and tagged by Council Members Galloway and Sekula-Gibbs.
42. ORDINANCE approving and authorizing amendment to the Tax Abatement Agreement between the City of Houston, Texas, **OFFICE DEPOT OF TEXAS, L.P.** and **PLAYA MAR PROPERTIES I, LLC** for certain property located within the **OFFICE DEPOT REINVESTMENT ZONE** – was presented and tagged by Council Members Galloway and Sekula-Gibbs.
43. ORDINANCE approving and authorizing amendment to the Tax Abatement Agreement between the City of Houston, Texas, **CG7600, L.P.** and **RTI FABRICATIONS, L.P.** for certain property located within the **EXTRUSION TECHNOLOGY REINVESTMENT ZONE** – was presented and tagged by Council Members Galloway and Sekula-Gibbs.
44. ORDINANCE approving and authorizing amendment to the Tax Abatement Agreement between the City of Houston, Texas, **SPIEGEL FAMILY VENTURE 8, ACTIVE WEST, INC** and **UNITED STATIONERS SUPPLY CO.** for certain property located within the **UNITED STATIONERS SUPPLY REINVESTMENT ZONE** – was presented and tagged by Council Members Galloway and Sekula-Gibbs.
45. ORDINANCE approving and authorizing amendment to the Tax Abatement Agreement between the City of Houston, Texas and **ALLIANT FOODSERVICE, INC** for certain property located within the **ALLIANT FOODSERVICE REINVESTMENT ZONE** – was presented and tagged by Council Members Galloway and Sekula-Gibbs.
46. ORDINANCE amending Ordinance No. 96-1387 to further increase the maximum contract amount; approving and authorizing third amendment to contract between the City and **SOFTWARE AG, INC** for Mainframe Computer Operating System Software and Support

Services \$450,000.00 - General Fund – was presented and Council Member Garcia asked that it be delayed to the end of the agenda, Mayor White stated that with no objection it was so ordered.

Mayor White stated that on tax abatement he met with county judges and they were making progress to make sure there was not competition within their own region at the detriment of residents or property owners.

47. ORDINANCE appropriating \$397,645.00 out of Airport System Consolidated 2000AMT Construction Fund, and approving and authorizing Amendment No. 2 to Project Development Agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** for construction management services and partial assignment of related construction contracts associated with Projects 490D, 490T, 490P, 490R, and 490Z at George Bush Intercontinental Airport/Houston, CIP A-0322 - **DISTRICT B – GALLOWAY** – was presented and was tagged by Council Member Khan. (Note: Council Member Khan released his tag later in the meeting.)
52. ORDINANCE appropriating additional \$1,800,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing fourth amendment to contract between the City of Houston and **BRIAN SMITH CONSTRUCTION INSPECTION, INC** for Professional Construction Management and Inspection Services, CIP R-0542-04-3 – was presented. All voting aye. Nays none. ORDINANCE 2004-1292 ADOPTED.
53. ORDINANCE appropriating \$3,750,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing fifth amendment to engineering services contract between the City of Houston and **MONTGOMERY WATSON HARZA AMERICAS, INC** for Neighborhood Sewer System Improvements, CIP R-0544-01-2 (Project No. 4751) – was presented and was tagged by Council Member Sekula-Gibbs stating that she wanted further discussion with the Public Works Director. (Note: Council Member Sekula-Gibbs released her tag later in the meeting.)
55. ORDINANCE appropriating \$2,932,000.00 out of Fire Consolidated Construction Fund, awarding construction contract to **STEPHENS CONSTRUCTION SERVICES** for Construction of New Fire Station 94; GFS C-0127-01-3; setting a deadline for the bidder's execution of the contract and delivery of all bonds, insurance and other required contract documents to the City; providing funding for engineering and testing services, Civic Art Program, construction management and contingencies relating to the construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICT E – WISEMAN** – was presented.

Upon questions by Council Member Galloway, Mayor White stated that he understood on construction this was in line with the existing practice of 17% for MWBE participation which was different that professional services which he believed was 24%. Council Member Garcia absent.

Council Member Wiseman stated that this project was long waited for by the Clear Lake community; that a temporary station was put there to provide fire protection services they were required to provide by law when land was annexed; that the city was to proceed to build a permanent facility and now they were moving forward to construct and she was supportive of it; that Clear Lake was already one station short of what was needed and her concern

associated with this project was the transfer to occur with the companies assigned to the station; that they would be dispersed throughout the city and would not be reassigned to the Clear Lake area when they were already short in fire protection; that the city had a legal obligation and she was incensed that the Administration refused to abide by the law and provide that protection; that she supported this item and the construction, however, she did not support taking that fire protection and she felt they were sending a bad message to those in Clear Lake as to where they fell in the City's priority of public safety by reassigning the company. Council Member Khan absent.

A vote was called on Item 55. All voting aye. Nays none. ORDINANCE 2004-1293 ADOPTED.

56. ORDINANCE appropriating \$1,853,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **R. K. WHEATON, INC** for Water Line Replacement in Bennington Subdivision Area, GFS S-0035-A3-3 (WA10763); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund, Fund No. 755 - **DISTRICT H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2004-1294 ADOPTED.

57. ORDINANCE appropriating \$9,170,800.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **JALCO, INC** for Slipline of existing 42" Waterline with 36" HDPE from Holmes Road to Sims Bayou Pump Station, GFS S-0900-A8-3 (WA10448-10); 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** - was presented. All voting aye. Nays none. ORDINANCE 2004-1295 ADOPTED.

MATTERS HELD - NUMBERS 58 through 61

58. MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration Department to award to **Q-STAR TECHNOLOGY, LLC** for Cameras for Planning & Development Department - \$42,030.00 General Fund – **(This was Item 3 on Agenda of December 8, 2004, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. MOTION 2004-1225 ADOPTED.

59. ORDINANCE approving and authorizing Professional Independent Internal Audit and Consulting Services contracts between the City of Houston and **HIDALGO, BANFILL, ZLOTNIK & KERMALI, P.C., JEFFERSON WELLS INTERNATIONAL, INC** and **MIR FOX & RODRIGUEZ, PC** - 6 Years - \$3,120,000.00 - General and Enterprise Funds – **(This was Item 17 on Agenda of December 8, 2004, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. ORDINANCE 2004-1296 ADOPTED.

60. ORDINANCE approving and authorizing first amendment to agreement between the City and **500 TEXAS AVENUE LIMITED PARTNERSHIP** for Lease and Development of Property formerly known as Albert Thomas Convention Center - **DISTRICT I - ALVARADO - (This was Item 39 on Agenda of December 8, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented.

Council Member Goldberg stated that he was concerned because development was slow in coming, but after discussion with the owner he felt it seemed developing the west end of the Albert Thomas Convention Center was more of a reward for developing the east end and all Cordish had to do was put a parking lot or storage, but he recognized the value of a 50 year lease and would not let it go and would develop it enough to meet the minimum requirements of the lease, but the three month a delay may give him time to maybe even do residential, but in 90 days he would say he wanted to do residential or not and then he would have one year to complete the build out for whatever it was to be.

A vote was called on Item 60. All voting aye. Nays none. ORDINANCE 2004-1297 ADOPTED.

61. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **SOUTHWESTERN BELL TELEPHONE, L.P.** for Jail Inmate Telephone and Security/ Surveillance Systems for the Houston Police Department to add a concession for commissions on local and long distance calls on public pay telephones at non-jail locations - Revenue – **(This was Item 41 on Agenda of December 8, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. All voting aye. Nays none. ORDINANCE 2004-1298 ADOPTED.

Council Member Wiseman stated that she would release her tag on Item 14.

14. **ALTIVIA CORPORATION** for Chemical, Liquid Calcium Nitrate or Liquid Sodium Nitrate for Department of Public Works & Engineering - \$796,808.67 - Enterprise Fund, moved by Council Member Alvarado, seconded by Council Member Green – was again before Council. All voting aye. Nays none. MOTION 2004-1226 ADOPTED.

Items postponed to the end of the Agenda were considered as follows:

46. ORDINANCE amending Ordinance No. 96-1387 to further increase the maximum contract amount; approving and authorizing third amendment to contract between the City and **SOFTWARE AG, INC** for Mainframe Computer Operating System Software and Support Services \$450,000.00 - General Fund –was again before Council. All voting aye. Nays none. ORDINANCE 2004-1299 ADOPTED.

Council Member Sekula-Gibbs stated that she would release her tag on Item 53.

53. ORDINANCE appropriating \$3,750,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing fifth amendment to engineering services contract between the City of Houston and **MONTGOMERY WATSON HARZA AMERICAS, INC** for Neighborhood Sewer System Improvements, CIP R-0544-01-2 (Project No. 4751) – was again before Council. All voting aye. Nays none. ORDINANCE 2004-1300 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS - Council Member Ellis first

Council Member Ellis stated that the Pension Review Committee had a meeting and there seemed to be confusion with regard to the recommendation made by the Advisory Panel and it was open for discussion and it was recommended to change the board makeup and how it should take place and recommended all Council Members get a copy and send input to

his office so it could be brought up at the next committee meeting. Council Members Lawrence and Khan absent.

Council Member Ellis stated that he wanted to discuss with Mayor White and a member of his office the concern with the fact the Pension Review Committee could cease to exist; and he wanted information on how to make it permanent. Council Members Lawrence and Khan absent.

Council Member Ellis stated that he applauded efforts taken by Mr. Litke on negotiation with tax abatements; that it sent a message when they were having to renegotiate and while he wanted to be a business friendly city he did not want to give away the ranch; and Mayor White stated that he had a second meeting with county judges about the issue and Houston had been a leader on the issue; that they were making progress and would be tighter on tax abatements. Council Members Lawrence, Khan and .Sekula-Gibbs absent.

Council Member Wiseman stated that she wanted to congratulate Clear Lake High School for an outstanding season with one game away from the state championship; that they lost 18 to 10, but everyone was very proud of them. Council Members Lawrence, Khan and .Sekula-Gibbs absent.

Council Member Wiseman stated that she also wanted to express her thanks to Mr. Issa Dadoush of Building Services as every time he was called he was very responsive, very prompt and very professional; and Mr. Buck Buchanan of Solid Waste as he was very quick in responding to a constituent; and Mr. Dickenson of Public Works had done the same and that was the work she loved hearing about and wanted to relay thanks to those persons. Council Members Lawrence, Khan and .Sekula-Gibbs absent.

Council Member Galloway stated that a Fifth Ward resident, Ms. Cecil Brown's funeral was last week and it was a great loss to this city. Council Members Lawrence, Khan, Holm and .Sekula-Gibbs absent.

Council Member Galloway stated that she received many calls from churches and she wanted to know why the city was requesting them to come get permits when they already had occupancy permits, she did not know if they were just overdue, but ministers were calling and she needed information. Council Members Lawrence, Khan, Holm and .Sekula-Gibbs absent.

Council Member Galloway stated that she was having her annual toy drive and this year they were giving to the Garden City Apartments in Acres Home; that the box was on the first floor Annex and they had until Friday; that all were welcome to come out and see her in her Santa cap distributing toys Saturday at 1:00 p.m. Council Members Lawrence, Khan, Holm and .Sekula-Gibbs absent.

Council Member Galloway stated that she wanted to compliment Neighborhood Protection; that last week an abandoned house collapsed and fell on the neighbor's house and once called an inspector came out right away; that it was gone within hours and the entire community was excited. Council Members Lawrence, Wiseman and .Sekula-Gibbs absent.

Council Member Khan stated that he wanted to release his tag on Item 47. Council Members Lawrence, Wiseman and .Sekula-Gibbs absent.

47. ORDINANCE appropriating \$397,645.00 out of Airport System Consolidated 2000AMT Construction Fund, and approving and authorizing Amendment No. 2 to Project Development Agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** for construction management services and partial assignment of related construction contracts associated with Projects 490D, 490T, 490P, 490R, and 490Z at George Bush Intercontinental Airport/Houston, CIP A-0322 - **DISTRICT B – GALLOWAY** – was again before Council. All voting aye. Nays none. Council Members Lawrence, Wiseman and Sekula-Gibbs absent. ORDINANCE 2004-1301 ADOPTED.

Council Member Green stated that Congresswoman Sheila Jackson Lee would be hosting her Academy Day if anyone was interested in a congressional appointment to a US Service Academy, that a representative from the service academies would be present and that was on Thursday, December 16th from 6:30 to 8:00 at the Judson Robinson Community Center and for more information they could call the Congresswoman's office at 713-655-0050. Council Members Lawrence, Wiseman and .Sekula-Gibbs absent.

Council Member Green stated that this Friday the Jamaican Minister of Commerce, Science and Technology would be in town for an oil and gas presentation at Intercontinental Hotel and they were inviting bids to drill oil there; that some Council Members had gone to Jamaica to explore doing business with them so that was something good which came out of the trip. Council Members Lawrence and Sekula-Gibbs absent.

Council Member Edwards stated that she wanted to send condolences to Ms. Linda Brown on the passing of her mother who had been such an icon. Council Members Lawrence and Sekula absent.

Council Member Edwards thanked Gary Norman with Public Works for his outstanding service to the City of Houston. Council Members Lawrence and Sekula-Gibbs absent.

Council Member Edwards stated that Council Member Quan had sponsored the HUD seminar workshop for homeowners and it was awesome and she appreciated his service to the community. Council Members Lawrence and Sekula-Gibbs absent.

Council Member Edwards congratulated Anthony Love in being the new director of the Homeless Coalition and David Mandel for being the new director of the AIDS Foundation; that the combination of their expertise in their new positions would be very beneficial to the community. Council Members Lawrence, Ellis and Sekula-Gibbs absent.

Council Member Edwards stated that all the controversy on the privacy of the red light camera was interesting and she would like them to strive to be consistent, privacy was privacy whether it was being invaded by the state, city or federal government. Council Members Lawrence, Ellis and Sekula-Gibbs absent.

Council Member Edwards stated that she wanted to congratulate the Southeast Branch Office of the American Red Cross, they had a fifth annual parade and it was great; and thanked volunteers to helped. Council Members Lawrence, Ellis and Sekula-Gibbs absent.

Council Member Edwards stated she wanted to also congratulate the principal of Foster Elementary and Ms. Lewis and parents and volunteers and HISD on the breaking ground of the new Foster Elementary School. Council Members Lawrence, Ellis, Sekula-Gibbs and Green absent.

Council Member Edwards stated that she would like the Mayor's or the Administration's assistance in having a central meeting in the OST/Alameda corridor with the Texas Medical Center because they were going neighborhood by neighborhood and was wanting to put a five story parking lot in the middle of an old historic neighborhood, but every other month a neighborhood was being challenged by the Medical Center and they wanted help to pull all civic associations together in that corridor and have a meeting with the Medical Center to go over their master plan so they did not have to go neighborhood by neighborhood; and Mayor White stated that he would ask Mr. Walsh to do that for her. Council Members Lawrence, Galloway, Goldberg, Wiseman, Ellis, Sekula-Gibbs and Green absent.

Council Member Edwards stated that once again in District D they had someone celebrating a milestone birthday, Ms. Bertha Crawford was having her 100th birthday December 18th; and sent her congratulations. Council Members Lawrence, Galloway, Goldberg, Wiseman, Ellis, Sekula-Gibbs and Green absent.

Council Member Edwards stated people were talking to her about the South Central YMCA and she encouraged all Council Members and civic leaders to participate; that they were meeting with the South Central Board at 6:30 p.m. today and Friday at 9:00 a.m. here; and upon questions by Mayor White, Council Member Edwards stated that they had not been able to talk directly with Dr. Slade but she had spoken with Ms. Davis who was a part of their land acquisition and it was not exactly TSU who was looking to purchase the property though they would like them involved if they could because they were immediate neighbors to the "Y"; and Mayor White stated that he thought it was important they be there so if they did not respond to her she should ask Terrence, him or Mr. Hall so they could make sure they understood it was not just one person's agenda, but the City agenda. Council Member Edwards stated that she wanted to congratulate the parents at the "Y" for taking a stand; that there was an issue of historical preservation because of its contribution to the fight for civil rights and she was encouraged. Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to congratulate the staff in her office for all their support to her and the people of District D. Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to thank Public Works, particularly Dave Peters and Gary Schatz, Monday there was a meeting in Denver Harbor and they had eaten no dinner but were very responsive and helped work through issues; that they consistently went above and beyond by working evening hours. Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Garcia thanked Council Member Galloway for bringing to his attention the issue of Mr. Albert Ortiz, an 88 year old WWII amputee, who had no heat; that they went out and helped and such situations helped them to remember how grateful they should be as Mr. Ortiz was very humble and thankful for everything and he thanked all who were involved and he was honored to do what he could. Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Garcia invited his colleagues to an Assist the Officer Foundation fundraiser to be held Friday, at the Red Star at 2206 Fannin, 5:00 p.m.; that it was very worthy and support would be appreciated. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that Friday, 8:00 p.m. he was having a toy drive in conjunction with the Communication Workers of America and the Texas Hispanic Peace Officers Association to be at the CWA Hall, 1700 Jefferson; and all were encouraged to come with a new toy. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Garcia stated that Council Member Khan was having his talent show and John Daniel and his Gospel Quartet with his office would be there and he thanked Council Member Khan for organizing the event. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Khan, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Holm stated that next Tuesday, December 21st was an exciting time for District G; that Fire Station 83 was shut down when she took office and now it was rebuilt and ready to be reopened; and she invited all to the celebration at 3350 Breezewood where Santa and many others would be and encouraged they bring a gift for the City of Houston Toy Drive. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated that he thanked Ms. Velma Laws for discussing with him Item 47 which he had tagged and he also thanked Continental. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated several things were going on tomorrow, the South Asian Chamber of Commerce was holding their annual gala and they brought several different communities together including businesses coming to Houston; that their efforts were appreciated. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to acknowledge the Association of Minority Contractors they had a program every year where they adopted a needed family for Christmas and this year the family was in District F and he thanked them for making a difference in the life of a family. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated that they also looked forward to seeing everyone at the Battle Star Variety Show, many Council Members were claiming to get the gold and it would be fun for everyone; that all proceeds would go to mental health organization identified by the Council Member and he thanked everyone who helped with all their efforts. Council Members

Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he would be absent the next 2-1/2 weeks as he would be visiting Katar and Pakistan by invitation of the State Department; that people like him who were not born here had much to give back and when he was invited it was his opportunity to show appreciation for America, the program allowed him to share his story and the story of many Muslim Americans and Pakistan Americans and minority Americans as to what life was in the U. S. and he was proud to have the opportunity and to have an opportunity to share how wonderful Houston was. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that with his absence in the next weeks he wanted to wish everyone a Merry Christmas, happy holidays and a happy new year; and since he could not thank each person individually he wanted to thank them; that he also thanked the Mayor and Council for being good public servants, for their transparency and wisdom. Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Mayor White thanked Council Member Khan and stated that Council Member Khan was humble, that he knew from conversations that Council Member Khan was called on for one or another occasions and now this to be part of the United States Government strategy in communicating more effectively with the Muslim world, that he was proud to have someone with such mature judgment; that this was being done at a time when there were challenges with the Muslim world and he appreciated his service to this country. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that he wanted to add his congratulations to Council Member Khan and wished him Godspeed during his journey. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan thanked Mr. Michel for his work in reaching out to convenience store operators; that they were having another townhall meeting this evening at the Multi Ethnic Center in District F at 9819 Bissonnet with the FAST Team and all were invited. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that tomorrow morning they were having a day labor task force meeting for any Council Members interested at 10:00 a.m. and he would make sure Council Member Holm was aware of it. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that Council Member Ellis requested a meeting of the Ethics Committee and that was scheduled for Monday afternoon at 2:00 p.m. and two items would be discussed, the transfer ability of campaign funds for city elections and the issue of soft money which was mentioned in political action committees and which role they could play. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan applauded Mayor White's selection of Milton Wilson as the new director of the Housing and Community Development Department; that they did want to be responsive immediately to HUD for the use of home funds, many families would be closing on properties and were concerned about how Washington viewed the use of those monies and they looked forward to working with Mr. Wilson and rectifying any problems to get smooth operation in the department. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he had a citizen send a series of E-mails on the 9/11 Commission Report and pointed out things the City did not do and asked the they were on course to do it, but he was not on the Public Safety Committee and that may be where this was being discussed, but he wanted to mention it would be useful to know who at the City was reading the report and making sure the recommendations were being put into effect; that he would like to be sure someone was going through it point by point. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he wanted to commend Council Member Khan; that there was not much press giving how unique his election to Council was; that it was no small matter and he was a huge contribution to Council. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that the creation of the position Hugo Malanga occupied or served in was critical, to have someone who was going to be a traffic person in engineering because so many times they were swamped and it was hard to find someone to just handle a traffic related aspect and this would affect mobility and he was so responsive; that T. L. Rabagay did a wonderful job over there also and they worked with Richard Dickson who wrote almost a novel which he shared and had a great response back from the Medical Center and he appreciated them. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council adjourned at 12:07 p.m. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary