

City Council Chamber, City Hall, Tuesday, August 2, 2005

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, August 2, 2005, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Don Cheatham, Division Chief, General Counsel Division, Legal Department; Ms. Debra Dillard, Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director present. Council Member Pam Holm out of the city on personal business.

At 2:01 p.m. Mayor White stated that Council Member Wiseman would begin the presentations; and Council Member Wiseman stated that it was her pleasure to recognize outstanding students from the Kingwood area, the Kingwood Texas Wave Girl's Soccer Team for being the 2005 Copa Coca-Cola National Champions and 2005 Copa Coca-Cola International Champions and invited Coach Tammy Lawrence and Mr. Paul Detmore and Mr. Tim Lynch of Coca-Cola along with the team to the podium. Council Member Wiseman presented Certificates of Recognition to Coach Lawrence; and Coach Lawrence thanked Coca-Cola and the City of Houston Parks & Recreation for giving them opportunity to play and presented autographed soccer balls to the Mayor and Council Member Wiseman. Council Members Lawrence, Ellis and Green absent.

Mayor White stated that he would like to take time to make an introduction; that soccer could open the door for many things; and Council Member Khan would recognize one of our best known soccer players in Houston though he made his name another way; and Council Member Khan stated that it was a great honor today to have a visitor and guest who was present to thank the Mayor and Council Members and introduced Mr. Hakeem Olajuwon. Mr. Olajuwon stated that he started playing soccer before he picked up a basketball and it was his favorite sport; that he learned much of his footwork from soccer and was happy to be present today with the soccer team and to meet Mayor White; and Mayor White stated that the microphone could be lowered but not raised; that he thanked him for all he did for the community; that he gave much back and Hakeem gave much in the faith community also and was a great ambassador for the City of Houston and he would always be a Houstonian. Council Members Lawrence, Ellis and Green absent.

Council Members recognized Mr. Olajuwon for being a great individual and thanked him for all he did, all he gave back and for being present today. Council Members Lawrence, Ellis and Green absent.

Council Member Edwards stated that she had the honor of having Mr. Wilford Scott from the Texas Industries for the Blind and Handicapped present and invited him to the podium; and Mr. Scott stated that he thanked the Mayor and Council for their support in the Texas Works Wonders State Use Program and introduced all those present with him today. Mr. Scott stated that the program was designed to provide employment opportunities to people with disabilities; that they wanted to say thank you and presented the Mayor with a plaque for dedication and support of purchasing through their program which made a difference in many people lives. Mayor White thanked them for all the work they did and stated that their work did speak for itself. Council Member Edwards stated that in 1995 she became deaf in one ear and blind in one eye and had gotten to know the community with invisible disabilities and she thanked them for all the work they did in bringing back meaning to many. Council Members Lawrence, Ellis and Green absent.

At 2:22 p.m. Mayor White called the meeting to order and called on Council Member Sekula-Gibbs who led all in the prayer and pledge. Council Member Green absent.

At 2:23 p.m. the City Secretary called the roll. Council Member Holm out of the city on personal business.

Council Members Garcia and Quan moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Holm out of the city on personal business.. MOTION ADOPTED.

Council Member Galloway moved that the rules be suspended for the purpose of hearing Mr. Ovide Duncantell out of order, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent out of the city on personal business. MOTION 2005-0720 ADOPTED.

Council Member Edwards moved the rules be suspended for the purpose of hearing Mr. Randall Kallinem out of order seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm absent out of the city on personal business. MOTION 2005-0721 ADOPTED.

Council Member Garcia stated that as a point of personal privilege he wanted to recognize a girls group from Harris County and asked all to stand to be recognized; and thanked them for being present.

Mayor White stated that an outstanding public servant whose colleagues and citizens liked working with her, Ms. Debbie Dillard, she was filling in for Mr. Cantu and he was glad to see her at the table.

Mr. Ovide Duncantell, 8002 Crestwick Drive, Houston, Texas 77083 (713-645-9598) appeared, presented information to Council Members and stated that he was again present on a parade issue for 2006 and felt he was ambushed by the maintenance and legal departments; that the letter sent to him and dated June 9th and Council was told he was sent the letter in February; that technically he was not in the upcoming parade and was asking Council for help.

Upon questions by Council Member Galloway, Mr. Duncantell stated that he had been present four times pleading for what he legally applied for and had not received any response from Council; and Council Member Galloway stated that she would ask the Mayor to investigate based on information he presented; and Mr. Duncantell stated that no one said anything about insurance and he needed Mayor White to make the legal Department give him the go-ahead; and wanted to know what to do with his application.

Mayor White stated that he should hold onto his application and they would look into the issue he raised.

Council Member Edwards stated that she asked on several occasions as to what Mr. Duncantell was supposed to do and still would like an answer; that to her understanding both applied with no insurance indicating no floats, etc., and Mr. Duncantell's application was not reviewed and Mr. Stamps was and she would encourage someone getting this straightened and the parade moving forward.

Council Member Goldberg stated that what happened was two groups made application for the same day and they were told with no insurance they were not qualified so the other parade said they had no cars or animals and did not need insurance so they were applying for it and wanted that date; that now that parade was coming back and saying they did have animals and cars and in looking at the parade ordinance he saw no way specifically to resolve it other than in an arbitrary and capricious manner, however, the new ordinance would cover such clearly and there would be severe penalties if you did do such; that he agreed Mr. Duncantell was ambushed but it would not happen once the new ordinance was passed. Council Member Garcia absent.

Upon questions by Council Member Edwards, Council Member Goldberg stated that he

saw nothing in the ordinance saying you could not amend your application; and Mr. Cheatham stated that they did not currently have anything in the code which spoke to amending applications; that the issue from their point of view at this point in time was an application was made at the first of the year and based on that it was granted for the 2006 parade and then subsequent to that his office was provided information about the parade and they were currently investigating. Council Member Garcia absent.

Upon further questions by Council Member Edwards, Mr. Cheatham stated that as he remembered both had tried to file an application and neither party had a conforming application in terms of insurance requirement and both were denied and both sent denial letters; that for what ever reason, he did not know, Mr. Stamps filed a new application and Mr. Duncantell did not and Mr. Stamps application was in conformance and a permit was granted; and Council Member Edwards stated that he filed saying no animals, etc., and once he was approved he came back to amend it and she heard what he was saying but felt the City was taking a very weak position on this and it was obvious someone was making preference to what parade they wanted, it was inappropriate and sent a serious statement; and they should be fair. Council Member Garcia absent.

Mayor White stated that Council Member Goldberg had worked on this and unless someone persuades him otherwise the policy of the City of Houston, in general parades were a good thing; people should be treated fairly and he liked parades. Council Members Garcia and Alvarado absent.

Council Member Wiseman moved that the rules be suspended for the purpose of hearing Mr. Dave Welch and Ms. Ericka McCrutchon at the top of the three minute non-Agenda portion of the speakers list, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Holm absent out of the city on personal business. Council Members Garcia and Alvarado absent. MOTION 2005-0722 ADOPTED.

Mr. Randall Kallinem, 1406 Castle Court, Houston, Texas 77006 (713-320-3785) appeared and stated that he was present regarding welfare and health of Houston residents with new information on an old subject; that the City of Houston had 3,600 tasers deployed, more than any law enforcement agency in the United States, that Taser International just announced for the first time a warning that multiple tasings could kill and indemnity provisions in the contract between the City of Houston and Taser International would not protect the city legally due to death or serious injury; that Taser International had told the city they were relatively safe; and advised the City of Houston to get their money back, return the tasers and get the \$3.6 million back. Council Members Garcia and Alvarado absent.

Upon questions by Council Member Berry, Mr. Kallinem stated that to date officers had shot and killed more than last year so deployment of tasers had not decreased instances of excessive force or death; and Council Member Berry stated that for many Council Members they thought it would be best to use a taser rather than a gun and he felt there had been lives saved as a result. Council Member Green absent.

Council Member Edwards stated that when Council was reviewing the tasers she had wanted an independent medical study but they had chose not to and she would suggest the least they could do would be review the new information from Taser International with the policies Chief Hurt had in place; that her vote remained the same, police did not shoot to wound, they would shoot to stop. Council Members Ellis and Green absent.

Council Member Garcia stated that he asked Council Member Edwards for the write-up on what he spoke on; and he thought the Chief had agreed to get an independent study through NIJ and he was trying to confirm that, but he thought there was a great benefit to tasers though they should be used wisely; and upon questions, Mr. Kallinem stated that at the least they should get rid of multiple tasings. Council Members Lawrence, Ellis and Berry absent.

Council Member Sekula-Gibbs stated that she appreciated him bringing it to Council's attention that the company who manufactured tasers was recognizing and posted a warning that with multiple tasing an individual could die; that there were a lot of dangerous items including sticks and clubs and the operator was responsible; that if policy needed to be changed on how they instructed and related to communities then it was fair, they did not want to be negligent; that she did not know if there was an attempt to do that, but if the Chief of Police could bring to their attention and send out to them information on this item she would appreciate it. Council Members Lawrence, Ellis and Berry absent.

Council Member Khan stated that without a taser the only option for an officer would be a gun; and upon questions, Mr. Kallinem stated that the ACLU's position was a moratorium, but they could have a policy of no multiple tasings and no tasing for pregnant women; and Council Member Khan stated that it would be difficult to know if some women were pregnant and how could they tell an officer how to use their tools, it was one thing to ask for more training, but an officer was the one facing the situation and the best judge as to how far he needed to go; that he was all for training but not for micromanaging them. Council Members Lawrence, Ellis and Berry absent.

Council Member Edwards stated that officers lives were always in danger but they said tasers would not hurt and now were finding out that was not true and some police departments were filing suits against that particular company; that tasing was extraordinarily high in the African American and Hispanic community, almost 90% of total tasers, and she felt she had a duty to the community she represented that in light of the findings could they review policy. Mayor White, Council Members Lawrence, Galloway and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Patrick Smith, 3505 Sage Road, Houston, Texas 77056 (713-553-1719) appeared and spoke in opposition to Agenda Item 36 and stated that he was with Priority Towncar Service and many customers wrote expressing their displeasure with the proposed increase and he and other limousine companies never asked for it and were asking Council to study before making decisions. Mayor White, Council Members Lawrence, Galloway, Wiseman and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Erich Reindl, 4103 Sherwood, Houston, Texas 77092 (713-680-1955) appeared and spoke in opposition to Agenda Item 36 and stated that they believed at present this was not a good idea; that he spoke to his corporate clients and they all opposed; that it was not good for business or for citizens of Houston and he believed the study was flawed and hoped Council would reconsider. Mayor White, Council Members Lawrence, Galloway, Wiseman and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Quan, Mr. Reindl stated that he was a limousine operator with 19 cars; that his towncar rate was \$25.00 an hour and his limousine was \$30.00 an hour; and Council Member Quan stated that they did a survey and most limo operators were charging \$35.00 an hour already; and Mr. Reindl stated that the problem was the ordinance did not distinguish limousine, SUV, towncar, etc., and all were under one hat; that he was a board member of the Limousine Association; and Council Member Quan stated that they adopted most recommendations by their association and he understood the association had adopted the \$35.00 minimum for two hours; and Mr. Reindl stated that he did not recall that. Mayor White, Council Members Lawrence, Galloway, Wiseman, Khan and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Henry Moore, 8415 Battle Plains, Houston, Texas 77040 (281-352-9371) appeared and spoke in opposition to Agenda Item 36 and stated that he was owner of Moore's Corporate Limousine Service and he felt it would be devastating for his family and other small minority business owners if the rate hike was implemented; that 60% of the drivers were Black and it

was a greater chance of them having a criminal record and there were laws for them and laws for everyone else; that he felt he was being discriminated against because new laws passed had minorities paying; and urged that Council reconsider their actions and be reasonable. Mayor White, Council Members Lawrence, Galloway, Wiseman, Khan and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Green, Mr. Moore stated that the average price for a Towncar was \$50.00 minimum to go to the airport and that was without gratuity; that small companies did not have big corporate clients or resources or capital to invest in commercials, etc.; and Council Member Green stated that he took offense with him saying African Americans had a better chance of having a criminal record and he felt that statement was damaging to them procuring business because now based on what he said everyone getting into a limousine with an African American male driver should be afraid; and Mr. Moore stated no, he was twisting what he said, he just said they had a better chance of a record; and if they had to do something then okay, but this was too much and unreasonable. Mayor White, Council Members Lawrence, Galloway, Wiseman, Khan and Berry absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan stated that many of his friends were African American and many were drivers and none had criminal backgrounds and he should be careful of such comments and Mr. Moore stated that he was going by experience, what he witnessed, and the amount of drivers he and others could not get. Mayor White, Council Members Lawrence, Galloway, Wiseman and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Laura Brady, 827 E. Rogers, Houston, Texas 77022 (713-696-0199) appeared and spoke in favor of Agenda Item 36 and stated that she was marketing and public relations manager for Liberty Cab Company, a family business, and they did support F & A's recommendations; that \$70.00 was a minimum charge and they could charge \$50.00 and then add in tips, toll charges, etc., to get to the \$70.00 and she could understand why those wanting the increase were not present as it was not good publicity; and asked the Mayor and Council to support the item. Mayor White, Council Members Galloway, Wiseman and Berry absent. Mayor Pro Tem Alvarado presiding.

Ms. Rosetta Mosley, 7206 Silver Meadow Court, Houston, Texas 77041 (832-256-2089) appeared and spoke in opposition to Agenda Item 36 and stated that she was owner of Mosley's Limousine and she could not understand why a private industry needed to be regulated and this was her American dream; that she needed negotiating power and did not need to be in competition with the cab companies; that Houston had the highest licensing in the nation and should not have to have the highest rates also, she wanted her new business to grow and she was asking for equal opportunity and for Council to take it back to committee and hear from them again. Mayor White, Council Members Galloway, Wiseman, Ellis and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Quan, Ms. Mosley stated that Council regulated her business and she charged \$25.00 an hour and then tip, etc., if everyone was raised it would be a level playing field, but why were they raising the price; and Council Member Quan stated that the distinction between cabs and limos had grown less and less as far as fares and this was a correction to make up for it; and Ms. Mosley stated that she could not afford a higher increase than the cabs. Mayor White, Council Members Galloway, Wiseman, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Upon questions by Council Member Edwards, Ms. Mosley stated that limousine companies had a two hour minimum and her recommendation on increase would be \$5.00; and Council Member Edwards stated that she would like in writing from her the statement of policy and option on increases. Mayor White, Council Members Galloway, Goldberg, Ellis, Green and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Ricardo Trevino, 422 Sedgewick, Houston, Texas 77076 (281-960-0321) appeared, presented information and spoke in opposition to Agenda Item 36 and stated that he owned his minority business since 1999 and would be put out of business with the proposed rate increase; that he was representing Senator Coach Limousine and Chauffeured Car Service; that airlines and others lowered prices and corporate companies looked for the best price they could get in volume and that was why he asked for no increase; that cabs were driving the same cars and charging less and if a corporate company came to Houston they would use them as it was the same car and lower rate so they could not compete. Council Members Galloway, Ellis, Green and Berry absent.

Upon questions by Council Member Edwards, Mr. Trevino stated that corporate business was their main business going to and from the airport; that the Houston Visitors and Convention Bureau wanted no increase as it would take business away. Council Members Galloway, Ellis, Green and Berry absent.

Council Member Wiseman stated that on a point of personal privilege she wanted to introduce the Summer Page Students present today and invited Davion Antwine, Denecia Antwine, Quincy Brown, Zorell Guige and Crystal Roberts to stand to be recognized. Council Members Galloway, Ellis, Green and Berry absent.

Council Member Wiseman moved that the rules be suspended for the purpose of hearing Mr. Dave Welch and Ms. Ericka McCrutchon out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm absent out of the city on personal business. Council Members Galloway, Ellis, Green and Berry absent. MOTION 2005-0723 ADOPTED.

Rev. Dave Welch, 4669 SW Freeway #740, Houston, Texas (713-933-2289) appeared in opposition to Houston Media Source and stated that he represented the Houston Area Pastor Council, a coalition of pastors in the Houston area, ; that they had a responsibility to protect youth by what went through public airways and the proponent of free access of anything through the use of public access was very broad legally and morally and there was no constitutional rights to a public contract with government, this was not a first amendment issue as much as some would like to proclaim it to be and there was no Constitutional guarantee to use public airways or have a contract with a government entity for any purpose without any restrictions; and they were asking Council to present and impose in any future contracts regarding public access television as administered by the City the Texas Indescency and Obscenity Standards which were already in state law as it was clear and understandable. Council Members Galloway, Ellis, Green and Berry absent.

Council Member Wiseman thanked Rev. Welch for coming and sharing the views of the Houston Area Pastor Council; that she was pleased he stepped up with the issue they were really dealing with and that was what they did as a city when entering into a contract; that no one had a Constitutional right to a contract with the government and contracts they drafted on public access could be specific as to what they wanted provided and so if they entered into an agreement with another city the Code of Ordinances stated it was this City's responsibility to make sure that obscene and indescency programming was not cable cast; that specifics were set out in contracts and if they did not want to abide they did not need the contract; that this was opportunity to enter into a new contract and all options should be looked at. Council Members Galloway, Edwards, Ellis, Green and Berry absent.

Council Member Lawrence thanked Rev. Welch for coming and stated that when trust was lost she did not have a place for you and that was her problem with Houston Media right now. Council Members Galloway, Edwards, Ellis, Green and Berry absent.

Council Member Sekula-Gibbs stated that she supported an RFP being issued and if it did not happen maybe they could rework the board; and upon questions, Rev. Welch stated that if that did happen he was sure some of the members of his Council would be happy to be on the

board, however, one concern was with vagueness in a standard a standard would be violated so the contract needed to be specific for the vendor; and Council Member Sekula-Gibbs stated that she would like him to provide Council Members with a summary of the suggested laws he spoke of. Council Members Galloway, Edwards, Ellis, Green and Berry absent.

Council Member Wiseman stated that next week they would be voting as to whether to enter into a new contract with Houston Media Source and the board at that time would not be changed and they would be entering into a contract that was broad in definition; that the law said the cable company could not stop from airing the programming if it met the law with respect to obscenity and indecency, but as the franchising authority the City could say what they wanted to air and what the conditions of the contract would be. Council Members Galloway, Edwards, Alvarado, Ellis, Green and Berry absent.

Ms. Ericka McCrutcheon, 9746 Kirkfalls Drive, Houston, Texas 77089 (281-922-7552) appeared in opposition to Houston Media Source and stated that she was a concerned citizen and she thanked Council Member Wiseman for her courageous stand on the issue and she was asking that the contract not be renewed with Houston Media Source and that they find another vendor to carry out programming in a responsible way; that Houston Media Source seemed to be confused on the issue of free speech, censorship and obscenity and was concerned they did lack proper checks and balances on questionable programming; and she was asking the Mayor and Council to act responsibly and seek another company as she did not trust the value statements of directors of Media Source. Council Members Galloway, Ellis, Quan, Green and Berry absent.

Council Member Wiseman thanked Ms. McCrutcheon for coming and speaking out and stated that as she said it was not a free speech issue but an issue of providing a balance and a lack of trust; that at first Council was told it was a program aired by mistake, but they found that was the norm; that also Houston Media Source sent Council a package addressed in an open memo to the Mayor and Council, but interestingly they left some Council Members out and that was not honesty, she was left out, and in the memo they redefined the Texas Penal Code on obscenity to add in the word "hardcore" sexual content when the Code said sexual content so they took it upon themselves to put a document together to say they were including all and they did not send it to her and then redefined the Texas Penal Code and suggested to Council that was how it was; that they also said they were working with the District Attorney who would do a video tape for them on what was considered obscene, etc., and his comment on television to them was no, he would not do such as it was not his job to educate others on the law; and she was in agreement it was time to see who else could do the job. Council Members Galloway, Ellis, Green and Berry absent.

Upon questions by Council Member Khan, Ms. McCrutcheon stated that she was not saying Council had the responsibility to police every situation in such matters and she hoped society was more responsible and people in authority would be in positions and make right decisions; that people should be able to say what they wanted as long as it was not like threatening the President's life. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Upon questions by Council Member Khan regarding the \$800,000.00 not being used for Media Source; Mayor White stated that one issue was right now the channel could be used for public access or part of the hours could be used for educational community programming so there would be more programming control based on criteria and it could be done with local production but it could not be used for pot holes. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Council Member Edwards stated that the item was deferred for 30 days and she was not sure what they were trying to accomplish and in addition she understood Houston Media Source was willing to look at interpretation of the FCC regulation to see if they were correct and if they

could pre-censor they would, but it was a slippery slope to censor; and felt the people should have opportunity to correct the problem but she saw nothing on their investigation or review of policy; and upon questions, Mayor White stated that he thought some policies and procedures would go into effect on how to prevent things and citizens could be appointed; that he understood people wanted something to watch, some wanted to learn and the city wanted to comply with laws; and he thanked Council Members for forwarding names for the board which he wanted to appoint in a matter of days; that a lot went on before he got here and the whole issue of public access and people who devoted their time and attention to create good things they heard about, he did not want to do something and in two years look back and say the baby was thrown out with the bathwater; and Council Member Edwards stated that she appreciated that and thought this should be looked at like all issues on behavior, on the issue of the police lab they did not close down the Police Department they looked at policy and changed it to make it better and they owed this company the same courtesy. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Council Member Edwards stated that she would like to clarify something, they contacted Mr. Tollett, the director of the Convention and Visitors Bureau, and he said there had been no statement for or against the limo rate as one speaker suggested had been done. Council Members Lawrence, Galloway, Ellis, Quan, Green and Berry absent.

Council Member Wiseman stated that to clarify something on the Houston Media Source issue the idea of throwing the baby out with the bathwater, she was saying someone else could do the job and if it was a police issue they would not be saying do away with the police department, but saying pull off the officers who committed the offense, this was not about having public access but instead who would provide the service so the analogy could not apply. Council Members Lawrence, Galloway, Edwards, Ellis, Green and Berry absent.

Mayor White stated that the Mayor Pro Tem Alvarado was pointing they were way over on the five minutes and if they could move on; and called for the next speaker to be called. Council Members Lawrence, Galloway, Edwards, Ellis, Green and Berry absent.

Mr. Rodney McKenzie, 4410 Oaks Road, Houston, Texas 77013 (713-516-8852) appeared in opposition to Agenda Item 36 and stated that he owned a limousine company and wanted the Mayor and Council to vote against the proposed increase; that it was not the money he was worried about but the lack of rules on dress code, the fact that new Chrysler products would not be able to be made into a limousine, about such vehicles as towncars being used for taxis when they looked just like the ones Council proclaimed to be limousines; that no one enforced rules at the airport and that there was no downtown parking for people like him with big cars; and urged a no vote tomorrow, not just because of what was in it but what was not in it; and Council Member Edwards stated that the Convention Bureau did not say one way or the other but he had a letter from them saying they did not like it and he had letters from others not in favor such as the Hotel Motel Association and other companies; and if the cab company could not make it then it was their problem the same as if he could not make it then it was his problem; that he survived fine and charged more than what they were asking it to be raised to, but what would people from other towns think when they came to Houston and found out they paid more here; that Vegas limos were cheaper and they beat everyone's price for conventions. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Council Member Khan stated that he was totally impressed with him and he hoped others just like him would come to Council. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Council Member Goldberg moved that the rules be suspended for the purpose of hearing all the one minute speakers on the limousine issue out of order, seconded by Council Member Quan; and Mayor White stated that with no objections it was so ordered. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Council Member Edwards moved the rules be suspended for the purpose of hearing Ms. Lottie Martin at this time, seconded by Council Member Quan. All voting aye. Nays none. Council Member Holm absent out of the city on personal business. Council Members Lawrence, Galloway, Ellis, Green and Berry absent. MOTION 2005-0724 ADOPTED.

Ms. Lottie Martin, 5750 Milart, Houston, Texas 77021 (713-748-8669) appeared and stated that she was present regarding her house; that she asked several organizations for help and she did not get any, none had the funds and now she was back with the City. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Upon questions by Council Member Edwards, Ms. Martin stated that she was on the list, but it was so long she did not know; and Council Member Edwards stated that she would check on it this afternoon with Housing and find out where she was and she would call her by Thursday. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Council Member Quan stated that he saw the story and it was well over \$20,000.00, it was the roof, plumbing, etc., and it was the major home repair program they had not been able to move forward on, but he asked Housing to give a report. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Mayor White stated that they had checked the data base on the home repair and could not find the file and asked Ms. Dillard to assist Council Member Edwards. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Mr. John Canaldh, 119 Mill String, Houston, Texas 77060 (713-826-1460) appeared and spoke in opposition to Agenda Item 36 and stated that he was a minority owner and came to beg for limo rates to not be raised; that it was only cab companies who made the money and that was because three weeks after the price of cabs was raised then the cab companies raised their lease on the cars and if they were looking at how he operated they really needed to look at how the cab companies operated. Council Members Lawrence, Galloway, Edwards, Ellis, Green and Berry absent.

Mr. Dan Gutierrez, 14253 Lee Road, Houston, Texas 77032 (713-539-5248) appeared and spoke in opposition to Agenda Item 36 and stated that he had a company called Dimension Limousines and he was asking that no rate increase be passed; that he had a family minority business and if they told clients it was \$70.00 they would make other calls and call a cab; that his customers did not have that kind of money and he would lose and may have to sell his cars or company. Council Members Lawrence, Galloway, Edwards, Ellis, Green and Berry absent.

Council Member Garcia stated that he heard several say if rates were raised they would lose to cabs, but he disagreed; that he used limos and towncars and if someone was looking for a particular service they were looking for a particular industry; and Mr. Gutierrez stated that for certain functions he was correct, but when it came to riding to the airport, etc., then with his raised fee people would rather take a cab or towncar. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Council Member Quan stated that a survey was shown to him with 325 limousines in the Houston area and all charged considerably more than the \$35.00 an hour rate they were looking at; and the \$70.00 could be inclusive with gratuity, etc.; that they could charge whatever fee they wanted as long as it totaled to at least the \$70.00. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Mr. R. C. Jones, 6019 Mohawk, Houston, Texas 77016 (281-987-9206) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Mrs. Theresa Rindenow, 3122 Hart Cliff, Katy, Texas 77449 (713-464-3344) had reserved time to speak but was not present when her name was called. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Mr. Felix Halter, 603 Sierra Breeze, Houston, Texas 77094 (281-960-0320) appeared and spoke in opposition to Agenda Item 36 and stated that he was with Senate Service Corporation and he listened to the arguments, but in going through the City's survey it talked about \$25.00, \$35.00 and \$40.00 compared rates but in the conclusion it jumped to two hours so why did it do that; that also if there was a problem with rates here then there should be one in New York too as there limo rates were not even regulated; that they also felt the taxicab industry was trying to invade their territory by placing Lincoln Towncars in their fleet; that it made no sense for Houston to be the highest in limousine prices and they needed to table this and bring it back once it was right. Council Members Lawrence, Galloway, Ellis, Green and Berry absent.

Upon questions by Council Member Edwards, Mr. Halter stated that by the City ordinance they were not allowed to prorate, the first two hours was \$50.00; that in an overall year about 40% to 50% were under two hours; and Council Member Edwards stated that she appreciated the request to meet with Limo drivers and she would do that, but she would like in writing what he would see as acceptable. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs, Green and Berry absent.

Council Member Quan stated that Council Member Goldberg had been holding hearings since November of last year and the report he talked about was presented to committee on January 31, 2005, and upon questions, Mr. Halter stated that he had not attended meetings; that Council Member Goldberg attended a luncheon and suggested a committee should be established where such things could be discussed and he only heard now they were going to decide \$70.00; that he felt there was not a fair discussion of \$70.00. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs, Green and Berry absent.

Ms. Julia Hatch, 2727 Luella Avenue, Deer Park, Texas 77536-5117 (713-824-8336) appeared and spoke in opposition to Agenda Item 36 and stated that she was owner of Classic Coach, a small limousine service, she used to work in the lab at Methodist Hospital, but left to raise her family so when she wanted to work again she drove a cab and then after awhile drove a towncar and liked working conventions very much, it was busy and fun; and the industry and Council needed to work together to make Houston busy again; and if the cabs increased then their lease increased. Council Members Lawrence, Galloway, Goldberg, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Mr. Joe Jordan, 2615 Waugh Drive, Houston, Texas 77006 (713-680-3181) appeared, presented information and spoke in opposition to Agenda Item 36 and stated that the thing about including toll fees, etc., was it was not spelled out in the ordinance and that was a great concern to them; that they also had passed out earlier a list of 10 items they felt were being neglected and would not be addressed again for 4 years; that if the \$70.00 rate was passed then it would be a 400% increase of cabs over limousines and national average for towncar transfer from the airport was \$40.00, Vegas was \$30.00, Orlando was \$35.00 and if a convention came in and shared a towncar it was 1/4 million dollars increase they would pay over Vegas or Orlando and certainly that would cost Houston business; and the taxicab industry was owned by approximately 5 millionaires and of the 296 limousine companies most were small minority companies with 3 cars or less. Council Members Lawrence, Galloway, Goldberg, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Quan stated that he had taken his comments seriously and looked at his letter presented last time and 9 items were addressed and at least 7 or 8 of them were now already being followed; and upon questions, Mr. Jordan stated that it was his understanding taxicabs had insurance similar to a private automobile and a bond, they were self insured on

their surplus; and businesses sharp could cut prices yearly; that some companies did charge more, but they did not want to be told they had to charge the third highest price and when he said you had to charge \$35.00 an hour or you would not make it he was referring to stretch limousines and not town cars; and Council Member Quan stated that he did make good points and he was trying to take those into consideration and make sure they followed through on several of them. Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs, Green and Berry absent.

Mr. Richard Cowan, 8155 Hartford, Houston, Texas 77017-2230 (713-649-1112) appeared and spoke in favor of Agenda Item 36 and stated that he was owner of City Cab and the reason the ordinances were first written was because they realized taxicabs and limos were in the same business in some ways, transporting people, and knew there was an unfair playing field as limos had more leniency and could do more than cabs so to offset that they put in restrictions and help define limos as a luxury service. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Michael Holt, 1790 East Hardy, Houston, Texas 77073 (281-821-8989) appeared and spoke in favor of Agenda Item 36 and stated that he heard there was a difference between a limousine and a town car which was just a cab, they were able to operate at less than he could and when the new ordinance passed as written 12 of the 21 taxicab zones would be at a rate equal or higher than a limousine rate for going to the airport when you include gratuity; that he could insure one limousine for less than \$1,900.00 a year for \$600,000.00 worth of insurance, but if he had one taxicab it would cost \$3,400.00 and he would get a discount for quantity so it was important to raise rates and have an equal playing field. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Kevin Claypool, 4618 Park, Bellaire, Texas 77401 (713-218-7433) appeared and spoke in opposition to Agenda Item 36 and stated that in listening to the discussion at times they compared the industries and at other times when it was beneficial to their point they said they were two separate entities all together; that there had been 4 rate increases by the taxicab industry to zero for the limousine, but the taxicab industry requested them and limousine owners did not want it. Mayor White, Council Members Lawrence, Galloway, Goldberg, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Vance Lane, 4406 Pineville, Houston, Texas 77388 (281-353-2055) appeared, presented information and spoke in opposition to Agenda Item 36 and stated that what he presented was letters from customers; that he had been a taxi driver for years and then it cost him \$50.00 to rent a cab and now it was close to \$100.00 so the rate was almost doubled to the driver, the working poor was out there and the people with money were still making money while the driver was deciding whether to pay rent or buy food so the problem was them letting the rich get richer and then affecting them. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Michael Rindenow, 3122 Hart Cliff, Katy, Texas 77449 (713-464-3344) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Linda Pomerleau, 5218 Lacreek, Spring, Texas (77379 (281-320-0005) appeared, presented information and spoke in opposition to Agenda Item 36 and stated that she and her husband owned Gulf Coast Limousine and her concern was a 40% increase in her rates which would affect her constituents, the ones taking town cars to the airports; and asked that this be

reconsidered and sent back. Mayor White, Council Members Lawrence, Galloway, Goldberg, Wiseman, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Jim Arnold, 3131 E. Holcombe, Houston, Texas 77021 (713-749-9322) appeared and stated that he worked for Grocers Supply and Item 10 was to vote on taking a recommendation from Planning and Engineering to condemn a piece of property for the hike and bike trail to Dixie Road; that they inquired over the last several months where the trail would go and were told to cooperate or have their property condemned and their company took great pride in being a good corporate citizen and would like to establish a win/win scenario; that if the trail went to Dixie Road that was the middle of an industrial park and had eighteen wheelers going up and down, if it continued towards Almeda then where would it go, why take it to Dixie when it was in an industrial park and there were other avenues such as taking it along Almeda toward McGregor and there was a signal there; that he did not know if Council was getting all the right information and would like to speak with someone; that they were for the trail just not into the industrial park. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he was waiting to hear from Grocers Supply because there had been extensive discussion on the bike trail; and upon questions, Mr. Arnold stated that the trail was to come south along the abandoned right-of-way line for the Union Pacific Railroad over the bridge and over 288 onto Grocers Supply property and make a detour to the west along the property line and intersect at Dixie; that there was a truck check in on the north side of Dixie as well as a parking lot where trailers were parked and on the south side of Dixie they had their major grocery warehouse; that Dixie was used continuously throughout the day; and Council Member Quan stated that he knew they were good corporate citizens over the years and he was willing to look further, but there was much discussion and he may be a little late. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that they would like him to meet with Mr. Gary Norman who was present and he could address some of his specific concerns. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Willis Taborn, 6131 Bel Arbor, Houston, Texas 77033 (713-733-1193) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. John Mezick, 6633 W. Airport #1304, Houston, Texas 77035 (713-283-9518) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Henry Provotoux, 10600 Hazen Lane #204, Houston, Texas 77072 (281-630-0015) Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Anthony Collins, 6202 Starlake, Humble, Texas 77396 (281-548-0979) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Charles X. White, 8607 M.L.K., Houston, Texas 77033 (713-734-4370) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. William Schocka, 5107 Otterberry, Houston, Texas 77039 (281-442-7245) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he saw on television women in Africa showing their breast and he felt Council was making a big thing over nothing; that also how could someone trust Council Member Wiseman when she made a motion to take people out of order and then as the meeting progressed she made another motion to bring them up again; that he also wanted a Latino to run in every position; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (832-453-6376) appeared and stated that he was the official U. S. President; and continued expressing his personal opinions until his time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Senator Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and spoke with tape over his mouth until his time expired. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 5:03 p.m. City Council recessed until 9:00 a.m., Wednesday, August 3, 2005. Council Member Holm out of the city on personal business. Mayor White, Council Members Lawrence, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, August 03, 2005

The Houston City Council reconvened at 9:00 a.m. Wednesday, August 03, 2005, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Financial Officer, Mayor's Office; Mr. Arturo Michel, City Attorney, Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present. Council Member Pam Holm out of the city on personal business.

At 8:30 the City Secretary read the descriptions or captions of items on the Agenda.

At 9:24 a.m. Mayor White called to order the meeting of the City Council and stated that they would begin the meeting with the Controller's report and recognized City Controller Annise Parker.

MAYOR'S REPORT

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

Ms. Parker stated that this was the Monthly Financial Report for the period ending June 30, 2005, that it would be the last Monthly Financial Report for Fiscal Year 2005, that compared to the estimates for the first Monthly Report the Controller's office was right on the money in projecting property taxes, they were a little low on sales taxes and the administration's original projections for property taxes were a little high, but they were right on the money for sales taxes, so they were both in the ballpark and she was very happy at the information exchange between the Controller's office and Finance and Administration and the fact that they were offsetting where they were optimistic and it helped bring the bottom line very close to where they were, that currently they projected General Fund Revenues of nearly \$1.45 billion and that was approximately \$23 million above their original projection of last July, that as they recalled their original projection did not include the additional \$10 million from Metro, which they adjusted for when it became apparent that it was going to be forthcoming, the rest of the difference was \$6.2 million in revenue for miscellaneous things, including a little over \$2 million in recovery from Enterprise Funds from electricity over a four year period and about \$1.5 million which came from Reliant Energy for legal fees associated with the recent rate case, that the administration's current revenue projection of approximately \$1.452 billion was about the same as the original projection a year ago and again very close numbers, that on the expense side their projection had decreased by \$6.6 million over the year and it was largely attributed to decreased spending at the Police Department and then various true ups at the department level, that it has been interesting to note that over the last few months there had been an approximate \$10 million decrease in spending at HPD which they were all trying to account for and roll into how they would project for next year, that at this point they were projecting an end of year budget surplus of \$15 million; that she would go into the Quarterly Investment Report, that as of June 30, 2005 the City had approximately \$1.7 billion invested in four investment pools, at the beginning of the quarter they had seven investment pools but as they indicated to Council that they would do, during the quarter they merged three of them into the General Investment Pool, the numbers had gotten so low that it did not make sense to keep them separate any longer, the largest pool was the General Pool which contained almost the entire \$1.7 billion and which as of June 30, 2005 was earning a yield of 3.34%, which was up from 2.96% last quarter, that in the report they would see the quarterly SWAP Report, they gave a very extensive report on the SWAP last quarter and she wanted to thank the Council Members who took the opportunity to come by and get a SWAP 101 training session from her staff, and that concluded her report. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Ms. Judy Johnson, Director, Finance and Administration, stated that as the Controller said they were reporting on the last month of the Fiscal Year, they would have an audit and they could guarantee there would be a few audit and accounting adjustments by the nature of government accounting, they had to count monies that were received through the end of August 2005, that there would probably be some minor adjustments between now and then, that next week would be the last sales tax check that would apply to sales through June 30, 2005 so they would know next Wednesday what the sales tax number was for the final total, that there would be a few other adjustments like that, that overall however their revenue estimate was up about \$2 million from last month, primarily due to receipt of those funds from the reimbursement from Reliant Energy, that they did have lower expenditure projection than they had last month primarily due to continued lower

spending in the Police Department and they were going to be doing a complete review of what affect that may be having on Fiscal Year 2006, that as they started that year they would do a much more in depth review than they normally would at the start of the year because they got a little bit surprised at the end of this past year, that the ending Fund Balance they were estimating at \$106 million, if that number held it would be the highest Fund Balance that the City of Houston had ever had at the end of a Fiscal Year in terms of dollars, in terms of percentages of revenues and expenses it would not be a record but would be higher than the City's official goal of 7.5%, in the neighborhood of 8%, which would be a very good fiscal sign for the City of Houston, and that concluded her report. Council Members Galloway, Alvarado and Berry absent.

Upon questions by Council Member Khan, Ms. Johnson stated that the primary reason that the Police Department had run under budget was the higher than expected retirements in the department, the people that had left in the last few months exceeded their expectations, they were not paying those salaries, there were people in the Phase Down or Termination Pay Programs but that was a much lower dollar outlay than the salaries, that the changes in accounting had to do with the changes related to Termination Pay and they had one meeting with the auditors and would have a follow up meeting, they wanted to make sure they understood what the year adjustments related to that were going to be so that they would get a better estimate going forward in predicting those. Council Members Galloway and Alvarado absent.

After further discussion, Council Member Ellis moved to accept the Monthly Financial Report and the Quarterly Investment Report, seconded by Council Member Quan. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0725 ADOPTED.

Mayor White stated that Mr. Pleas Jenkins, the new head of Vehicle Fleet Management, was present and thanked him for joining the team in this important role.

Council Member Edwards moved to suspend the rules to consider Item Numbers 1, 2 and 10 out of order, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0726 ADOPTED.

1. REQUEST from Mayor for confirmation of the appointment of **MR. PAUL HOBBY**, to Position 2 of the **GREATER HARRIS COUNTY 911 EMERGENCY NETWORK BOARD OF MANAGERS**, for a term to expire September 30, 2006 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Berry stated that he would ask that they get some sort of an update as soon as the Board of Managers felt comfortable with it, that he would ask that while Mr. Hobby was present that they schedule the next meeting to tell them how they were back on track to get it right and he would commend the appointment.

A vote was called on Item No. 1. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0727 ADOPTED.

Mayor White asked Mr. Hobby to stand and be recognized, that they would schedule something and maybe it could be before the Public Safety Committee to get a status report on 911.

2. REQUEST from Mayor for confirmation of the appointment of **MR. ENRIQUE JAVIER LOYA**, to Position Twelve of the **HOUSTON PARKS BOARD**, for a term to expire January 1, 2008 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0728 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-173 and AY2-173A, located in the 2300 block of Dixie Drive,

owned by The Grocers Supply Company, Inc., a Texas corporation, Jim N. Arnold, Vice President Real Estate and Store Development, for the **COLUMBIA TAP HIKE AND BIKE TRAIL PROJECT**, CIP N-0420-22-2 - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado, and tagged by Council Members Edwards and Quan.

CONSENT AGENDA NUMBERS 1 through 29

MISCELLANEOUS - NUMBER 3

3. RECOMMENDATION from Director Building Services Department for approval of Computer Image for dedication plaque for Burnett Bayland Park, GFS F-504B-00-3 - **DISTRICT F - KHAN** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0729 ADOPTED.

ACCEPT WORK - NUMBERS 4 through 8

4. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$16,773,809.66 and acceptance of work on contract with **MANHATTAN CONSTRUCTION COMPANY** for Terminals A & B Exterior Upgrades at George Bush Intercontinental Airport/Houston, Project No. 495, CIP A-0125 and A-0422 - 02.55% under the original contract amount - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0730 ADOPTED.
5. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$582,027.00 and acceptance of work on contract with **BOYER, INC** for Treatment Recovery System at George Bush Intercontinental Airport/Houston, Project No. 605D, CIP A-0463 - 01.76% over the original contract amount - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0731 ADOPTED.
7. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$153,346.00 and acceptance of work on contract with **ROOFTOP SERVICE CO., INC** for Northwest Police Station Roof Replacement, GFS G-0066-06-3 - 01.50% under the original contract amount - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Khan, seconded by Council Member Quan. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0732 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 11 and 15

11. **CARRIER CORPORATION** for HVAC Replacement at Fire Station No. 21 for Building Services Department - \$50,160.00 and contingencies for a total amount not to exceed \$52,668.00 - Fire Department Revolving Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0733 ADOPTED.
15. **CDP DIAMOND PRODUCTS, INC (Bid No. 3)** for Concrete Saw Blades for Various Departments \$338,294.29 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$331,528.40 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All

voting aye. Nays none. Council Member Holm out of the city on personal business.
MOTION 2005-0734 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 20 through 28

20. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of a 10-foot-wide utility easement and the attendant aerial easements containing 0.038 acre (1,167.00 square foot) of land, more or less, being situated in the south five (5) feet of Lots 1 through 3 and the north five (5) feet of Lots 40 through 42 of Block 2, South Park Addition, Section 3, as recorded at Volume 38, Page 51 of the Map Records of Harris County, Texas; vacating and abandoning said easements to Van Fleet Greater New Testament Baptist Church, the owner of the fee interest in said tract of land, in consideration of owner's conveyance to the City of a 10-foot-wide utility easement containing 0.022 acre (950.00 square foot) of land, more or less, and payment to the City of \$300.00, and other good and valuable consideration - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. ORDINANCE 2005-0932 ADOPTED.
21. Omitted
26. ORDINANCE appropriating \$146,533.50 out of Parks Consolidated Construction Fund for purchase of Playground Equipment for Building Services Department, CIP F-0504 - **DISTRICTS C - GOLDBERG and H - GARCIA** – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. ORDINANCE 2005-0933 ADOPTED.
28. ORDINANCE appropriating \$556,952.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract between the City of Houston and **PATE ENGINEERING, INC** for Turkey Creek WWTP Improvements, GFS R-0265-11-3 (WW4760-9) - **DISTRICT G - HOLM** – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. ORDINANCE 2005-0934 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

6. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$659,400.00 and acceptance of work on contract with **RESICOM, INC** for Parks Master Plan - Bid Package 7 Milroy Parking Lot, Brock Golf Course Bridge and Rosewood Park, GFS F-504C-16-3, F-504C-24-3 and F-504C-05-3 - 05.00% over the original contract amount **DISTRICTS B - GALLOWAY and H - GARCIA** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0735 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$449,173.74 and acceptance of work on contract with **RAGO, LTD.**, for Safe Sidewalk Program Work Order Contract B1 Project, GFS N-0610A-B1-3 (SB9113-01) 04.04% over the original contract amount – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0736 ADOPTED.

PROPERTY

9. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY0-016, located at 1220 North Wayside Drive, owned by Armando Uriarte and Maria Uriarte, for the **MARKET STREET PAVING PROJECT from North Wayside Drive to Loop 610**, CIP N-0611A-34-2 - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Alvarado, seconded by Council Member Khan.

Council Member Alvarado stated that this had been a project long time in waiting.

A vote was called on Item No. 9. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0737 ADOPTED.

PURCHASING AND TABULATION OF BIDS

12. **CREATIVE COMPUTER APPLICATIONS, INC** for Laboratory System Upgrade for Health & Human Services Department - \$149,973.00 - Grant Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0738 ADOPTED.
13. **ANALYTICAL COMPUTER SERVICES** for Personal Computers and Monitors through the City's Master Agreement with the Texas Department of Information Resources, Contract No. C56844, for Texas CISV Master Catalog Purchases under Chapter 2157 of the Government Code \$136,006.09 - Municipal Courts Technology Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0739 ADOPTED.
14. **NORTHWEST COMMUNICATIONS, INC** for Motorola IR Quarter Intellirepeaters for Department of Public Works & Engineering - \$226,313.80 - Combined Utilities Systems General Purchasing Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado.

Council Member Khan stated that there were some concerns he had about Motorola being declared non responsive and wanted somebody to visit with him and let him know what was going on, and Mayor White stated that they could provide a briefing to Council Member Khan.

A vote was called on Item No. 14. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0740 ADOPTED.

16. **D. F. SALES (Bid No. 11)** for Screw Fasteners Contract for Various Departments - \$118,370.70 minus a commission fee (2% for Internet-based reverse auction services) for a net award amount not to exceed \$116,003.29 - General and Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Quan.

Council Member Quan stated that he wanted to commend Mr. Wells and his department again as they were implementing reverse auction, that on both Item Numbers 15 and 16, when the bid started they were at double what they eventually ended up paying so he just wanted them to know they were watching and appreciated their efforts.

A vote was called on Item No. 16. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0741 ADOPTED

RESOLUTIONS AND ORDINANCES

17. RESOLUTION supporting the City of Houston's participation in a Waiver Request of Local

Match Participation to the Texas Department of Transportation to Waive Local Match Participation for the Federal Off-System Bridge Program - **DISTRICTS B - GALLOWAY and H - GARCIA** – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. RESOLUTION 2005-0013 ADOPTED

18. **ORDINANCE AMENDING CHAPTER 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the Operation of Neighborhood Electric Vehicles and Motor Assisted Scooters - was presented.

After discussion by Council Members, a vote was called on Item No. 18. All voting aye. Nays none. Council Member Holm out of the city on personal business. ORDINANCE 2005-0935 ADOPTED

19. ORDINANCE amending the City of Houston Construction Code by adopting a revised City of Houston Electrical Code; containing other provisions relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability - was presented, and tagged by Council Member Alvarado. (Note: Council Member Alvarado released her tag later in the meeting.)
22. ORDINANCE approving and authorizing an interlocal Agreement between the City of Houston and Harris County for support of the **JOINT CITY-COUNTY COMMISSION ON CHILDREN**; providing a maximum contract amount - 5 years - \$400,000.00 - General Fund – was presented, and tagged by Council Members Wiseman and Lawrence.
23. ORDINANCE approving and authorizing contract between the City and **BAYLOR COLLEGE OF MEDICINE** for Environmental Public Health Services; providing a maximum contract amount \$253,998.00 - Grant Fund – was presented.

Council Member Sekula-Gibbs stated that she had some backup that was provided regarding Item No. 23, which was a contract between the City and Baylor College of Medicine for environmental public health services, that it was a grant funded contract through the CDC, that she wanted to offer an amendment as follows and tag the amendment, “to also be an opportunity to study the effects of smoking”, since they had that discussion at the table about needing to know whether there would be an impact on the Smoking Ordinance, that she thought it would be an appropriate way to request that Baylor ask questions while they were implementing these studies on the environment and asthma, that it was going to be targeting children with asthma, to also add a few a questions if there was a household environment with smoke, was there a work environment with smoke, was there a school environment with smoke, that they could add those types of questions pretty easily if the City just makes that request in advance, but in doing the preliminary investigation she did not see that in the background, so she thought if going forward, if there spending \$253,000 that they should make those requests early on.

Mayor White asked if her oral amendment was to tag to include to require or to permit the contract to include, and Council Member Sekula-Gibbs stated that it was to require that Baylor add on some questions about the impact of indoor smoking on childhood asthma, that it should not cost anymore to add those questions, that she believed that was what the focus of the study was, the impact of the environment on childhood asthma.

Council Member Khan stated that he would second Council Member Sekula-Gibbs oral motion to amend Item No. 23, and Council Member Sekula-Gibbs stated that she was tagging the main item and the amendment.

Council Member Galloway stated that she did not know what the scope of the grant money was to be spend on but she would also like to recommend that they refer it to the Health Director to make sure they had the funds available to the extent of what they wanted to do on

the health grant.

24. ORDINANCE approving and authorizing contract between the City and **O'BRIEN OIL POLLUTION SERVICE, INC** for Bioterrorism Exercise Consulting Services for Health and Human Services Department; providing a maximum contract amount - \$300,000.00 - Grant Fund – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. ORDINANCE 2005-0936 ADOPTED.
25. ORDINANCE approving and authorizing amendment No. 1 to the agreement between the City of Houston and **VERIZON SELECT SERVICES, INC formerly GTE COMMUNICATIONS CORPORATION** for Telecommunications Equipment Maintenance Services for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - 1 Year - \$1,868,901.50 - Enterprise Fund – was presented.

Council Member Quan stated that they had a five year contract with GTE and it had expired and it was his understanding that they were not really going to try and go all the way on the year end extension but just enough so they could get a new RFP out, that he believed Aviation was making that commitment to them and Mayor White stated that was correct, and while the funds would be allocated they would not be spent if not necessary and he just wanted to make that clarification for the record.

Council Member Khan asked why was an RFP not issued in time to have a new contract in place and why were they doing it this way, and Mayor White stated that he did know the nature of the issue but to avoid misspeaking he would not give that and would request that Aviation give Council Member Khan a briefing on that particular topic.

Council Member Berry stated that it seemed to him that the Airport, of their own accord, ought to come to Council and say they wanted to talk about it at the Council meeting, that it was a pretty significant expenditure, that he did think that issues of this size particularly related to the Airport should come to committee and hoped that in the future they could make that happen.

After further discussion a vote was called on Item No. 25. All voting aye. Nays none. Council Member Holm out of the city on personal business. ORDINANCE 2005-0937 ADOPTED.

27. ORDINANCE approving and authorizing contract between the City of Houston and **BERG & ANDROPHY** for Legal Services in connection with representing the City in Litigation concerning violations of Clean Air requirements and related matters providing a maximum contract amount \$100,000.00 - Property and Casualty Fund – was presented.

Council Member Sekula-Gibbs stated that she had passed out a written motion to amend Item No. 27, that on recommendation by Mr. Hall she was scratching the “prior to approval by City Council” and “In addition, prior to reconsideration of the contract”.

“I move to amend Agenda Item #27 to include the following changes to the contract:

- A. ~~Prior to approval by the Houston City Council,~~ A detailed report of legal expenses will be given by Berg & Androphy to all Council Members, when expenses reach \$100,000 increments.
- B. ~~In addition, prior to reconsideration of the contract,~~ Berg & Androphy will supply City Council Members with a report of legal fees awarded by any tribunal at each \$100,000 increment.”

Council Member Sekula-Gibbs stated that the intent was for the City Council to keep on

eye on the total fees that were being accrued by the legal team, not only the expenses, but the real bill, then that way they would understand the real cost of the exercise.

Council Member Green stated that he would tag the amendment and Item No. 27, and Council Member Sekula-Gibbs stated that she would tag the amendment and the main item as well.

Mayor White stated that the administration had no objection to the amendment, and Council Member Wiseman stated that she would also tag the amendment and the main item.

After further discussion by Council Members, Council Member Green stated that a lot of his questions could be answered if he could get a copy of the contract, and Council Member Sekula-Gibbs stated that if allowed she would amend her motion to include damages, that she put fees awarded by any tribunal but perhaps she should include damages and Mayor White stated that the item was tagged and they could get a copy of the agreement if people had suggestions.

After further discussion by Council Members, Mr. Hall stated that what Council Member Sekula-Gibbs wanted was merely a report.

Mayor White stated that Item No. 27 had been tagged and the amendment, that was not opposed by the administration, had been tagged.

29. ORDINANCE appropriating \$1,662,708.21 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **TROY CONSTRUCTION, L.L.P.** for Citywide Fire Hydrant Replacement and Height Correction, GFS S-0035-V3-3 (WA10864); providing funding for engineering testing services and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. ORDINANCE 2005-0938 ADOPTED.

NON CONSENT AGENDA - NUMBERS 30 and 31

PROPERTY

30. RECOMMENDATION from Department of Public Works & Engineering that City Council declare surplus and authorize the sale of Parcels S98-062, S83-087, S83-088, S84-084, S84-091, S85-036, S87-016, S88-024, S85-005, SY5-037, S87-029, S98-046A and B and SY5-057 and authorize the City Secretary to advertise the properties for sealed bid sale to the highest bidder at the minimum appraised bid amount and authorize staff appraisal for Parcel S87-029 located in **DISTRICT G - HOLM - APPOINT TWO INDEPENDENT APPRAISERS and ONE ALTERNATE APPRAISER - DISTRICTS A - LAWRENCE; B - GALLOWAY; D - EDWARDS; E - WISEMAN; H - GARCIA and I - ALVARADO** – was presented.

Council Member Lawrence named Mr. Gary Meyers and Ms. Sheila Stewart as appraisers and Mr. John Chambliss as alternate appraiser for District A, Parcel S98-62.

Council Member Galloway named Mr. George Wynch, Sr. and Mr. Travis Cooper as appraisers and Ms. Jasmine Quinerly as alternate appraiser for District B, Parcels S83-087, S83-088 and S83-084.

Council Member Edwards named Ms. Shiela Stewart and Ms. Jasmine Quinerly as appraisers and Mr. Samuel Stewart as alternate appraiser for District D, Parcels S84-091, S85-036, S87-016 and S88-024.

Council Member Wiseman named Mr. Jimmy Payton and Mr. Arthur Shackelford and as appraisers and Mr. Michael Copeland as alternate appraiser for District E, Parcel S85-005.

Council Member Green stated that he moved to extract District G, Parcel SY5-037 from Item No. 30 and all of the parcels that pertained there to and postpone it for one week.

Council Member Garcia named Mr. Frank Flores and Mr. John Fox as appraisers and Mr. Patrick O'Connor as alternate appraiser for District H, Parcels S98-046A and B.

Council Member Lawrence moved to adopt the recommendations and postpone District G appointment of appraisers for one week, seconded by Council Member Khan. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0742 ADOPTED.

31. RECOMMENDATION from Director Department of Public Works & Engineering, **TO APPOINT** a third independent real estate appraiser in connection with the abandonment and sale of Cedar Post Lane from Blalock Drive to its dead end at the Harris County Flood Control District drainage easement, in exchange for the conveyance to the City of a full-width utility easement, all located within Blalock Woods Apartments Replat No. 1 and Cedar Post Lane, authorized by Motion #2004-95, 1/28/04 as amended by Motion #2004-445, 4/28/04, Parcels SY4-003 and VY4-005 - **APPRAISER - DISTRICT A - LAWRENCE** - was presented.

Council Member Lawrence named Mr. Gary Meyer as appraiser and moved adoption of the recommendation, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0743 ADOPTED.

MATTERS HELD - NUMBERS 32 through 39

32. WRITTEN Motion by Council Member Sekula-Gibbs to amend Item 32A below as follows: Renumber Sections 6 and 7 as Sections 7 and 8, respectively, and add a new Section 6, as follows:

Section 6. That Chapter 4 of the Code of Ordinances, Houston, Texas is hereby amended by adding a new Section 4-19, to read as follows:

“Sec. 4-19. Disposition of certain fees.

All fees collected under Sections 4-3 and 4-16 of this Code shall be allocated to the health and human services department to fund the inspection of ambulances and permitting of ambulance operators as required by this chapter.”

- was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. MOTION 2005-0744 ADOPTED.

- 32a. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to ambulance fees, drivers, inspections and penalties – **(These were Items 35 and 35A on Agenda of July 13, 2005, POSTPONED BY MOTION #2005-686)** – was presented.

Council Member Garcia stated that they had a good discussion on the item and appreciated Ms. Marilyn Beard's work on the item, but after discussion and after hearing some points of concern from Council Member Sekula-Gibbs they found it necessary to institute an additional increase in fees from \$135.00 to \$160.00, which was his main point for the following amendment to the main item which he presented in writing as follows:

“RE: Agenda Item No. 32a (8/3/2005)

I move to amend Agenda Item 32a as follows:

Amend Sec. 4-16, as set forth in Section 4 of the Ordinance, to read as follows:

The fee for the ambulance operator's permit required pursuant to section 4-15 of this

Code shall be \$500, and all permits issued under this chapter shall be valid for one year from the date of issuance. Such permits may be renewed after the termination date of the initial permit and during that same year by paying a permit fee of \$200. The charge for decals required pursuant to section 4-8 of this Code shall be \$160 per pair of decals for each pair issued, renewed or replaced. Decals expire concurrently with the ambulance operator's permit under which they are issued. Such fees and charges shall be collected by the department of health and transferred to the finance and administration department, together with an accounting of the permits and pairs of decals for which same were collected."

Council Member Garcia stated that they also discussed some other areas of concern that he thought were necessary to look at and would appreciate the administration's continued research on how do they institute the same process that they did with SafeClear, that was to require criminal background checks of EMTs that were operating in the private ambulances, and also in hearing some of the antidotal information from Ms. Beard in the Health Department as to the state of some of the private ambulances, it was a situation that they could not allow and they needed to make sure that there was a strong message being sent to those that were non compliant in that regard and asked Ms. Beard and was asking for the support of the administration to research how they could institute the "boot" on these private ambulances that failed their inspections, that he thought it was important to make sure that they were having the right kind of EMTs handling their vulnerable citizens, but also to make sure the vehicles and equipment that they were using were at an appropriate standard and that they send the right message to the private operators, that the two recommendations did have the support of the private ambulance society and so they were looking forward to having a recommendation at the next Public Safety meeting on August 15, 2005. Council Member Berry absent.

Mayor White stated that the administration supported the amendment suggested by Council Member Garcia and they had a variety of the issues that Council Member Garcia raised at committee that they would look into. Council Member Berry absent

Council Member Edwards stated that she supported the spirit of the ordinance and the amendments but had two questions that maybe Mr. Hall or Mr. Michel could help her with, that she did not know how they could boot a car just because it failed an inspection, and the other question was on the Section 4-16 of Council Member Sekula-Gibbs amendment, where it said that all fees should be directed to the entity, when the library asked that it happen with fees that they collected on delinquent books they were told that all fees went to the General Fund, so was that policy changed or what was the difference, she just needed to understand that.

Mr. Hall stated that Mr. Michel would answer her first question, but the second one related to the regulatory scheme, a licensing scheme, and the doctrine was that it was legal to charge a fee that covered the cost of that licensing cost and frankly it was restricted to the cost of that licensing process, that was the Legislative scheme by which those fees were imposed here, the penalties for books were a different issue.

After further discussion a vote was called on Council Member Garcia's motion to amend Item No. 32a. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Members Galloway and Berry absent. MOTION 2005-0745 ADOPTED.

Council Member Edwards asked just because it failed an inspection could they boot a vehicle, Mr. Michel stated that it was his understanding that it would have to be a past violation that they would be booted for as opposed to a new entry that would not meet standards.

Council Member Garcia stated that all he was asking was for the research to be done to see what sanctions they could put in place for the private ambulances.

A vote was called on Item 32a as amended. All voting aye. Nays none. Council Member

Holm out of the city on personal business. Council Members Galloway, Goldberg, Wiseman and Berry absent. ORDINANCE 2005-0939 ADOPTED AS AMENDED.

33. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,425,465.80 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Replacement in Westbury West Subdivision, GFS S-0035-98-3 (WA10739) - 00.39% over the original contract amount - **DISTRICT C - GOLDBERG – (This was Item 11 on Agenda of July 27, 2005, TAGGED BY COUNCIL MEMBERS GREEN, GALLOWAY and KHAN)** – was presented. Council Members Galloway, Goldberg, Wiseman and Berry absent.

Council Member Green stated that he tagged the item last week because of the reason that the contractor gave for their not meeting their MWBE goal, but he had not heard anything from the Affirmative Action Department to determine whether they could work with this contractor or any other contractor that felt that it was an acceptable enough reason not to meet their MWBE goal, and moved to postpone Item No. 33 for one week, and Mayor White stated that they would have a report on it, that the administration did not oppose the postponement of Item No. 33, seconded by Council Member Galloway. Council Members Wiseman and Berry absent.

After discussion by Council Members, a vote was called on Council Member Green motion to postpone Item No. 33 for one week. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Member Berry absent. MOTION 2005-0746 ADOPTED.

34. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Director Department of Public Works & Engineering to purchase Parcel A97-235, located at 8181 Fannin Street, owned by Monadock Texas, L.P., a Texas limited partnership, [Texas GP Properties LLC, a Delaware limited liability company, its sole General Partner, (Monadock Property Trust, LLC, a Delaware limited liability company, its sole member, Archstone-Smith Operating Trust, a Maryland real estate investment trust, Managing Member)] for the **TMC, GREENWAY PLAZA, GALLERIA AREA HIKE AND BIKE TRAIL PROJECT**, CIP N-0420-14-2 - \$155,523.00 - Street & Bridge Consolidated Construction Fund –**DISTRICT D - EDWARDS - (This was Item 17 on Agenda of July 27, 2005, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Member Berry absent. MOTION 2005-0747 ADOPTED.
35. MOTION by Council Member Khan/Seconded by Council Member Alvarado to adopt recommendation from Finance & Administration Department, on award to **APPLIED BIOSYSTEMS** for Reagent Kits, Software and Software Training for Genetic Analyzers for the Houston Police Department - \$204,460.00 - General Fund – **(This was Item 24 on Agenda of July 27, 2005, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Member Berry absent. MOTION 2005-0748 ADOPTED.
36. ORDINANCE **AMENDING CHAPTER 46 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Vehicles for Hire; containing other provisions relating to the foregoing subject; containing a savings clause; providing for severability – **(This was Item 31 on Agenda of July 27, 2005, TAGGED BY COUNCIL MEMBER QUAN)** - was presented. Council Member Quan voting no, balance voting aye. Council Member Holm out of the city on personal business. Council Member Berry absent. ORDINANCE 2005-0940 ADOPTED.

Mayor White stated that someone had distributed and brought to the attention of the Chair amendments to Item No. 36.

Council Member Wiseman asked for a point of order and stated that what the body was asking for was reconsideration of the vote on Item No. 36 to allow for the amendment, and Mayor White stated that the Chair erroneously called for a vote when there was somebody seeking recognition for an amendment.

Council Member Wiseman moved to reconsider the vote on Item No. 36, and Mayor White stated that the conduct of the Chair was sustained and recognized Council Member Goldberg.

Council Member Goldberg stated they had passed out some amendments to Item No. 36 which were more on the attitude of housekeeping than anything else, as follows:

"I move to amend Agenda Item 36 as follows:

1. Delete Section 15 of the Ordinance and add new Sections 15 and 16 that read as follows:

Section 15. (a) With the exception of Section 4 and Sections 8 through 12, all provisions of this Ordinance shall take effect upon the date of its passage and approval by the Mayor. Section 4 shall become effective on January 1, 2006. Sections 8 through 12 shall become effective on September 1, 2005.

(b) Each taxicab permit holder shall cause the meter on each of his taxicabs to be reset and resealed to reflect the rates authorized in Section 46-31 of the Code of Ordinances as amended herein within 60 days following the effective date of this Ordinance. The resetting and resealing of the meters shall be performed in accordance with regulations issued by the Director of Finance and Administration for that purpose. The reset and resealed meters shall be subject to inspection and verification of accuracy by the Director or his designee as provided in the regulations. During the aforesaid 60 day period, the rates established in Section 46-31 as it read prior to amendment by this Ordinance shall continue to apply to trips conducted by any taxicab in which the meter has not been reset and resealed and the former provisions of Section 46-31 are saved for that limited purpose.

Section 16. That there exists a public emergency requiring that this Ordinance be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Ordinance shall be passed finally on such date and shall take effect as provided in Section 15, above.

- 2a. In Section 1 of the Ordinance, amend the paragraph following the table in Item (3) (of Subsection (a) of Section 46-31) to read as follows:

Provided that the lesser of the applicable flat rate or the actual metered rate shall be charged. A copy of the zone map for IAH taxicab rates is on file for public inspection in the office of the city secretary. The centers of the streets and geographic features noted thereon as boundary lines shall determine boundaries between adjacent zones. The foregoing rates are inclusive of airport use fees, which may be additionally imposed on metered fares but not on flat rate fares.

- 2a. In Section 1 of the Ordinance, amend the paragraph following the table in Item (4) (of Subsection (a) of Section 46-31) to read as follows:

Provided that the lesser of the applicable flat rate or the actual metered rate shall be charged. A copy of the zone map for HOU taxicab rates is on file for public inspection in the office of the city secretary. The centers of the streets and geographic features noted thereon as boundary lines shall determine boundaries between adjacent zones. The foregoing rates are inclusive of airport use fees, which may be additionally imposed on metered fares but not on flat rate fares.

2c. Renumber Sections 15 and 16 as Sections 16 and 17, respectively, and add a new Section 15 that reads as follows:

Section 15. The City Council hereby approves the revised Houston Intercontinental Airport and William P. Hobby Airport flat rate zone maps that have been placed on file in the City Secretary's Office in connection with the adoption of this Ordinance. The revised maps shall supersede the maps previously filed. Upon annexation of additional territory into the city limits, the Director of Finance and Administration shall have prepared new maps to assign each newly annexed area to a zone and shall file such new maps with the City Secretary.

3. Amend Section 7 of the Ordinance to read as follows:

Section 7. That Subsection (a) of Section 46-242 of the Code of Ordinances, Houston, Texas, is hereby amended to read as follows:

(a) The minimum fare of \$70 shall be charged the person renting or leasing the chauffeured limousine service, and if the limousine is under hire for two hours or less, this sum shall be treated as the rental for such period of hire. For the third hour, and all hours thereafter, the minimum fare shall be not less than \$15 per hour. Fares shall be pro-rated for all times in excess of two hours. The minimum fares specified in this section may include obligatory gratuity, tolls, parking fees and fuel surcharges. Provided further, per capita charges are specifically prohibited."

Mayor White stated that Council Member Wiseman made a parliamentary inquiry and stated that he thought there were a couple of ways to handle the Chair's error, one would be a point of order that the vote was improperly taken, which he sustained, that Council Member Wiseman reading of the rules said that there needed to be a motion to reconsider the vote.

Council Member Wiseman moved to reconsider the vote on Item No. 36, seconded by Council Member Garcia. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Member Galloway absent. MOTION 2005-0749 ADOPTED.

Item No. 36 was again before Council.

A vote was called on Council Member Goldberg's motion to amend Item No. 36. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Member Galloway absent. MOTION 2005-0750 ADOPTED.

After discussion by Council Members, a vote was called on Item No. 36 as amended. Council Member Quan voting no, balance voting aye. Council Member Holm out of the city on personal business. Council Member Galloway absent. ORDINANCE 2005-0940 ADOPTED AS AMENDED.

37. ORDINANCE issuing permit to **GRAMERCY COURT, LTD.**, for using, occupying, operating, maintaining and repairing a waterline within the 2600 block of Gramercy Street, a public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT C - GOLDBERG** - (**This was Item 35 on Agenda of July 27, 2005, TAGGED BY COUNCIL MEMBER ELLIS**) - was presented. Council Member Galloway absent.

Council Member Ellis moved to postpone Item No. 37 for one week, seconded by Council

Member Alvarado. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Member Galloway absent. MOTION 2005-0751 ADOPTED.

38. ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty – **(This was Item 45 on Agenda of July 27, 2005, TAGGED BY COUNCIL MEMBERS QUAN and GARCIA)** - was presented.

Council Member Quan stated that he wanted to thank Council Member Garcia for scheduling Item No. 38 on his committee meeting on Monday, that he thought it was a very meaningful discussion, that it was his understanding that by passing the item it did not preclude other schools from having school zones implemented, that he had a chance to speak with the principal of Lee High School and understood that the City people were going out there on August 18, 2005, after school started, to do a thorough investigation of the situation at that school so he appreciated the administration being responsive to the needs of that high school, that yesterday at the Fiscal Affairs meeting it was pointed out that there appeared to be a fairly significant surplus in their school crossing guard fund so all he asked was that the administration look at all of the data and not just take a hard and fast rule that just because it was a high school and not an elementary school that it was precluded from consideration, that he thought if there was a dangerous situation where young people were being injured they ought to look at it, whether they were seven or seventeen.

Mayor White stated that he would ask that somebody within F&A to advise him on that issue, if they had to consult with Legal he would ask them to take a look into it.

Council Member Garcia stated that he wanted to commend Council Member Quan for his advocacy of Lee High School, that he had worked with a lot of principals over the years and Mr. Steve Amstutz was one not to cry wolf or anything of that nature so when he was bringing a matter to someone's attention it was legitimate. Council Member Goldberg absent.

A vote was called on item No. 38. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Member Goldberg absent. ORDINANCE 2005-0941 ADOPTED.

39. ORDINANCE approving and authorizing contract between the City of Houston and **AMERICAN MEDICAL RESPONSE** for Emergency Medical Transportation Services for the Houston Fire Department – **(This was Item 47 on Agenda of July 27, 2005, TAGGED BY COUNCIL MEMBER GARCIA)** – was presented. Council Member Goldberg absent.

Council Member Alvarado stated the issue was discussed in Council Member Garcia committee and the contract that they were looking at was to contract with a third party should there be a natural disaster or man made disaster, that she knew it was supported by the Fire Chief and Local 341 and offered the following written motion to amend Item No. 39:

“MOTION TO AMEND CITY OF HOUSTON ORDINANCE REGARDING AMERICAN MEDICAL RESPONSE (ITEM NO. 39, August 3, 2005) BY ADDING THE FOLLOWING:

Section 1.a. Houston Fire Department (“HFD”) is hereby authorized to establish a Policy that requires an HFD employee to ride as a third person on all ambulance runs made by AMR pursuant to the contract, provided that a qualified HFD employee is reasonably available.”

A vote was called on Council Member Alvarado written motion to amend Item No. 39. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Members

Goldberg and Berry absent. MOTION 2005-0752 ADOPTED.

A vote was called on Item No. 39 as amended. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Members Goldberg and Berry absent. ORDINANCE 2005-0942 ADOPTED AS AMENDED.

Council Member Alvarado stated that she would release her tag on Item No. 19.

19. ORDINANCE amending the City of Houston Construction Code by adopting a revised City of Houston Electrical Code; containing other provisions relating to the foregoing subject; containing a savings clause; providing an effective date; providing for severability – was again before Council. All voting aye. Nays none. Council Member Holm out of the city on personal business. Council Members Goldberg and Berry absent. ORDINANCE 2005-0943 ADOPTED

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Wiseman stated that last night was National Night Out and it was a very successful evening, that she and her staff had the opportunity to attend various events in the district and she wanted to thank Local 341, HPD Union, for their offer to escort them in their visits. Council Members Lawrence, Goldberg, Khan and Berry absent.

Council Member Wiseman stated that last night was the send off for members of the 147th Reserve at Ellington Field, that she appreciated the attendance by many individuals and Council Member Sekula-Gibbs, a resident of the Clear Lake area, and Congressman Tom DeLay and the many family members. Council Members Lawrence, Goldberg, Khan, Ellis and Berry absent.

Council Member Galloway stated that National Night Out had become a big party, that she wanted to thank all of the vendors and persons who helped make it happen because they sponsored many amenities for the National Night Out, that she wanted to note that Mr. Calvin Wells barbecued for his National Night Out, that she wanted to thank the citizens of Houston for participating and coming out and for everyone involved. Council Members Lawrence, Goldberg, Khan, Alvarado, Ellis and Berry absent.

Council Member Green stated that he wanted to echo the sentiments of Council Members Galloway and Wiseman, that on National Night Out he did eleven stops throughout the Houston area, that he had a great time, that he wanted to tip his hat to all of the people who participated in it and wanted to thank Local 341 for driving them around. Council Members Lawrence, Goldberg, Alvarado, Ellis and Berry absent.

Council Member Green stated that starting tomorrow and extending to next Tuesday, Alpha Phi Alpha Fraternity would host its 99th Anniversary Convention, that it was the oldest college fraternity for college educated African American men, that he and Mr. Terrance Fontaine were life members and were on the host committee, that tomorrow on the floor of the Toyota Center was their welcome reception and all of the Council Members should have received an invitation, that Mayor White was the host for the convention, that he wanted to invite the people to come out to the Hilton Downtown and all of the events that were all over the City. Council Members Lawrence, Goldberg, Alvarado, Ellis and Berry absent.

Council Member Edwards stated that National Night Out was a party with a purpose and she wanted to congratulate all of the folks of District D for their participation, they had a great time. Council Members Lawrence, Goldberg, Alvarado, Ellis and Berry absent.

Council Member Edwards stated that she had two points that she would like Mayor White to help her with, that Riverside Clinic, she needed to know the status, she needed to know if they had the primary clinic or the federally qualified clinic in there, that she was told it was not

there and if it was not she would like to know why, that she thought they were open in January, that she had talked to Mr. Williams and her impression was that the group was not ready and she was not sure what that meant. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that he did get a report and thought he knew the answer but he wanted to use the right words and Mr. Williams needed to get both of them a report on it. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that they had an incident in their community in the Montrose area of a developer, that it had become National news and People Magazine had written about it and USA News Today and all those folks had written about it and they had even done television shows about it, they were called "contractors from hell" in the People Magazine article on May 30, 2005, that her issue was that they were \$300,000 plus town homes that were falling apart structurally and foundation wise and one particular client could not live in her home because it was falling apart, that her question for the administration was that she had three lists of names of companies that those same individuals operated out of, they went from one company to another company, that when one company was being sued they close down and opened up another company, that she wanted to know if any of those companies currently had any contracts with the City of Houston and/or were they looking, because she was very concerned with what she saw as a lack of integrity. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Mayor White stated that 20 years ago the Attorney General's Office, Consumer Fraud Division would be over things, but they needed to figure out if the City needed to take a role in it with the District Attorney, that they needed to make sure it did not fall through the cracks. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she wanted to thank Saint Agnes Church and Mr. Gene Moore Jr., they had over 7,000 young people involved in their Power of Life Celebration, that it was an awesome celebration. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Ellis, Green and Berry absent. (NO QUORUM PRESENT)

Council Member Edwards stated that as to Chocolate Bayou Festival, they handed out the information regarding The Cynthia Cooper Three on Three Basketball Tournament, they needed to encourage young people to sign up, they had over 200 people sign up last year, that they had many requests for a repeat of the Bill White and Ronald Green showdown, that they were going to try and convince them to be a part of the Labor Day Celebration. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Ellis and Green absent. (NO QUORUM PRESENT)

Council Member Edwards stated that when Council Member Garcia had the Homeland Security meeting she had mentioned the fact of how would they evacuate people who did not have cars and maybe were disabled, that Galveston had put into place of having buses at a designated pickup spot where people who did not have automobiles or who had cars that were not up to shape could go there and they would be evacuated by a bus system, that she wanted to bring that up for consideration for the City of Houston because they had a lot of cars that may not be able of doing an evacuation and a lot of people who did not have cars to begin with, that she would like to suggest that they look at that again and see what they could do in that area. Council Members Lawrence, Galloway, Goldberg, Wiseman, Alvarado, Ellis and Green absent. (NO QUORUM PRESENT)

Council Member Garcia stated that he wanted to send out his appreciation to the folks of District H in their participation in National Night Out, that it was nice to see all the folks coming

out and creating that relationship with their neighbors, that he wanted to thank Mayor White on behalf of the Near Northside Community, that folks were excited to see him out at Wesley Houston and appreciated Mayor White taking time out and joining them. Council Members Lawrence, Galloway, Wiseman, Ellis and Green absent.

Council Member Garcia stated that he wanted to send out thanks to the Central Patrol, in particular the Tactical Unit, that they had really been doing a yeoman's job in addressing the community's concerns, addressing crime issues and working hard at addressing a multitude of complex issues in the district, that he wanted to welcome officially Captain Anderson. Council Members Lawrence, Galloway, Wiseman, Ellis and Green absent.

Council Member Garcia stated that on Friday they would be holding a health fair and back to school event at Moody Park from 8:00 a.m. to 12:00 p.m. and would encourage the community to participate, that it was an opportunity to get immunizations for their children, back to school supplies, as well as other medical and dental screenings that were important; that on Saturday, La Rosa, would also be having a back to school event at their location from 8:30 a.m. to 12:00 p.m., that he wanted to thank those organizations for their support in making sure that the children got back to school on the right foot and with the right equipment, but in particular with all of the necessary immunizations. Council Members Lawrence, Galloway, Wiseman, Ellis and Green absent.

Council Member Alvarado stated that she too wanted to salute the civic associations in District I and all of the police officers and firefighters that participated in last night's event, that she wanted to thank her staff for their work, they covered quite a number of locations and it was good to see everyone out and about and concerned about public safety in their community.

Council Member Alvarado stated that on Saturday in conjunction with the YMCA and the East End Project there was a health fair and back to school fair at 7903 South Loop East starting at 10:00 a.m. Council Members Lawrence, Galloway, Wiseman, Ellis and Green absent.

Council Member Alvarado stated that she wanted to wish well Mr. Marlon Vargan, one of the members of the Third Ward Redevelopment Council, was going off to Iraq, that he left on July 28 2005, that they hoped he would come home safe and soon. Council Members Lawrence, Galloway, Wiseman, Ellis and Green absent.

Council Member Sekula-Gibbs stated that there were many people leaving for their tour of duty in various places in South Asia and last night she was present at the deployment of the 147th Air Wing, that they would be attached to the Air Expeditionary Force Number 5 while in Iraq. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs stated that she wanted to invited everyone to a breakfast on August 9, 2005 for Dr. Elizabeth Duke, Administrator of HRSA, Health Resources and Services Administration, that it was her first visit to Houston and would be hosted by the Greater Houston Partnership as well as a number of community leaders at the Hyatt Regency at 7:30 a.m.. on Tuesday, August 9, 2005. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis and Green absent.

Council Member Sekula-Gibbs stated that regarding efforts to bring a federally qualified health center to Riverside Clinic, it was an ongoing effort and they were moving in that direction, that Riverside Clinic had reopened as a City facility, that South Houston Community Health Center was trying very hard to bring a FQHC satellite into Riverside Clinic. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis and Green absent.

Mayor White stated that he would get back with Council Members Edwards and Sekula-Gibbs regarding Riverside. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis and

Green absent.

Council Member Khan stated that he wanted to also thank all of the people yesterday in various communities all across Houston who came out of their homes for the National Night Out, all of the police officers and elected officials who were there in many of those locations. Council Members Lawrence, Galloway, Edwards, Wiseman, Garcia, Alvarado, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that he wanted to thank Director Marcotte, that tomorrow they were going to have a townhall meeting, that as they remembered, CTI, the construction company who had filed for bankruptcy left a lot of projects in limbo and one of the projects was the Dunlap project, that Public Works had done a fantastic job in keeping it safe for the neighborhood kids and were working very hard to get it going through the bonding company, that they would have the meeting at Bayland Community Center at 7:00 p.m., that everyone living in the Dunlap area who were affected by the project should please come to the townhall meeting and get an update as to the progress of the project. Council Members Lawrence, Galloway, Edwards, Wiseman, Garcia, Alvarado, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that the Save Alief Group did a wonderful Alief Health Fair last Saturday where over 2,000 people attended, they issued over 700 bags of school supplies and did free immunizations, so thanks to the people involved in the Alief area, especially the members of the Alief Super Neighborhood Council; that this coming weekend the Westwood Community would do a similar event done by Higher Dimension Church, located at 9800 Club Creek Drive, that they would be giving free school supplies, free immunizations, school uniforms and also free haircuts to the kids, that it would be on Saturday from 9:00 a.m. onwards. Council Members Lawrence, Galloway, Edwards, Wiseman, Garcia, Alvarado, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that there would be a Gulfton Community meeting on August 18, 2005 at Lee High School at 5:30 p.m., that they would be talking about the strength of the Gulfton Community, that it was done by Neighborhood Centers. Council Members Lawrence, Galloway, Wiseman, Garcia, Alvarado, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Khan stated that they would have a District F, C3 Cleanup on Saturday, August 20, 2005, from 7:00 a.m. to 11:00 a.m., and everybody who was interested in volunteering was invited to join them at Bayland Community Park, that he wanted to recognize Keep Houston Beautiful and the Houston Police Department for the effort. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that he missed Mayor White at Rice Military, that he understood he was present and it was a great neighborhood event as well. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that this weekend starts their 15th Annual Houston International Jazz Festival, that proceeds would go to help the Summer Jazz Workshop. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that also on Saturday was the African Community Development Seminar being held at the Christian Family Center at Dairy Ashford, there would be a number of interesting discussion on immigration and refugee issues, travel tips, education, technology, housing, small business and import and export, and invited everyone, that it was a

free event from 8:30 a.m. to 4:00 p.m. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that he knew they passed the limo ordinance and hoped that Mr. Jordan and the members of the limo association would meet with them to understand exactly what they passed, that he thought the impact may be marginal on many of the drivers. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Quan stated that last time they talked about a taskforce on fire and training and Mayor White was going to get back with him on that so he just wanted to put another buzz in the Mayor's ear. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he had another good 3-1-1 experience this week, that he called a firefighter who had complained earlier about a capping hole in front of their fire station where the fire truck could not leave the station and it was causing all sorts of problems and the day he called their office he also called 3-1-1, that before they could even get out that afternoon to look at the hole so they could take photos and send it in, that the call was placed mid morning on a Thursday morning and by 3:00 p.m. that afternoon there was a steel plate that had been provided and it solved the problem, that it was better than the in fill that they had tried before, it was the system working like it was supposed to, so he wanted to say to the 3-1-1 folks and Public Works congratulations. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that he wanted to wish Council Member Green and all of the Alpha's a welcome and hoped they had a great convention. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

Council Member Berry stated that Mr. Carl Davis of their office coordinated the Convention of the Connectional Lay Organization for the AME Church, a historic church, that they had a wonderful convention and got a lot of publicity from the local papers in Houston, that they had representatives from Africa, England, the Caribbean and Canada. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:28 a.m. Council Member Holm out of the city on personal business. Council Members Lawrence, Galloway, Wiseman, Garcia, Ellis, Sekula-Gibbs and Green absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary