

City Council Chamber, City Hall, Tuesday, April 5, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 5, 2005, 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; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Assistant Agenda Director present.

At 2:01 p.m. Mayor White stated that Council would begin with presentations and invited members of the Taub family to the podium. Mayor White stated that Henry J. M. Taub was a business, civic and philanthropic leader for this community and in 1970 was chairman for a \$10,000,000 endowment campaign for Baylor College of Medicine and among many other accomplishments a gentleman first and foremost with a sense of loyalty and duty; and presented the family a Proclamation proclaiming April 5, 2005, as "Henry J. M. Taub Day" in Houston, Texas. Council Members Galloway, Wiseman, Khan, Garcia, Sekula-Gibbs and Berry absent.

Council Member Goldberg invited those present with the Knights of Columbus to the podium and stated that this was the first Knights of Columbus founded in Houston in March 1905 and had provided services and food to the needy and had given birth to 150 other counsels; and presented a Proclamation to them proclaiming April 25, 2005, as "100th Anniversary Knights of Columbus Counsel No. 803 Day" in the City of Houston. Council Members Garcia, Sekula-Gibbs and Berry absent.

Council Member Alvarado invited Mr. Larry Payne and Mr. David Yates to the podium and stated that today she was recognizing Houston Habitat for Humanity which created affordable housing and this week marked the 500th house to be completed in Houston; and presented them a Proclamation proclaiming the week of April 2nd through April 9th of 2005 as "Houston Habitat for Humanity 500th Habitat Home Built and Week of 500 Dreams" in Houston, Texas. Mr. Payne presented Mayor White with a Habitat pin and stated that they looked forward to working with the Mayor and Council on the issue of affordable housing. Council Members Garcia, Sekula-Gibbs and Berry absent.

Council Member Alvarado invited Mr. Benjamin Ward, a trustee of the Houston Holocaust Museum, to the podium and stated that there was an exhibit, Coexistence, and sponsored by the City of Houston, Holocaust Museum and involvement with Downtown Alliance, Rice University, Interfaith Ministries and the Cultural Council and consisted of an educational program, film series and competition and it promoted diversity and coexistence within the city; that they were inviting Council to a reception Wednesday between 6:30 p.m. and 8:30 p.m. in front of City Hall; and Mr. Ward stated that this exhibit talked about the concept of coexistence, accepting people who were different; and invited all to experience the exhibit with funding available for schools to bring children; and thanked the City of Houston for their partnership. Council Members Garcia, Sekula-Gibbs and Berry absent.

Mayor White stated that Mr. Ward's mother had escaped from a holocaust camp and came here with nothing; that her children were also wonderful and had been blessed with good fortune; that his mother was still alive and each of the three generations were all involved with civic activity and philanthropy and reached out to others; and thanked them for their work. Council Members Garcia and Berry absent.

At 2:22 p.m. Mayor White called the meeting to order and called on Council Member Holm who led in the prayer and pledge. Council Members Garcia and Berry absent.

At 2:23 p.m. the City Secretary called the roll. Council Members Garcia and Berry absent.

Council Members Quan and Khan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Garcia and Berry absent. MOTION ADOPTED.

Council Member Galloway moved that the rules be suspended for the purpose of hearing Mr. Roy Malonson and Mr. Otis Jordan out of order, seconded by Council Member Green. All voting aye. Nays none. Council Members Garcia and Berry absent. MOTION 2005-0298 ADOPTED.

Council Member Edwards moved that the rules be suspended for the purpose of adding Mr. Tim Young to the speakers list for two minutes, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg, Garcia and Berry absent. MOTION 2005-0299 ADOPTED.

The City Secretary started calling the speakers. Council Members Goldberg, Garcia and Berry absent.

Mr. Roy Malonson, 6130 Wheatley, Houston, Texas 77091 (713-692-1100) appeared and stated that he came to ask the Council for help with a situation and that was the Ella expansion from Pinemont to Little York; that they encountered disrespect and unsafe work practices from the contractor and he was asking the project to be placed on hold until safety could be put into compliance and that the contractor apologize to him and give respect to the community. Council Members Goldberg, Garcia and Berry absent.

Upon questions by Mayor White, Mr. Malonson stated that he was a tolerable person, but there was an incident Friday which almost got him to be a resident at the city jail; that he met with city liaisons and spoke with Council Members and Friday his driveway was blocked and he asked the employee to move and allow him to get in to his business and he said five minutes and started mouthing off and got within one foot of his face; that he and a city liaison went and explained it to the foreman and Mr. Reyes the contractor walked in and said he did not appreciate what he said to his foreman and was going to call the cops on him; and it took all he had to not give him a reason to call the cops; that he was about to release all he had on him, but gave Council respect to come to them and ask for help first. Council Members Goldberg, Garcia and Berry absent.

Council Member Galloway stated that she spoke with Mr. Malonson and went out to see the work and there was a deep hole with no barricade and if it was full of water children would not know it was so deep; that she did not see why the worker could not have pulled onto Mr. Malonson's property and allow him to enter instead of blocking it; that the street was very narrow and with the construction traffic was being blocked and she felt he was owed an apology. Council Members Edwards, Garcia and Berry absent.

Upon questions by Council Member Green, Mr. Malonson stated that every time he spoke with the contractor they became more irritated; and he never offered any concession. Council Members Edwards, Garcia and Berry absent.

Upon questions by Council Member Quan, Mr. Malonson stated that each phase of the contract was a nightmare; that he had spoken with Mr. Norman and he said he would investigate; that it should be safe, he was owed an apology and no employee should get within a foot of someone's face like they were going to hurt them; and Council Member Quan stated that he would like a resolution within 24 hours, there was no need to block streets and he would be glad to work with Council Member Galloway. Council Members Edwards, Garcia and Berry absent.

Council Member Galloway stated that Mr. Malonson was looking for respect and she felt

the residents deserved respect and she hoped the contractor would send a letter of apology to Mr. Malonson as it was all uncalled for. Council Members Edwards, Garcia and Berry absent.

Council Member Edwards stated that she was addressing this to the Administration, Mr. Malonson asked for three things and she did not know who that was going to be addressed to and wanted to know if anyone was going to take responsibility for looking into it and whether it would be Council Member Galloway or Public Works and also wanted to know how it worked as far as disbarment and the process of pre-qualifying contractors. Council Members Garcia and Berry absent.

Council Member Alvarado stated that Mr. Malonson had called her and she called and spoke with Mr. Reyes and that was awhile back; that she did not know what the process was and if there was someone in Public Works who could intervene and facilitate and not just in this but in other problems with contractors; that she felt there should be a process or place to go to for intervention and would encourage that. Council Members Garcia and Berry absent.

Council Member Galloway stated that Public Works was to oversee the job and should be the ones to see that residents were not disrespected and should have intervened and she hoped they would have the guidance and take charge. Council Members Quan and Berry absent.

Mayor White stated that he would give direction to Public Works and contractors dealing with blocking the entrance and exits, holes in the streets, the safety hazards, disposition of construction refuge and make sure he was aware of what the construction schedule was and his strong advice would be to finish. Council Members Holm and Quan absent.

Mr. Douglas Caddy, 7941 Katy Freeway, Houston, Texas 77024 (713-867-3476) appeared and stated that he was an attorney in Houston and was present representing a group called PICKUM which was a national organization for spiritual activist dedicated to bringing about understanding and acceptance between Palestinians and Jews; that Wednesday, April 13th they would be having a speaker, Ms. Heddie Ebstein, at the Central Presbyterian Church located at 4801 Richmond Avenue; that she was 82 years old and survived the Holocaust; that her topic was saving the Jewish soul. Mayor White, Council Members Galloway, Holm, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Otis Jordan, 7663 South Glen Willow, Missouri City, Texas 77489 (281-723-3700) appeared, presented information and stated that on September 8th he appeared before the Mayor and Council regarding removal of three assistant chiefs; that the department cited the reason as being the department was too top heavy, but it was a step in the wrong direction; that it was their contention that it was a smoke screen to justify the decision making and it was also their belief that upper management felt there were too many people of color in positions of authority and they could make a difference. Mayor White, Council Members Galloway, Ellis, Quan and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Galloway, Mr. Jordan stated that now they were going to add two deputy chiefs and at that position there were already four Anglos at that position; that two new deputy chief positions were being created and it would then be six White guys and everyone else was waiting to take a promotional exam, himself included, but they were waiting on the contract as their list would die in July; that this was a friendship deal; and Council Member Galloway stated that she would ask the Mayor to look into this; that you could be almost at the top of the list and then it would expire. Council Members Ellis, Quan and Berry absent.

Mayor White stated that as he said to a number of people there were outstanding men and women in the Fire Department; that he was involved with many organizations and had never seen promotions such as off their list, there were problems, but it was a struggle dealing with

numerous issues within the contract and there were limits on their abilities to change it. Council Members Ellis, Quan and Berry absent.

Upon questions by Council Member Green, Mr. Jordan stated that they already had two district chiefs, two senior captains and safety people on the fire ground; that on the fire ground he felt there were too many people; that you could graduate from the academy with a 70 score and perform your job but you could not be a captain with a 70 unless you were the right person; that they had a Chief make 70 and had an assistant chief now who made a 72, but he made 98 and had friends who made 100's and something was wrong; that the simple solution would be everyone over 70 got a job; that the two getting the positions were the next ones on the list, but they were friends; and Council Member Green stated that they were negotiating a contract and he would like to be briefed; that he could not see getting rid of those at the top to promote again; and Mayor White stated that it could be Mr. Hall was briefed and not him, but with respect to Mr. Jordan and others it seemed a lot of times when something was discussed internally between two firefighters within a matter of days there were calls or E-mails, but he did not know the status of this situation and Council Member Green would be briefed. Council Members Ellis, Quan and Berry absent.

Council Member Edwards stated that she would request the Public Safety Committee hold a briefing on the issue and she thought it was a contradiction that in 2004 they reduced everyone because of being top heavy and now because of episodes they were saying people needed to be hired in top positions; that the issue for her became where was the planning and development in the department, were they running the department strictly by how many died, if it was she had a problem with it and that spoke to the issue of assessment centers which she had talked about since she was on Council; and upon questions, Mr. Jordan stated that assessment centers did have a role to play; that a captain had no assessment and the union, the good old boys, would not accept it. Council Members Ellis, Quan and Berry absent.

Council Member Khan stated that something was wrong with the picture when the top of the Fire Department did not reflect the ethnicity of the city and he hoped it would be looked into. Council Members Ellis, Quan and Berry absent.

Council Member Garcia stated that he spoke to the Chief about the issue of deputy chief and training and looked to the Police Department to get comparison and in the Police Department they had two officers doing officer safety and survival and he could not understand why it took a deputy chief in the Fire Department; and Mr. Jordan stated that there was a deputy chief on the scene when it went bad and Chief Boriskie stated that he needed a deputy chief because safety officers and district chief responding to fires were the same rank and they did not respect each others rank so he wanted a deputy chief, but if you let everyone know you were backing the guy and then others did not do what he said on the fire ground...; that everyone wanted to be friends and that was why they had to come to Council to help manage the Fire Department; and Council Member Garcia stated that he respected the Chief, however, he could not understand policy under certain circumstances and did not believe a rank would alleviate the issue. Council Members Edwards, Alvarado, Ellis and Quan absent.

Council Member Galloway stated that years ago she was appointed to Affirmative Action and the purpose was because of all discriminating factors going on in the city and they made many improvements and would strongly recommend recreating the department to analyze every city department and set goals. Council Members Edwards, Alvarado, Ellis and Quan absent.

Mayor White stated that there was a policy where folks could come sign up, but they did not get into debates between department director and employee; that because they knew there was not one point of view they did listen and that was why they had hearings, etc., there were different comments and they were concerned, but they did not want to micromanage the Fire Department; one concern was Houston leading the nation in fire deaths among firefighters; that the Chief circulated a plan for review as to how they might reduce firefighter deaths and it was

not the use of the tragic death of firefighters to justify an appointment, he did not believe it and if it was it was a bad thing; that if it wasn't then the statement cast serious dispersion on a public servant; secondly, he was as patient as anyone about lack of diversity all knew it was 21% to 19% in the fire department and within the next two years there would be at least 500 who had taken drop and half would be ranked officers retiring in the Fire Department and that did create opportunity; third, Chief Boriskie did not nominate himself, suggest himself or was nominated by any union of firefighters; that if he did not do his job right he was not saying he would not be replaced, but to say a secret group ran the Fire Department he thought was a very serious allegation; that he wanted a lot in the union contract that probably would not be there and it was up to Council to decide alternatives; and thanked Mr. Jordan for being present. Council Members Galloway, Wiseman, Holm, Garcia, Alvarado, Ellis and Quan absent.

Mr. Tim Young, who was previously added to the speakers list, appeared, presented information and stated that he was from the Montrose area and present regarding an application for designation of residential permit parking; that he lived and worked at 327 Westheimer and some had sought an application for that parking without the consideration of businesses and properties affected and it would not solve the problems and only reduce the potential for commerce; that of the 18 residents interviewed by the city to assess their need for permit only parking 14 had 2 car garages built into their units and on the block there were a little over 30 parking spots and giving them an additional 26 would not increase the quality of living as they hoped. Council Members Galloway, Wiseman, Holm, Garcia, Alvarado, Ellis and Quan absent.

Council Member Berry stated that he used to be his neighbor and was familiar with his business and was probably the best person in the neighborhood being quiet, tidy and with an attractive property; and upon questions, Mr. Young stated that currently the neighborhood was full of parking of all uses and that included residents and their visitors, but the parking being requested to be permit only area was redundant to the residents as well as for businesses there; and Council Member Berry stated that was a residential neighborhood which changed its character to commercial and he did want to see him helped. Council Members Galloway, Wiseman, Holm, Garcia, Alvarado, Ellis, Quan and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that Council Member Goldberg held a meeting regarding the issue of looking at decal parking and one conclusion was it would not solve parking issues and the other was that complaints which drove decal parking were not about parking but instead quality of life issues and they were looking at how to develop parking for urban communities, especially those very dense like the Montrose; and she would get him a copy of the minutes from their meeting. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Council Member Goldberg stated that they held a meeting yesterday on the very subject and at the conclusion asked the Planning Department to come up with a couple of ideas to rectify two problems brought to their attention, one was parking it took away from a business like his and one was lack of enforcement when it was there, so they asked Planning to address enforcement; that also there was no notification and that was a problem and he asked them to comeback in 60 days with amendments to rectify the situation; that Council Member Alvarado wanted to address the required amount of parking through the Parking Authority so the emphasis on decal parking may go away; and Council Member Edwards stated that businesses had a parking requirement and so did housing so how did you decide preferential treatment; and Council Member Goldberg stated that it was quality of life issues; that he did not think anyone who owned a house would want parking in front 24 hours a day; and Council Member Edwards stated that most thought it was a quality of life issue and she appreciated his help and support in finding a solution beneficial to everyone. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (281-701-1097) had reserved time to speak but was not present when his name was called. Council Members

Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Ms. Gloria Little, 11710 Algonquin #279, Houston, Texas 77089 (281-701-1097) appeared and stated that after studying homelessness for over 25 years and its effects they had developed the Dell House Project, a community faith based project which transitioned the homeless to employment and housing; that Dell House was a solution and success oriented and able to be duplicated, taking 1,000 off the street and putting them to work and into permanent housing and they were looking for a 80% to 90% success rate, but they did need assistance for the first six months. Council Members Galloway, Wiseman, Holm, Garcia and Ellis absent.

Council Member Edwards stated that she wanted to refer to the Administration that they spoke with Ms. Little and referred her to Mr. Anthony Love and did have a meeting with the two of them; that she had also said she should get in touch with Council Member Quan; and thanked Ms. Little for her work. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (713-941-8000) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Ms. Raelou Rutherford, Rt. 1 Box 1729, San Leon, Texas 77539 (281-559-1938) appeared and stated that she came to discuss something really close to her heart and that was Houston's own Paul "Red" Adair; that she would like to memorialize his life as a great Texan and Houstonian and felt it important to do so; that she was not sure if it should be in the Heights or a park; and displayed a drawing of an oil well which she thought may could be the memorial. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Upon questions by Council Member Berry, Ms. Rutherford stated that her husband had been his dock captain; and Council Member Berry stated that he agreed as he had taken Houston's name all over the Middle East and all over the World and he appreciated her great idea and shared her admiration for his life. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Mayor White stated that if she had something to leave she could leave it with Mr. Cantu; that he would be thinking about it; that he taught well control to all three other companies, they were all offspring of what he did; that it would be interesting to some people, but did not know where the best place would be to memorialize him. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Ms. Janie Montoya, 8306 Gibons, Houston, Texas 77012 (713-923-6955) had reserved time to speak but was not present when her name was called. Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis and Quan absent.

Mr. Charles X. White, 8607 M. L. K., Houston, Texas 77048 (713-734-4370) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Wiseman, Holm, Garcia, Ellis and Quan absent.

Mr. Hilzendager, 7380 Moline, Houston, Texas 77087 (713-269-2394) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman, Holm, Garcia, Ellis and Quan absent.

Mr. Steve Hartung was called and Mr. Herbert Rothschild, 849 Harvard #C, Houston, Texas 77007 appeared and stated that they would like to change their order to speak if it was alright with the Council and stated that he was with the Houston Peace and Justice Center and early in 2002 a number of them came to Council before the invasion of Iraq and said hundreds of municipalities had gone on record opposing invasion and those who voted against the

resolution said they did so because it was not a local issue and in response they said it was local and there would be heavy cost to Houston; that a little over two years had passed and the human cost to Houston he did not know but 92 Texans had been killed as of September and that did not count those wounded and airlifted and died or the trauma to others and they were asking three things, the next time the White House wanted to invade a country who had not attacked us for Council to say no; do not think they were supporting men and women in uniform when they were sending them to kill and be killed and thirdly, they needed to weigh the cost of militarism and they would be back to show the cost to this city would be. Council Members Lawrence, Galloway, Wiseman, Garcia and Ellis absent.

Mr. Steve Hartung, 2210 Limerick, Deer Park, Texas 77536 (281-479-0416) appeared and stated that today he was speaking on behalf of a Peace for Justice Group from the Texas Conference United Methodist Church and present with others from the Peace and Justice Center and present urging the Council to prepare and pass a resolution calling for a concrete timetable for the state's withdraw of all military forces from Iraq; that two years after US troops invaded Iraq and achieved victory they were facing an unstable situation; that for every step forward there seemed to be two back and Iraqi civilians continued dying in attacks while insurgent attacks had increased by 70%; and was requesting Council consider the resolution on a timetable. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis and Sekula-Gibbs absent.

Mr. Bill Crosier, 7445 Santa Fe, Houston, Texas 77061 (713-641-4941) appeared and stated that Mr. Hartung mentioned that in Iraq they were breeding and encouraging terrorist and Houston was a prime target with its petrochemical industry, etc., and in thinking of the economic impact and as of today the cost of invasion and continued occupation would reach \$160,000,000,000.00 and if you added the extra \$61,000,000,000.00 the Administration recently asked for and split it up according to Houston's share it came to \$1.3 billion and Houston taxpayers would be paying for many years to come; and if even a portion of the \$1.3 billion could be available for Houston expenditures it could pay for head start for every qualified child, etc., that this affected families and employers and was asking Council to consider the costs and contact federal officials to let them know how they felt about it. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Mayor White thanked Mr. Crosier for coming today and sharing his views on an important issue. Council Members Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Council Member Edwards thanked those for coming today and speaking on an issue which was not a very popular issue and the budget cuts were an issue, but looking at men and women coming back from Iraq and not getting veterans medical benefits they were entitled to and living in cars because they were homeless, she did not know a resolution was the answer but would be willing to vote for one. Council Members Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Ms. Julie Leggett, 4590 Beechnut #110, Houston, Texas 77096 (713-664-7363) appeared and stated that she was disabled and present to speak about the disabled; that she wondered what was going on for the improvement this year for the disabled; that she often had problems getting around because curb cuts and ramps were not in place and walk signs did not function; that it was scary to cross a busy street with no crosswalk and the American Disabilities Act was passed years ago and 5.5 million disabled in Texas alone; and looked forward to their comments. Council Members Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Mayor White stated that they had heard what she said and had made progress on curb cuts and the like, but did have catching up to do. Council Members Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Ms. Ginger L. Pack, 1118 Bay Meadow Drive, Houston, Texas 77062 (281-480-8867) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Mr. Tom Bazan, P. O. Box 2786, Houston, Texas 77252 (713-466-4477) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Berry absent.

Mr. Michael Bonner, 3100 Cleburne, Houston, Texas 77004 (no phone) appeared and stated that he was a student at Texas Southern University and his topic was the Fall of the Empire Locally Speaking; that Texas Southern was taken over by the University of Houston system, what were the choices and options for inner-city youth other than the streets; as he understood the teachers retirement system was bankrupt and there were cuts in social services affecting all citizens in Houston; and was there a need for a historically Black university and college. Council Members Galloway, Wiseman, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mayor White thanked Mr. Bonner for coming. Council Members Galloway, Wiseman, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Ms. Sissy Farenthold, 2929 Buffalo Speedway Way #1813, Houston, Texas 77098 (713-621-5608) had reserved time to speak but was not present when her name was called. Council Members Galloway, Wiseman, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mr. Steven Williams, no address (no phone) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Galloway, Wiseman, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mr. Raymond Mbala, 100 N. Central Expressway #400, Dallas, Texas 75201 (469-556-7299) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Governor William Beal, 418 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Quan, 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 opinions until his time expired. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Galloway, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Raymond Mbala, 100 N. Central Expressway #400, Dallas, Texas 75201 (469-556-7299) was recalled and appeared and stated that he was present on behalf of Texas Shuttle speaking on the Share Ride Program and to pose questions; that his client wanted to know why when a minority company tried to do business there was someone trying to slap them down, in

this incident the City of Houston; that they were speaking of the City's decision to move from scheduled ground transportation services to shared ride airport shuttle services, the problem was an RFP was being drafted and the requirements would exclude his client; that they wanted fair treatment and wanted to continue their services and wanted to know Council's thoughts. Mayor White, Council Members Lawrence, Galloway, Edwards, Wiseman, Holm, Garcia, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Khan stated that he did not understand something; that he was being told Yellow Cab was putting political pressure and calling for changes and if that was what was happening shame on the entire City of Houston Administration, Council, and everybody to let a company control how they did business; that if it was not the case he wanted to know why the Aviation Department changed specifications; and hopefully someone would get with him and explain why they were switching back and forth, what political pressure or other influence there was and if it was the case what could be done to ensure it not happen. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Mbala stated that reading between the lines of the proposal it was clearly drafted so that only one company could meet requirements and that was Yellow Cab, such as the proposal kept changing, one item previously included was the company needed taxi medallions and no other company held them and provided shuttle service except Yellow Cab and it was drafted specifically for them; that another requirement was special consideration for companies with computerized dispatch services and thousands of companies operated efficiently without that and only Yellow Cab had it at this time; and Mr. Mbala stated that he was an attorney from Dallas, but he was representing a Houston based company; and Council Member Quan stated that he wanted to make sure the RFP was as inclusive as possible to give the best bid and he did not serve on the committee but was going to look at what was going on. Mayor White, Council Members Galloway, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 4:22 p.m. City Council recessed until 9:00 a.m., Wednesday, March 30, 2005. Mayor White, Council Members Galloway, Edwards, Wiseman, Holm, Garcia, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, April 6, 2005

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, April 6, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director, Mr. Jose Soto, Deputy Agenda Director present.

At 8:19 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:18 a.m. Mayor White reconvened the meeting of the City Council. Council Members Galloway, Goldberg, Wiseman, Khan, Garcia and Sekula-Gibbs absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 55

MISCELLANEOUS - NUMBERS 1 through 3

1. RECOMMENDATION from Chief of Police for Injury on Duty status for Police Officer **MARK HARDY** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Khan, Garcia and Sekula-Gibbs absent. MOTION 2005-0300 ADOPTED.

3. RECOMMENDATION from Director Department of Public Works & Engineering to approve the following refunds for Water & Sewer Accounts - Enterprise Water & Sewer Fund:
HUDSON FOREST HOMEOWNERS ASSOC. - \$42,723.50
METHODIST HOSPITAL - \$105,838.73
SUNBELT WATER SUPPLY DISTRICT - \$84,813.30

– was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Wiseman, Khan, Garcia and Sekula-Gibbs absent. MOTION 2005-0301 ADOPTED.

ACCEPT WORK - NUMBERS 4 through 6

4. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$18,544,931.14 and acceptance of work on contract with **W. W. WEBBER, INC formerly known as CHAMPAGNE-WEBBER INC, TEXAS**, for Civil Site Development for Consolidated Rental Car Facility (CRCF) at George Bush Intercontinental Airport/Houston, Project No. 444A, CIP A-0026, A-0222 and A-0285 - 04.29% over the original contract amount - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia and Sekula-Gibbs absent. MOTION 2005-0302 ADOPTED.

5. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$13,623,972.52 and acceptance of work on contract with **W. W. WEBBER, INC formerly known as CHAMPAGNE-WEBBER INC, TEXAS**, for Runway 8L-26R Final Grading and Airfield Drainage at George Bush Intercontinental Airport/Houston, Project No. 522E, CIP A-0304 05.97% under the original contract amount - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia and Sekula-Gibbs absent. MOTION 2005-0303 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$685,623.96 and acceptance of work on contract with **SHUMAKER-HARVEY EQUIPMENT CO., INC** for Sanitary Sewer Inspection and Rehabilitation by Point Repair Method, GFS R-0266-P4-3 (4277-8) - 03.95% under the original contract amount – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia and Sekula-Gibbs absent. MOTION 2005-0304 ADOPTED.

PROPERTY - NUMBERS 7 through 13

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kim Icenhower of Brown & Gay Engineers, Inc., on behalf of the Housing Authority of the City of Houston, for abandonment and sale of Melrose Street, from Werner Avenue to Doverside Drive, located in the J. T. Harrell Survey, A-329, Parcel SY5-046 - **STAFF APPRAISERS - DISTRICT H - GARCIA** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0305 ADOPTED.

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Julian J. Gonzalez and Keith C. Jaehne, for abandonment and sale of 5 feet of Kenilworth Drive at the terminus of the Bayou Woods Apartments, between Lots 30 and 33, in exchange for the conveyance to the City of a 5-foot-wide utility easement from each affected property owner, located within Bayou Woods Section 3, James Wharton Survey, Parcels SY5-047, SY5-048, VY5-006 and VY5-007 - **STAFF APPRAISERS - DISTRICT G - HOLM** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0306 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY3-019, located at 7112 Lyons Avenue, owned by 7112 Lyons Avenue, L.L.C., a Texas limited liability company, Dr. Edward K. Tse, President, for the **LYONS AVENUE PAVING PROJECT from Zindler Street to Port Street**, CIP N-0719-02-2 - **DISTRICT H - GARCIA** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0307 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels AY4-022 and CY4-012, located in 1700 block of South Street, owned by Bernadette H. Rosemon, for the **MYRTLE LIFT STATION PROJECT**, CIP R-0267-60-3 - **DISTRICT H - GARCIA** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0308 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel CY4-011, located in the 8600 block of Clinton Drive, owned by the Port of Houston Authority of Harris County, Texas, Brenda McDonald, Real Estate Manager, for the **CLINTON PARK WWTP BUFFER ZONE PROJECT**, CIP R-0265-26-3 - \$73,309.00 - Enterprise Fund **DISTRICT I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0309 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 14 through 23

17. ORDINANCE appropriating \$152,166.02 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Repairs to the 72-inch Sanitary Sewer Line at 900 S. Rice and N. Braeswood under contract with **BRH-GARVER CONSTRUCTION, L.P.** (approved by Motion No. 2004-0835), CIP R-0019-34-3 – was presented. All voting aye. Nays none. Council Members Garcia absent. ORDINANCE 2005-0324 ADOPTED.
- 17a. **AMEND MOTION #2004-835, 7/14/04, TO INCREASE** award amount by \$152,166.02 and approve additional Repairs to the 72-inch Sanitary Sewer Line at 900 S. Rice and N. Braeswood for the Department of Public Works & Engineering and approve payment in the amount of \$152,166.02 to **BRH-GARVER CONSTRUCTION, L.P.** – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0310 ADOPTED.
18. **L. N. MCKEAN, INC** for Emergency Repair of the Claremont Storm Sewer Outfall for Department of Public Works & Engineering - \$643,865.00 - Storm Water Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0311 ADOPTED.
19. **PEPPER-LAWSON CONSTRUCTION, L.P.** for Rehabilitation of a Hydraulic Control

System for Department of Public Works & Engineering - \$125,500.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0312 ADOPTED.

20. **R. B. EVERETT & COMPANY** for Excavators for Department of Public Works & Engineering \$40,354.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0313 ADOPTED.
21. **TOPLINE EQUIPMENT & SUPPLY, LLC** for Takeuchi Excavator Replacement Parts Contract for Department of Public Works & Engineering - \$95,458.00 - Enterprise and Fleet Management Funds – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0314 ADOPTED.
22. **BRIGGS EQUIPMENT & TRUST, d.b.a. BRIGGS EQUIPMENT - SERVICE ONE, INC** - \$84,424.00 and \$142,185.00 for Forklifts and Personnel Lifts for Various Departments - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0315 ADOPTED.
23. **LONE STAR CHEVROLET** - \$134,961.00, **INTERNATIONAL TRUCKS OF HOUSTON** - \$228,930.00, **HOUSTON FREIGHTLINER, INC** - \$70,350.00 and **BABY JACK FORD AUTOMOTIVE LTD.** - \$30,987.00 for Medium and Heavy Duty Trucks for Various Departments \$465,228.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Garcia absent. MOTION 2005-0316 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 25 through 55

28. ORDINANCE establishing a Utility Relocation Policy for the City of Houston; **AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to set forth policies and procedures for the relocation of facilities located within public rights-of-way to accommodate Public Works Construction projects; creating a Utility Relocation Program and approving the terms and provisions thereof; appropriating the aggregate sum of \$9,000,000 therefor from certain Commercial Paper Programs – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
29. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide water line easement and a water meter easement, Parcels SY4-027A and SY4-027B, respectively, vacating and abandoning said easements to Ronus Meyerland Plaza, L.P., the abutting owner, in consideration of its conveyance to the City of a 10-foot-wide water line easement, a fire hydrant easement and a water meter easement, Parcels KY4-107A, KY4-107B and KY4-107C, respectively, and its payment of \$600.00 and other consideration to the City; the two abandonment parcels and the three conveyance parcels all being located within the James D. Owen Survey, A-612 - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. ORDINANCE 2005-0325 ADOPTED.
31. ORDINANCE approving and authorizing Amendment No. 2 to lease agreement between the City of Houston and **ENTERPRISE JET CENTER, INC** at William P. Hobby Airport - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2005-0326 ADOPTED.

36. ORDINANCE appropriating \$5,883,755.21 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing second amendment to contract between the City of Houston and **TIBH INDUSTRIES, INC** for Plastic Meter Box and Cover Installation Services, CIP S-0596 – was presented. All voting aye. Nays none. ORDINANCE 2005-0327 ADOPTED.
38. ORDINANCE amending Ordinance No. 98-283 to increase the maximum contract amount to contract between the City of Houston and **EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, L.P., (formerly known as EAGLE CONSTRUCTION & ENVIRONMENTAL SERVICES, INC)** for the Handling & Disposal of Hazardous Materials for Various Departments \$1,039,634.00 - General, Enterprise and Stormwater Funds – was presented. All voting aye. Nays none. ORDINANCE 2005-0328 ADOPTED.
39. ORDINANCE granting the Director of Public Works and Engineering the authority to approve assignments of Water Supply and Groundwater Reduction Plan Agreements – was presented. All voting aye. Nays none. ORDINANCE 2005-0329 ADOPTED.
40. ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Developer Participation Contract between the City of Houston and **ARETE REAL ESTATE & DEVELOPMENT COMPANY** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Wynnewood Gardens Subdivision, CIP S-0800-57-03 and R-0800-57-03 - **DISTRICT B - GALLOWAY** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
41. ORDINANCE appropriating \$144,334.13 out of Water & Sewer System Consolidated Construction Fund and \$192,769.15 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Developer Participation Contract between the City of Houston and **ARETE REAL ESTATE & DEVELOPMENT COMPANY** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Wynnewood Gardens Subdivision, CIP S-0800-58-03 and R-0800-58-03 - **DISTRICT B - GALLOWAY** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
42. ORDINANCE appropriating \$184,594.17 out of Water & Sewer System Consolidated Construction Fund and \$231,000.00 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Developer Participation Contract between the City of Houston and **ARETE REAL ESTATE & DEVELOPMENT COMPANY** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Three of the Wynnewood Gardens Subdivision, CIP S-0800-59-03 and R-0800-59-03 - **DISTRICT B - GALLOWAY** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
46. ORDINANCE appropriating \$500,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **GARC ENTERPRISES, LTD.** for Construction of Water & Sanitary Sewer Lines for the Southridge Crossing Subdivision, CIP S-0802-26-03 and R-0802-25-03 - **DISTRICT E - WISEMAN** – was presented. All voting aye. Nays none. ORDINANCE 2005-0330 ADOPTED.
47. ORDINANCE appropriating \$849,200.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **WESTON SOLUTIONS, INC** for Design of Various Wastewater Treatment Plants Improvements, GFS R-0265-37-2 (WW4883); providing funding for contingencies relating to construction of facilities financed by the

Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; C - GOLDBERG; E - WISEMAN and G - HOLM** – was presented. All voting aye. Nays none. ORDINANCE 2005-0331 ADOPTED.

48. ORDINANCE appropriating \$729,300.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **ARCADIS G & M, INC** for Design of Lift Station Renewal/Replacement, GFS R-0267-84-2 (WW4885); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - LAWRENCE; G - HOLM and H - GARCIA** – was presented. All voting aye. Nays none. ORDINANCE 2005-0332 ADOPTED.
49. ORDINANCE appropriating \$729,300.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **DANNENBAUM ENGINEERING CORPORATION** for Design of Lift Station Renewal/Replacement, GFS R-0267-85-2 (WW4886); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS; F - KHAN; G - HOLM and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2005-0333 ADOPTED.
50. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **CH2M HILL, INC** for Design of Automation and SCADA Improvements at Various Wastewater Treatment Plant Facilities, GFS R-0512-12-2 (WW4890); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2005-0334 ADOPTED.
51. ORDINANCE appropriating \$1,100,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC d/b/a PBS&J, INC** for Evaluation of Northeast and WCID No. 76 Wastewater Treatment Plants Service Areas, GFS R-1000-05-2 (WW4888); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2005-0335 ADOPTED.
52. ORDINANCE appropriating \$594,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Engineering Services Contract between the City of Houston and **UNITED ENGINEERS, INC** for Design of Neighborhood Sewer Systems Improvements at Eastwood Subdivision and Sampson Street, GFS R-2011-46-2 (WW4892); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2005-0336 ADOPTED.
53. ORDINANCE appropriating \$5,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **CLAUNCH & MILLER, INC** for Various Water Main Replacement Projects, GFS S-0035-CM-3 (WA10862) – was presented. All voting aye. Nays none. ORDINANCE 2005-0337 ADOPTED.
54. ORDINANCE appropriating \$195,833.00 out of Solid Waste Consolidated Construction Fund and \$329,997.00 out of Water & Sewer System Consolidated Construction Fund;

awarding construction contract to **F. W. WALTON, INC** for Roof Replacement/Renovation at two Solid Waste Facilities, GFS L-0061-01-3 and two Public Works Facilities, GFS R-0268-29-3; setting a deadline for the bidder's insurance and other required contract documents to the City; holding the bidder in default if it fails to meet the deadlines; providing funding for contingencies relating to construction of facilities financed by Solid Waste Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; H - GARCIA and I - ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2005-0338 ADOPTED.

55. ORDINANCE appropriating \$10,150,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **TEXAS STERLING CONSTRUCTION, L.P.** for construction of a 66-inch water line along Greens Road from Greenspoint to West Hardy Road, GFS S-0900-A3-3 (WA10448-06); 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, construction management and contingencies relating to the construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2005-0339 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

2. RECOMMENDATION from Director Department of Solid Waste Management for additional funding in the amount of \$575,000.00 on contract with **WASTE MANAGEMENT, INC** to provide funds for costs for the remainder of FY05 - General Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-0317 ADOPTED.

PROPERTY

9. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-045, located at 1503 Central Street, owned by Merichem Company, a Delaware corporation, Ken Currie, CEO, for the **CENTRAL STREET GRADE SEPARATION PROJECT from Central Street Extension over Manchester Avenue to Train Yard**, CIP N-0676-01-2 **DISTRICT I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-0318 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-049, located at 9400 E. Avenue H, owned by Rafael Suarez and wife, Maria A. Suarez, for the **CENTRAL STREET GRADE SEPARATION PROJECT from Central Street Extension over Manchester Avenue to Train Yard**, CIP N-0676-01-2 - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-0319 ADOPTED.

PURCHASING AND TABULATION OF BIDS

14. **PMO LINK** for phase two development of Comprehensive Process Management System for building permit and land development processes - \$183,400.00 - Building Inspection Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Members Lawrence, Edwards and Holm.

15. **CONTINENTAL AIRLINES, INC** to provide customer service training for Department of Public Works & Engineering, Planning & Development Services Division employees - \$85,000.00 Building Inspection Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Members Holm, Lawrence and Edwards.
16. **TEXAS TRANSPORTATION INSTITUTE** for Video Camera Equipment, Installation Design and Broadband Internet Services for Department of Public Works & Engineering - \$193,300.00 Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Quan, and tagged by Council Member Wiseman.
24. **LONE STAR FLAGS & FLAGPOLES, INC** for Flags and Banners for Various Departments \$615,016.50 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount not to exceed \$596,566.00 - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Member Holm.

RESOLUTIONS AND ORDINANCES

25. RESOLUTION consenting to the creation of the Fort Bend County Rural Transit District; appointing a representative to the Rural Public Transportation Conference for such district; providing for the selection of the governing body of such district – was presented, and tagged by Council Member Wiseman.
26. ORDINANCE **AMENDING CHAPTER 15 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the regulations governing the making, amendment, or extension of contracts with persons indebted to the city; containing other provisions relating to the foregoing subject; providing for severability – was presented, and tagged by Council Members Wiseman and Sekula-Gibbs.

Council Member Goldberg stated that had a couple of questions and would like someone to visit with him and would tag the item also.

27. ORDINANCE **AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the appointment of Municipal Courts Judges; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. All voting aye. Nays none. ORDINANCE 2005-0340 ADOPTED.
30. ORDINANCE establishing a Budget Policy with regard to the Budgeting and Expenditure of increased Franchise Fee Revenues for Public Safety – was presented, and tagged by Council Member Wiseman.
32. ORDINANCE approving and authorizing contracts between the City and **AMIGOS VOLUNTEERS IN EDUCATION AND SERVICES, INC, DONALD R. WATKINS MEMORIAL FOUNDATION, HOUSTON AREA COMMUNITY SERVICES, INC, SAGE ASSOCIATES, INC, ST. HOPE FOUNDATION** and **FUNDACION LATINO-AMERICANA CONTRA EL SIDA, INC** for HIV/STD Services for the Houston Department of Health and Human Services; providing maximum contract amounts - 4 Years - \$9,800,000.00 - General and Grant Funds – was presented. All voting aye. Nays none. ORDINANCE 2005-0341 ADOPTED.
33. ORDINANCE approving the issuance of bonds by the Midtown Redevelopment Authority; providing for continuing disclosure with respect to such bonds; containing other provisions relating to the foregoing subject; and declaring an emergency – was presented, and tagged by Council Member Ellis.

Mayor White asked Council Member Ellis if he had been briefed on the item and Council Member Ellis stated yes but he had not had time to look over the item, and Mayor White stated that he and Council Member Ellis had a discussion where they both wondered about if there were ways they could cut the issuance cost of debt by the TIRZ, that he thought they were too high and during the course of the year they would all be passing on the budgets of the TIRZs and he thought this was a good opportunity for the City of Houston to be thinking about the policies of some of the TIRZs because during the course of what he and Council Member Ellis saw it cost a lot more money for the TIRZ to borrow money than the City of Houston and that had to be balanced, that he would ask the Director of F&A to fully review with Council Member Ellis some of the options that they looked at, and Council Member Ellis stated that he had read the memo

34. ORDINANCE approving and authorizing an agreement between the City of Houston, Texas, the Midtown Redevelopment Authority and Reinvestment Zone Number, Two, City of Houston, Texas for Certain Public Infrastructure Improvements; appropriating \$457,844.40 out of Water & Sewer System Consolidated Construction Fund (Fund 755) for payment to the Midtown Redevelopment Authority pursuant to the subject agreement – was presented, and tagged by Council Member Ellis.
35. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **PRINCIPAL DECISION SYSTEMS INTERNATIONAL (PDSI)** for additional Software Licenses, Maintenance and Training for the Fire Department's Extra Board and Overtime Scheduling System - 3 Years with two one-year options - \$582,920.00 - General Fund – was presented. All voting aye. Nays none. ORDINANCE 2005-0342 ADOPTED.
37. ORDINANCE awarding contract to **IDEAL FINISHES, INC** for Graffiti Eradication and Protective Coating Application Services for Various Departments; providing a maximum contract amount \$1,251,235.50 - General and Enterprise Fund - was presented.

Council Member Khan stated that they just had a townhall meeting on crime and there were lots of discussions about graffiti and gang violence and thought this item was good timing for the expenditure.

Council Member Quan stated that it was a very fruitful townhall meeting and certainly graffiti was a major problem but he had some concerns about the products they were using and whether they were getting the best for their dollars, that he attended the National League of Cities Conference and ran into various vendors and one product that struck him as being very interesting was a product called Elephant Snot where they could apply it onto the graffiti and then wash it off twenty minutes later and it removes the graffiti, that he would like to tag Item No. 37 for further discussion.

Council Member Garcia stated that his question was that it was a various departments contract and there was not anybody who would oversee the management, compliance and performance of the contract and because it was specific to public property items he thought there needed to be someone overseeing the compliance of the contract and would like to suggest that either Building Services or the Mayor's Anti Gang Office be over the contract.

Mayor White stated that was a good point and they would get a report back to Council Member Garcia.

Council Member Galloway stated that they had a contract similar to this in the past and the money was allocated and embodied in the budget to various departments so that was the reason it was set up that way and to her knowledge it had worked fine.

Council Member Lawrence stated that some other department that might be a good consideration would be Neighborhood Protection and Chief Lumpkin since they were handling

all the graffiti with probationers.

43. ORDINANCE appropriating \$275,000.00 out of Water & Sewer System Consolidated Construction Fund and \$225,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund; approving and authorizing Developer Participation Contract between the City of Houston and **WOODLAND VILLAGE, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Woodland Village Subdivision, CIP S-0800-C3-03 and R-0800-C3-03 - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2005-0343 ADOPTED.
44. ORDINANCE appropriating \$180,047.33 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund; approving and authorizing Developer Participation Contract between the City of Houston and **WOODLAND VILLAGE, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Woodland Village Subdivision, CIP S-0800-C4-03 and R-0800-C4-03 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2005-0344 ADOPTED.
45. ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Tax Increment Reinvestment Zone Affordable Housing Uptown Fund; approving and authorizing Developer Participation Contract between the City of Houston and **WOODLAND VILLAGE, LTD.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Three of the Woodland Village Subdivision, CIP S-0800-C5-03 and R-0800-C5-03 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2005-0345 ADOPTED.

NON CONSENT AGENDA - NUMBER 56

MISCELLANEOUS

56. REVIEW of the record and make determination of the appeal filed by Mr. Harless L. Benthul on behalf of Mr. Dell York on the decision of the General Appeals Board for denial of a Manufactured Home Hardship Permit at 8855 Gulf Freeway, Houston, Texas – was presented.

After discussion by Council Members, Council Member Wiseman moved to uphold the decision of the General Appeals Board, seconded by Council Member Galloway. Council Member Quan voting no, balance voting aye. MOTION 2005-0320 ADOPTED.

MATTERS HELD - NUMBERS 57 through 63

57. MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration to **AMEND MOTION #2001-1102, 10/3/01, as amended by Motion #2004-822, 7/7/04, TO EXTEND** expiration date from October 3, 2005 to October 2, 2006, for Water Meters, Cold Water Contract for Department of Public Works & Engineering, awarded to **BADGER METERS, INC – (This was Item 22 on Agenda of March 30, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. MOTION 2005-0321 ADOPTED.
58. MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration to **AMEND MOTION #01-434, 4/18/01, as amended by Motion #04-330, 3/31/04, TO EXTEND** expiration date from April 26, 2005 to April 25, 2006, for Fire Hydrants Contract for Department of Public Works & Engineering, awarded to **MUNICIPAL PIPE & FABRICATING COMPANY – (This was Item 23 on Agenda of March 30, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** –

was presented. All voting aye. Nays none. MOTION 2005-0322 ADOPTED.

59. MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration to **AMEND MOTION #2002-497, 4/24/02, TO EXTEND** expiration date from April 24, 2005 to April 23, 2006, for Paints, Solvents & Painting Supplies Contracts for Various Departments, awarded to **ICI DULUX, SHERWIN-WILLIAMS PAINT CO., INC, SOUTHWESTERN PAINT CO., and QUALITY PAINT & DÉCOR – (This was Item 29 on Agenda of March 30, 2005, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented.

Council Member Ellis moved to postpone Item No. 59 for one week, seconded by Council Member Alvarado. All voting aye. Nays none. MOTION 2005-0323 ADOPTED.

60. ORDINANCE **AMENDING CHAPTER 2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Public Official Bonds and Blanket Crime Policies for Public Employees – **(This was Item 31 on Agenda of March 30, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. ORDINANCE 2005-0346 ADOPTED.

61. WRITTEN Motion presented by Council Member Sekula-Gibbs to amend Section 4 of Item 61A to read as follows:

4. BOARD COMMITTEES

- (a) The standing committees of the Board should cover the following areas:
- (1) Risk Management/Governance
 - (2) Investment
 - (3) Administration (include compensation)
 - (4) Finance/Actuarial
 - (5) Audit
 - (6) Disability
- (b) The committee responsible for all meet and confer issues for HMEPS shall be a committee of the elected trustees and the trustee appointed by the elected trustees. Other than the committee responsible for meet and confer issues, all committees shall consist of at least one elected trustee and one trustee appointed by the Mayor, Controller or City Council.
- (c) All meetings, other than meeting dealing with meet and confer issues, shall be open to all trustees.
- (d) Except for meet and confer decisions, no committee shall have authority to make final approvals, but shall only make recommendations to the full Board.
- (e) All matters relating to travel, salaries, bonuses, and reimbursements, regarding the Board of Trustees and the Executive Director would go before the full Board for discussion and approval. **(TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Sekula-Gibbs stated that they had an opportunity to correct some problems that had arisen in the Houston Municipal Employee Pension Fund and in their board and she wanted to acknowledge the work of Council Member Ellis and Mr. Nichols and the pension advisory group that they had so ably appointed, they had done a yeoman's job in negotiating some improvements in the structure of the pension board, but there was a significant deficiency that remained in that negotiated agreement and she had taken the opportunity to present the deficiency to the City Council and hopefully they Council would take the action of amending it, it was a very simple action, all they had to do was state that they wanted every committee, with the exception of the Meet and Confer Committee, to be accountable and transparent, that she really did not understand why they would let committees operate in secret, especially committees that had dug themselves into a \$2 billion hole, that they had operated in secret and that was how they got themselves into this trouble, that she did understand that Council Member Ellis had stated very eloquently that it was the best that they

could do in terms of negotiations and he was really concerned that if they sent the agreement back to the board that the whole negotiation process would unravel and she said maybe or maybe not, it was all a matter of who was the better presenter of the deal, that she thought Mayor White could present the deal pretty well and if Council said no, that they wanted true accountability and true transparency and they would not accept anything less and the citizens deserved it and they demanded, then that was what they asked for, if they accepted less then they would vote for the secondary motion, that she had asked for it clearly, that it was not asking to much, it was stated that, Item D, "accept for Meet and Confer decisions no committee should have authority to make final approvals but should make recommendations to the full board", that was it in a nutshell, they had to present all their decisions to the full board, if they left it out certain committees, particularly administration, would be able to conduct their business in secret, that Council Member Ellis said that they would come to the Council when they called them and would present their business to the Council when they called them, she did not think so, they had called them time and time again and there was nothing in the agreement that mandated or required that they come to the Council ever, they had to present reports to the Council but did not have to come to the City Council in person, there was no way that the City Council was going to make them show up in person and defend their actions, that was not in the agreement, so she simply said to all of the Council Members that it was their responsibility to the taxpayers to hold the Municipal Employees Pension Board to the highest standard of accountability that they could and if they let it slide then they would not have the opportunity again for at least another five years. Council Member Garcia absent.

Council Member Ellis stated that as he stated last week with regards to the negotiations of the City negotiating with the Houston Municipal Pension System there would be significant change once the Meet and Confer Agreement was adopted, the Pension Board did not want to increase their board of trustees, that was something they were able to do, the Pension Board did not want to give the Controller an appointee or give the City Council two appointees, the Mayor did not want to give one of his appointees to get to this position, they were adamant and would not adopt a Meet and Confer Agreement to change their election process from a plurality to a majority, something that Council Member Goldberg brought to his attention, that frankly he did not know how the elected trustees were elected, those were significant changes that they put into place, that they would also be required to come on a quarterly basis to the Pension Review Committee and would be required to come on an annual basis to the full City Council, they put in place that they could setup a 401A Program which in turn would save the employee some compensation and the City of Houston tax dollars, that he agreed with what Council Member Sekula-Gibbs said with regard to more accountability, but it was a negotiation process and they pushed them just about as far as they thought they could go with them, they had sent over Council Member Sekula-Gibbs amendments to the Board and the Chairman of the Board had responded that they had already negotiated in good faith and gave up some things so they would take some things out, so he complemented Council Member Sekula-Gibbs for being involved in the process and complemented her for the amendments that she was making to State Representative Wong's bill because some of those were incorporated into the agreement as well, and he believed they were in a position that if they adopted an amendment to the Meet and Confer Agreement and send it back to the Board of Trustees that they would reject and the City would be back at square one, that he wanted to thank Council Member Sekula-Gibbs for her comments and for her amendments but would have to vote against it, that he and Mayor White wrote a letter pledging that they would put forth a Meet and Confer Agreement and bring it to the City Council and adopt it as is, just as they pressed them with changes to the board and so forth. Council Member Garcia absent.

Council Member Holm stated that she did believe this Meet and Confer Agreement represented the first steps to reform of the pension system and wanted to commend Council Member Ellis for his efforts and fully appreciated the work that had gone into it, however she did not see where the agreement provided for the transparency and accountability for the board but what concerned her most was that it perpetuated a "we versus they" mentality, that she took very seriously her responsibility to the employees of the City of Houston and believed without

the amendment on the table, the second amendment to the Meet and Confer Agreement was an inadequate document.

Council Member Khan stated that he wanted to know, based on the agreement they negotiated what cards, if any, were they still holding, if the deal did not pass what kind of pressure could they put on the board, and vice versa, what kind of cards were they hold if they were willing to walk away.

Mayor White stated that Council Member Khan asked the right question, and in a way it was a legal question to, if they rejected the Boards deal, and if for whatever reason there was not a vote in both the House and the Senate doing something better, it would be somewhat risky to walk away and amend the agreement that could later lead to rejection.

Council Member Ellis stated that with the changes they were making and had made they were out in front leading the other pension systems that were having problems, that Dallas went out and issued \$500 million worth of pension obligation bonds and he had to only assume that it was going to significantly reduce their ability to offer capital improvement projects over the next 10 years, that Mayor White took the correct route in saying that the City of Houston was not going to do that, that they had been able to keep their capital improvement projects moving, keep funding the pension systems and hopefully in the future they would see that the unfunded liability would be reduced, but changing the governance that was something that everybody around the table was screaming for and that they wanted appointments, they wanted trustees to be appointed by the City Council who would have to come back and answer to the Council and that was one of the major changes that he thought was most significant in the Meet and Confer Agreement and when he went to the negotiations there were three issues that he would not back down on and that was increasing the non beneficiary trustees, of which there were none, giving appointments to Council and giving one appointment to the Controller, also changing the way that the Board of Trustees were elected, and setting in place a system by which they would have to come and report to the City Council and Pension Review Committee, that they achieved it and gotten it done.

Council Member Quan stated that he wanted to point out that they all had an obligation and they were open meetings and anybody could go to the meetings and hold those people accountable, it was not "we against them", the Council Members were elected officials who had an opportunity to have an impact whether they were on that board or not, they were also voting members, and he voted in the election as to who the trustees were last time and he was glad they got some good people on board who he really had a lot of confidence in, that they did not always get everything in the first go round, they all knew the direction they wanted to take and were making good progress toward that.

Council Member Edwards stated that she wanted to ask the committee, was the intent of the appointees being pushed and gotten, did it give them the accountability that they had been trying to get and would it get them to the point of not having an Executive Director to snub their nose at them, and Council Member Ellis stated that was what they were trying to achieve, that they would have independent individuals, of which they did not have now, that he was not putting down the two individuals that were appointed right now as trustees, but if they looked at it they would say that there was not one trustee that served on the board that was not a participant of the plan and when the advisory panel brought it to their attention they said there probably ought to be somebody who was independent and accountable and there probably ought to be some financial expertise, those were the kind of things they were trying to achieve and he believed in the Meet and Confer Agreement that they put forth they did achieve that and it did have some accountability; that Mayor White had agreed with him from the standpoint that they needed to setup some guidelines of how the Pension Review Committee operated.

Council Member Edwards moved to call the question, seconded by Council Member Galloway.

Mayor White stated that there were still two Council Members who wished to speak.

Upon questions by Council Member Garcia, Council Member Ellis stated that there would be an ordinance eventually that would be established through the Pension Review Committee and sent to the Mayor to evaluate with regard to how the Pension Review Committee would operate for all three of the pension systems to provide even additional accountability, that he would encourage everybody to vote against the amendment because they negotiated in good faith with the pension board and then vote for the contract.

A roll call vote was called on Item No. 61.

ROLL CALL VOTE:

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| Mayor White voting no | Council Member Garcia voting no |
| Council Member Lawrence voting no | Council Member Alvarado voting no |
| Council Member Galloway voting no | Council Member Ellis voting no |
| Council Member Goldberg voting aye | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting aye |
| Council Member Wiseman voting aye | Council Member Green voting no |
| Council Member Khan voting aye | Council Member Berry voting no |
| Council Member Holm voting aye | MOTION 2005-0324 FAILED |

- 61a. ORDINANCE approving and authorizing second amendment to Meet and Confer Agreement between the City and the **BOARD OF TRUSTEES OF THE HOUSTON MUNICIPAL EMPLOYEES PENSION SYSTEM – (This was Item 32 on Agenda of March 30, 2005, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented.

Council Member Goldberg stated that his comments were on the main item, that he wanted to congratulate Council Member Ellis in representing the Mayor and the rest of the City Council, that he knew the agreement was not everything that Council Member Ellis wanted, that he was under the impression that something was better than nothing until he looked at the Houston Municipal Employees Pension System Financial Report, the HMEPS book, which Mr. David Long put out, his numbers, that it was pretty staggering when they got into the report and he had come to the conclusion that doing nothing was better than voting for Item No. 61. Council Member Goldberg reviewed a poster with two figures on it, \$57 million which was taxpayer money going to the pension and \$26 million was the participant portion, that the \$26 million was telling the \$57 million what to do, that the problem he had was that they were only adding two Council representatives and that was not enough and offered the following written motion to amend Item No. 61a:

“Amendment to the April 6, 2005 Agenda Item 61a:

I move that Section 2 (a) (i) (5) be amended as follows:

(6) Three persons appointed by the governing body of the city, each of whom cannot be a participant or beneficiary of the pension system and must be a resident of the City of Houston.

If Section 2 (a) (i) (5) is passed:

I move that Section 2 (a) (i) (6) be deleted.

I move that Section 9 add the foregoing sentence:

However, any City Council, not having been elected at the time of the agreement and any current Council Member not voting in favor of the agreement in whole, shall not be bound by the conditions of the section.”

After further discussion Council Member Goldberg stated that the second amendment

added one sentence to Section 9, that Section 9 says that if the Meet and Confer Agreement passed they could not go to the Legislature and say anything at all, they could not say anything in opposition and could not say anything at all, that his sentence said that for newly elected Council Members that did not have a chance to vote on the agreement and for Council Members that voted against the agreement, it did not bind them, they could still talk to their Legislative representatives, that if they voted against the agreement they ought to be able to go to their State Representative or State Senator and say why they did not vote for it and talk about the opposition but if they voted as is without the amendment then none of them go say anything to their State Representative or State Senator about it, that he hoped they would consider his amendments. Council Member Khan absent.

After a lengthy discussion by Council Members, Mr. Anthony Hall stated that if they were going to make the deal they ought to commit that was going to be the deal for whatever period they agreed to in the contract, that the deal binds only the parties to the contract, individual Council Members were not parties to the agreement, the City was a party and in this case the Houston Municipal Employee Pension System was a party, that the City of Houston's position was bound by the agreement if it should pass, that the Houston Municipal Employee Pension Fund was bound by the agreement if it should pass. Council Member Alvarado absent.

After further discussion, Council Member Green stated that with the Meet and Confer Agreement they were not bound by the terms or the times at which the Legislature met, they could reopen negotiations under the agreement next week or next year, that they needed to vote on the item today.

Council Member Green moved to call the question on the discussion regarding Council Member Goldberg motion to amend Item No. 61a, seconded by Council Member Galloway. Council Member Goldberg voting no, balance voting aye. MOTION 2005-0325 ADOPTED.

A roll call vote was called on Council Member Goldberg motion to amend Item No. 61a.

ROLL CALL VOTE:

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| Mayor White voting no | Council Member Garcia voting no |
| Council Member Lawrence voting no | Council Member Alvarado voting no |
| Council Member Galloway voting no | Council Member Ellis voting no |
| Council Member Goldberg voting aye | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting no |
| Council Member Wiseman voting no | Council Member Green voting no |
| Council Member Khan voting no | Council Member Berry voting no |
| Council Member Holm voting no | MOTION 2005-0326 FAILED |

After further discussion by Council Members, Council Member Goldberg moved to call the question and Mayor White stated that if there was no objection it was so ordered. Council Member Khan absent.

A vote was called on Item No. 61a. Council Members Goldberg, Wiseman and Holm voting no, balance voting aye. ORDINANCE 2005-0347 ADOPTED.

Mayor White recognized Council Member Edwards for a point of personal privilege, and Council Member Edwards stated that she wanted to recognize Willowridge High School Government Class lead by Mr. Larry Blackman who were present in the audience and asked that they stand and be recognized.

62. ORDINANCE approving and authorizing the Mayor to accept grant assistance from the **UNITED STATES FEDERAL AVIATION ADMINISTRATION** for various projects at the City's Airports; declaring the City's eligibility for such grants - \$60,000,000.00 - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** – (This was Item 50 on

Agenda of March 30, 2005, TAGGED BY COUNCIL MEMBER GARCIA – was presented.

Council Member Garcia stated that he had tagged the item last week because he wanted to get some information and appreciated the information he had gotten from the Aviation Department; that they had essentially two processes, they had construction as it related to Building Services Department and they had construction by virtue of Aviation, that he had gotten calls and concerns when they were moving into a new way of doing business and a way that he thought was beneficial to the taxpayers, that folks were originally concerned because they thought they were losing business, they had since developed an appreciation and a respect for Mr. Issah Dadoush and how he was being transparent in his process, but there were a lot of questions that he continued to get in regards to how the Aviation Department did its business, so he thought if they were going to do construction they ought to do it under one standard and process and it needed to be a transparent process so he would like to ask for the Mayor's consideration of moving all construction projects to the Building Services Department, and Mayor White stated that they would take that under consideration and would visit with the Council Member concerning the pros and cons of that. Council Member Edwards absent.

Council Member Galloway stated that in listening to her colleague in regards to Mr. Dadoush she did admire and respect the work that he was doing, but having been on Council for six years she had worked very closely with the airport and it was very complex and they had a lot of federal standards and with all the building and construction and all the buildings in the City itself she thought that a person like Mr. Dadoush perhaps already had his plate full, that she respected the operation at the Airport System, that it had been most successful, that when they did have some problems they were unforeseen problems, that she had worked very closely with Mr. Potts and Mr. Vacar on the projects that were going on, that she thought the way the structure was set up it had been most beneficial, they had to really understand the complexity of the construction, it was really the runways and not so much the buildings, there were no more buildings going up there were renovations of what they already had.

A vote was called on Item No. 62. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2005-0348 ADOPTED.

63. ORDINANCE approving and authorizing interlocal agreement between the City of Houston and **HARRIS COUNTY** for City Firefighting and Fire Protection Services to Unincorporated Areas of Harris County - Revenue – **(This was Item 52 on Agenda of March 30, 2005, TAGGED BY COUNCIL MEMBERS KHAN and WISEMAN)** – was presented.

Council Member Goldberg moved to refer Item No. 63 back to the administration, seconded by Council Member Wiseman. All voting aye. Nays none. MOTION 2005-0327 ADOPTED.

Council Member Goldberg stated that he wanted to thank Chief Boriskie for actually bringing the item to the City Council.

Items received during the meeting.

28. ORDINANCE establishing a Utility Relocation Policy for the City of Houston; **AMENDING CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to set forth policies and procedures for the relocation of facilities located within public rights-of-way to accommodate Public Works Construction projects; creating a Utility Relocation Program and approving the terms and provisions thereof; appropriating the aggregate sum of \$9,000,000 therefor from certain Commercial Paper Programs - was presented, and tagged by Council Members Green, Wiseman, Khan, Garcia and Sekula-Gibbs.
40. ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated

Construction Fund and \$240,000.00 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Developer Participation Contract between the City of Houston and **ARETE REAL ESTATE & DEVELOPMENT COMPANY** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section One of the Wynnewood Gardens Subdivision, CIP S-0800-57-03 and R-0800-57-03 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. All voting aye. Nays none. ORDINANCE 2005-0349 ADOPTED.

41. ORDINANCE appropriating \$144,334.13 out of Water & Sewer System Consolidated Construction Fund and \$192,769.15 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Developer Participation Contract between the City of Houston and **ARETE REAL ESTATE & DEVELOPMENT COMPANY** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Two of the Wynnewood Gardens Subdivision, CIP S-0800-58-03 and R-0800-58-03 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. All voting aye. Nays none. ORDINANCE 2005-0350 ADOPTED.
42. ORDINANCE appropriating \$184,594.17 out of Water & Sewer System Consolidated Construction Fund and \$231,000.00 out of Homeless and Housing Consolidated Bond Fund; approving and authorizing Developer Participation Contract between the City of Houston and **ARETE REAL ESTATE & DEVELOPMENT COMPANY** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Three of the Wynnewood Gardens Subdivision, CIP S-0800-59-03 and R-0800-59-03 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. All voting aye. Nays none. ORDINANCE 2005-0351 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Ellis stated that he wanted to thank Ms. Lisa Hargrove and the City Legal Department for assisting him to negotiate the Meet and Confer Agreement and would also like to thank Mr. Nichols and Dr. Frank Stoval as well as Mayor White and Mr. Hall, that he wanted to thank his colleagues who actually understood the significance of the agreement and voted with them to change the Pension Board makeup and change the criteria by which the individuals who were appointed to the board must meet. Mayor White and Council Members Wiseman, Holm, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Ellis stated that with regard to the Jefferson Wells Evaluation that came out, that he first read about it in the newspaper which he wished that Mr. Walsh would provide Council Members with the same information that he provided the media and hopefully in a timely fashion, that in reading through that evaluation, with regard to HUD and the HCDD it brought him back to an employee who used to work in that department who constantly would come to him and tell him about the problems going on, that he finally left and went to Harris County and only to find out that everything he said was basically true and if anyone had an opportunity to read the Jefferson Wells Evaluation of that department it was outstanding and almost criminal in some basis but he knew that Mr. Wilson would roll up his sleeves and be able to clean up that department. Mayor White and Council Members Wiseman, Holm, Quan, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Ellis stated that as to Senate Bill 3, he was encouraged to read in the Houston Chronicle that Mayor White opposed the taxation of water, the concept was to tax the municipalities throughout the State and provide some type of financing to the agricultural areas throughout the State, that he thought it was unfair, that when they adopted the new water rates one of the things they provided for was an increase in the amount that they paid with regard to the portion they used and so he was extremely uncomfortable and would encourage everybody to talk to their State Representatives and Senators with regard to the bill. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Goldberg stated that he wanted to thank Chief Boriskie for doing a great job in notifying the Council Members when there was a huge emergency in their district, that two weeks ago there was a carbon monoxide leak at the Family Dollar Store that made 50 people ill, that within minutes the Chief called their office and told them about the situation. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Goldberg stated that last week there was an incident that caused citizens to have less respect for the Houston Police Department, that it was in the Chronicle that Officer Christopher Green and Officer George Miller did some things that he did not know if they were illegal, that it stunk as to what the officers were alleged to have done, that basically one officer downloaded pictures from a DWI suspect phone and showed them to other people and taking the private information and showing it to other officers, that the other officer called a DWI suspect that he had arrested and she claimed he asked her out for a date and he said he was only trying to get her legal representation, that it was unheard of that they start calling people who they arrested, that he did not think they should rush to judgment and was confident that Chief Hurtt would look into those incidents, that they wanted to establish that HPD officers were to be respected and that incidents like these rarely occurred and certainly did not reflect on the majority of HPD officers. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Goldberg stated that he had passed out a letter to Council Members that he had sent to Mayor White and in it he discussed the fact that the Texas Legislature had a crucial vote coming up on lowering the appraisal caps from 10% to either 5% or 3%, that during the budget process last time the Mayor was in full support of lowering the appraisal caps, that he would encourage other Council Members to discuss their opinion on the matter. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Galloway stated that they would be having their MWBE Small Contractor Compliance committee meeting today at 2:00 p.m. in the Council Chamber. Council Members Wiseman, Holm, Garcia, Green and Berry absent.

Council Member Galloway stated that she wanted to thank Mr. Dadoush, that last week when she called their attention to Fire Station No. 39 he immediately responded and met her out there that same afternoon and was busy working on it right now. Council Members Wiseman, Holm, Garcia, Green and Berry absent.

Council Member Galloway stated that on Tuesday, April 12, 2005, she would be conducting her annual townhall meetings in the district, the first one at Restoration Temple Church at 10630 Homestead at 7:00 p.m. and the second on April 13, 2005 at the Kashmere Multi Purpose Center at 4801 Lockwood at 7:00 p.m. and also on Thursday, April 14, 2005, at the Acres Home Multi Purpose Center, 6719 West Montgomery. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Edwards stated that the Baylor Lady Bears were awesome not only in the game last night but in the entire tournament. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Edwards stated that on Monday, April 4, 2005 was the anniversary of the assassination of Dr. Martin Luther King who was 39 years of age, that he was a very young and dynamic man who not only had an impact on the African American Community but she thought he had an impact on the world itself. Council Members Wiseman, Holm, Green and Berry absent.

Council Member Edwards stated that there was diversity and ground roots diversity happening in District D and she wanted to highlight that, that last night at the Westbury Village Homeowners Association meeting they had a standard process, because they had such a large

and growing Hispanic community in that area, and all of their meetings were bilingual, that it was something that they had come together as a community to respect and appreciate each other, that she was pleased to say she represented them. Council Members Galloway, Wiseman, Holm, Green absent.

Council Member Edwards stated that there would be a cleanup in Sunnyside on Saturday, April 9, 2005, that it was headed up by Keep America Beautiful but all of the civic clubs and super neighborhoods were participating, that there two gathering spots, one was at Sunnyside Park, home of the Chocolate Bayou Festival and the other was the police storefront on Reed Road, that they would start at 8:00 a.m. and she encouraged them to come out. Council Members Galloway, Wiseman, Holm, Green absent.

Council Member Edwards stated that she wanted to recognize Mr. Donald Perkins in the Planning Department, who worked with them and answered the most basic questions and was always going beyond detail, that she appreciated Mr. Perkins for the work he did not only for their office but for the community that was outside of the normal 8 to 5. Council Members Galloway, Wiseman, Holm, Green absent.

Council Member Lawrence stated that she wanted to welcome Ms. Sara Goldston, she had worked for a U.S. Representative for four years and was coming to the City of Houston to work in the District A office, that they were glad to have her as part of their staff. Council Members Galloway, Wiseman, Holm, Green absent.

Council Member Lawrence stated that as to the appraisal cap, that the Texas Municipal League did not even consult Ms. Ann Travis or consult the City's legislative people as far as their priorities of legislation, that Houston had been a big participant, that she would like to separate from them completely, that she was very disappointed in them and asked that they take her off of their list completely. Council Members Galloway, Wiseman, Holm, Green absent.

Council Member Lawrence stated that after last nights Astros game, that she was fortunate to attend, she would say to people not to give up on the Astros because the season was still young. Council Members Galloway, Wiseman, Holm, Green absent.

Council Member Lawrence stated that she wanted to thank some IT people in their installation of a new phone system at the Longpoint HPD Storefront, Cory Flowers, Janis Jefferson and Brenda Hopkins, that during the cleanup there were some City employees that she felt went beyond their service, Don Nowlin, Public Works, Steve Inman, Neighborhood Protection, Anthony Freddie and Jack Hanagriff, from Solid Waste, Lionnel Jordon, and from the Long Point Storefront, Sergeant Hank Hernandez and Officers Pat Abercia and J. J. Mundsey, and a big thanks to Keep Houston Beautiful and Waste Management. Council Members Galloway, Wiseman, Holm, Ellis and Green absent.

Council Member Garcia stated that Wings of Freedom occurred at Ellington this weekend and one of his constituents, Mr. Domingo Trevino, who was a WWII participant and who had received a Distinguished Flying Command Medal for the missions that he flew on a B24, would now forever have his name engraved on the side of one of those bombers, that one of his staff members was able to fly in his place on the aircraft during the event. Council Members Galloway, Wiseman, Holm, Ellis and Green absent.

Council Member Garcia stated that North Lindale Civic Association had a nice and successful Arts and Crafts Festival that took place at the Harris County Department of Education parking lot this weekend, that he wanted to congratulate them for coming together as a community and having that event. Council Members Galloway, Goldberg, Wiseman, Holm and Green absent.

Council Member Garcia stated that the Heights Norhill Little League had their opening

game on Saturday and he wanted to wish them a successful season. Council Members Galloway, Goldberg, Wiseman, Holm and Green absent.

Council Member Garcia stated that he wanted to send out kudos to Mr. Buch Buchanan, Director of Solid Waste, that there was some work that they were preparing to do to cut a weeded lot in his district and there was a huge tree that somebody had cut and left on that lot and he mentioned it to Mr. Buchanan to see if he could take a look at it and handle it and they met late on Friday evening and as he got home about 7:00 p.m. the tree was gone, that he wanted to thank Mr. Buchanan for that, that he wanted to thank his staff and volunteers from the district, that on Sunday morning they went out to the lot to cut it. Council Members Lawrence, Galloway, Goldberg, Wiseman, Holm and Green absent.

Council Member Garcia stated that he wanted to commend Mr. Harold Wesenthal, who was present in the audience, that today was Harold's 55 anniversary, that he wanted to commend him for all he had done for the City of Houston and particularly the Heights Community. Council Members Galloway, Wiseman, Holm, Quan and Green absent.

Mayor White and Members of Council congratulated Mr. Wesenthal, for his service to the City of Houston. Council Members Galloway, Wiseman, Quan and Green absent.

Council Member Alvarado stated that yesterday she was in Denver Harbor at the multi service center and wanted to thank Assistant Chief Lumpkin, Mr. Harish Jajod and Mr. Issah Dadoush for coming out, that she still continued to be disappointed with the fact that the Denver Harbor Multi Service Center, which was a multi million dollar project, opened three years ago however the second floor was still not completed, the construction, she was told, would take about another year and a half, that she understood why that was but did not agree and did not like it, that she would hope that as they looked to build other multi service centers that they would not open until they were completely finished, that it was embarrassing to go to Denver Harbor to the second floor of the center and it was still under construction after three years of being open, that all of the programs that used to exist in the old building, which was a quarter the size of the new building, were not there, that it was a big expensive empty space that was being wasted, that the community was very patient but continued to ask why was the facility opened if the second floor was not built out, where were the programs, that she was running out of patience. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Mayor White stated that there was a very substantive discussion, with Mr. Hall participating, about six months ago on the issue and he would like if Council Member Alvarado would not mind helping them gather information about what programs had been done and what programming should be there, that he understood what she was saying, that it would help him give directive to the relevant departments, and Council Member Alvarado stated that she had a list she received yesterday from the community, that Council Member Garcia had also been very supportive and had been meeting with the residents as well and she appreciated that. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Alvarado stated that as they mourned the death of Pope John Paul II there would be a couple of masses in celebration of the Pope's life and one would be tomorrow at 7:30 p.m. at Sacred Heart Co Cathedral and the Houston community was welcome to attend, that they sent out their prayers to the Vatican and to the Catholic Church as a whole. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Sekula-Gibbs stated that in addition there was another mass on the day of the Pope's funeral, on Friday at 7:00 p.m. at Our Lady of Czestochowa, at 1731 Blalock Drive, and she was inviting the Mayor and Council Members to attend, that the mass would be in Polish and there would be beautiful Polish singing, that the Honorary Polish General Counsel and Dr. Cruzel as well as the Pastor of the Church had invited them and she extended the invitation to everyone. Council Members Lawrence, Galloway, Wiseman, Holm and Green

absent.

Council Member Sekula-Gibbs stated that there was a Breast Cancer Summit that was occurring on Friday, the Susan G. Koenig Breast Cancer Foundation and the Rose Foundation were going to host the Greater Houston Area Breast Health Summit on Friday from 8:00 a.m. to 5:00 p.m. at the new United Way Building, that it was for anyone who had an interest in Breast Cancer. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Sekula-Gibbs stated that she wanted to congratulate the Lady Baylor Bears. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Sekula-Gibbs stated that the Houston Hispanic Forum was having an event on Saturday, their Annual Career and Educational Day at the George R. Brown on the third floor, opening ceremonies would be at 8:30 a.m. and the educational seminars would go from 10:00 a.m. to 12:00 p.m. and she encouraged everyone to attend, that Ms. Dorothy Karam had done a good job as well as a number of other people. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Alvarado stated that this Saturday was the Cesar Chavez Day Parade and it would be at the corner of Capital and 65th at 9:00 a.m. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Garcia stated that he wanted to remind everyone that on Monday at 10:00 a.m. would be the Public Safety and Homeland Security meeting and would invite everyone to attend. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Khan stated that as to the Jefferson Wells report on the Housing Department he thought it was just the tip of the iceberg, that they had heard so many stories of that department, that most everything happened before the present administration, that one thing that happened during their time and that was the default of two loans, that he thought the Mayor might want to look at starting an inquiry because there was a huge potential of wrong doing in that department when they were dealing with public trust and public money. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Khan stated that they were concerned about crime and that was why they held the crime summit, but there was something going on, that on Hillcroft the Police Department was conducting some kind of stakeout, that at least a couple of times a week several police officers stand on Hillcroft just north of Interstate 59 and had pulled cars over and gave people tickets, that it was important and enforcement was great as long as it was done in every part of town, that people were complaining that they were only targeting within that area, that they did not want it to turn out to be police profiling, that they had needs for police patrolling and taking care of other crimes, that he requested the Mayor to have Chief Hurtt take a look at it and see that it was done fairly all across town. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Khan stated that there would be a townhall meeting on April 25, 2005 and they would discuss itinerant vendors, they did not want District F to turn into a giant flea market. Council Members Lawrence, Galloway, Wiseman, Holm and Green absent.

Council Member Khan stated that in Alief they would do a tree planting on Saturday, at Alief Community Park at Bellaire and Kirkwood, that they planned to put about 3,000 seedlings in the park, so all the neighborhood people were doing a wonderful job and they wanted to invite everyone to join in the effort. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Khan stated that on Sunday the Islamic Society of Greater Houston along

with the Shiffert Clinic would be conducting a medical fair at the Multi Ethnic Community Center at 9819 Bissonnet from 10:00 a.m. to 5:00 p.m. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Khan stated that he wanted to congratulate Major David Polynsky, who was being honored at the Basil's Restaurant at Westheimer and Kirby and everybody to come and show their appreciation for his service in Iraq. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Khan stated that he wanted to extend his condolences to all of the Catholics around the world for the passing of a great man, Pope John Paul II, who had extended his arms to more people and more communities and built bridges with more people than anybody, that he was one of the greatest men in the past century. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Quan stated that as to the Jefferson and Wells Report, each Council Member should have received a copy by now and knew that Council Member Ellis had eluded to the fact that it was not made known to them before it reached the press and he apologized, that he had obtained a copy and encouraged the administration to release it, it was certainly a scathing report about the problems they had in that department for quite a long time, that Mr. Wilson would be appearing before their next Housing meeting to talk about what actions were being taken to rectify that situation, that he had met with Mr. Wilson and his staff yesterday, extensively, and a number of things were in place. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Quan stated that Mayor White had his accountants at the last meeting of the Ethics Committee, that they had a new report that was now going to be due out by April 30th and each of the Council Members had to file it, by Texas Law, as of April 1st, on their personal financial statements, that if they did not have it done they had to request an extension from the City Secretary and Mr. Don Cheatham, Legal Department, could answer questions, that it was a new form that had not been in place before, that each of them as elected officials had those responsibilities, that it covered all income they had in 2004, that the committee was looking at doing away with the October filing if it was going to be redundant of what the State was asking for. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Quan stated that there had been concerns raised about the Bureau of Animal Control and Regulations, they had a new kennel and people had asked about how animals were being treated, they had a tour scheduled on Tuesday at 9:30 a.m. to look at the old facilities as well as the new facilities to see what action was now being taken to treat animals in a more humane manner, if they wanted to go on the tour to please call his office and they would arrange for that to happen. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Quan stated that in Midtown, in the Little Saigon area the Midtown Management District had been working with them and they made new signs that would go up but the signs were being held up and he was trying to get an answer as to what had happened and asked the Mayor if there was a new policy, and Mayor White stated that somebody asked him that question the other day and he had asked Mr. Moore to get the answer and asked for a status report. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Quan stated that many of them had been concerned with the homeless and they had a meeting this afternoon dealing with the Pierce Elevated and they would have a preliminary report on the status of the Blue Ribbon Committee on ending chronic homelessness in Houston at their next Housing meeting on April 19, 2005. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Khan stated that they had two new interns joining their office this week and wanted to welcome them, that they were doing a wonderful job. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that Council Member Edwards deserved special mention, that she stayed longer than any other Council Member and listened to every person and he wanted her to know that he appreciated that. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that Mayor White had talked about economic development and bringing conventions to Houston, that the bread and butter of the economic development with regard to tourism was conventions, that he wanted to commend Ms. Dawn Ullrich and Mr. Pete Radowick, that he went to one of the conferences, that they booked the group again several times, that it was Corrosion Engineers and it was a large conference and a lot of money for the City of Houston, that he wanted to commend the work of the Convention and Entertainment Group. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that he was sorry to see Mr. Hugo Malanga leave the City of Houston, that the Mayor did a great job in bringing him in, that he had done a great job and they were going to miss him. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that in the State of the City Report, that it said the Houston was the second safest big city in America. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that he wanted to commend Mr. Carl Davis, that he was put in charge of planning the a national convention, that there was going to be a discussion in the City of Houston that would be covered nationally between Governor Dean, DNC and Mr. Ken Melman, RNC, that it was good publicity for the City of Houston. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that a new resident Mr. Kirk Carr, an internationally famous gospel star, had produced a new gospel album and sent him a copy to give to Mayor White. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

There being no further business before Council, the City Council adjourned at 11:51 a.m. Council Members Lawrence, Galloway, Wiseman, Holm, Sekula-Gibbs and Green absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary