

City Council Chamber, City Hall, Wednesday, January 22, 2003

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, January 22, 2003, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Gibbs, M.D., Michael Berry and Carroll Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Mr. Paul Bibler, Senior Assistant City Attorney; Mr. Richard Cantu, Director, Mayor's Citizens Assistance Office; and Ms. Martha Stein, Agenda Director present. Council Member Carol M. Galloway absent due to death in family.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:04 a.m. Mayor Brown called to order the meeting of the City Council and Council Member Ellis lead everyone in prayer and the pledge of allegiance. Council Members Tatro, Goldberg, Wiseman, Berry and Robinson absent.

Mayor Brown requested the City Secretary to call the roll. Council Members Goldberg, Wiseman and Berry absent.

Council Members Keller and Robinson moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Galloway absent due to death in family Council Members Goldberg, Wiseman and Berry absent. MOTION ADOPTED.

Mayor Brown stated that it was a combined meeting and they would start with the agenda and then at 9:30 a.m. they would break for the public hearing.

MAYOR'S REPORTS

CONSENT AGENDA NUMBERS 1 through 32-43

ACCEPT WORK - NUMBERS 2 through 6

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,383,628.88 and acceptance of work on contract with **AAA ASPHALT PAVING, INC** for Generic Overlay Program, GFS N-1037-30-3 (OL2030) - 00.09% over the original contract amount - **DISTRICT A – TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg, Wiseman and Berry absent. MOTION 2003-0042 ADOPTED.
3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$603,548.30 and acceptance of work on contract with **D. L. ELLIOTT ENTERPRISES, INC** for Construction of Water Line Replacement in Cloverland Subdivision, GFS S-0035-63-3 (WA10587) - 07.13% under the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg, Wiseman and Berry absent. MOTION 2003-0043 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$912,260.92 and acceptance of work on contract with **EXCALIBUR CONSTRUCTION, LTD** for Construction of Lake Houston Dam Rehabilitation of Erosion Control Structure No. 1, GFS S-0890-BV-3 (WA10567-1) - 05.48% under the original contract amount **DISTRICT E - WISEMAN** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye.

Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg, Wiseman and Berry absent. MOTION 2003-0044 ADOPTED.

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,940,644.19 and acceptance of work on contract with **JALCO, INC** for Construction of 84-inch Water Main along Euel, Cochran, Griffin and English from west side of UPPR to Fulton, Contract 6B-2, GFS S-0900-56-3 (WA10629) - 04.85% over the original contract amount - **DISTRICT H - VASQUEZ** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg, Wiseman and Berry absent. MOTION 2003-0045 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 10 through 32-43

12. ORDINANCE finding no special benefit to the abutting owner of property described as Lots One (1) and Two (2), Block 39, Highland Heights Annex Number Six (6), and authorizing the Release of certain assessment liens and apparent liens created by Ordinance No. 86-630 passed May 7, 1986, for the initiation of a paving project for the permanent improvement of portions of West Tidwell Road and Wheatley Street in the City of Houston, Texas - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0074 ADOPTED.
17. ORDINANCE approving and authorizing application for grant assistance from the **TEXAS PARKS AND WILDLIFE DEPARTMENT**, for acquiring and preserving approximately 70 acres of Prairie Pothole Wetland Complex as a Nature Park; declaring the City's eligibility for such grant; authorizing the Director of Parks & Recreation to act as the City's representative in the application process; authorizing the Director of Parks & Recreation to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program \$1,500,000.00 - Grant Fund - **DISTRICT E – WISEMAN** had been pulled from the Agenda by the Administration, and was not considered. Council Members Goldberg and Wiseman absent.
28. ORDINANCE approving and authorizing sponsorship agreement between the City and **CAMPBELL HOMES ASSOCIATION** and **SAN FELIPE SQUARE TOWNHOMES ASSOCIATION** for Garbage Collection Service for the respective civic association - 6 Months \$864.00 - **DISTRICTS A - TATRO and G - KELLER** – was presented. All voting aye. Nays none. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0075 ADOPTED.
31. ORDINANCE appropriating \$16,065.00 out of Park Consolidated Construction Fund for construction services for Asbestos Removal and Demolition of Fire Station No. 10, GFS F-0509-00-05 - **DISTRICT H – VASQUEZ** - – was presented. All voting aye. Nays none. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0076 ADOPTED.
32. ORDINANCE Nos. 2003-16 through 43 and 2003-50 through 64, passed first reading 1/15/2003
ORDINANCES (43 separate ordinances) granting the right, privilege and franchise to Collect, Haul and Transport Solid Waste and Industrial Waste from Commercial properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions, to the following: - **SECOND READING**
- 32-1 Alpha Waste Express, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and

- Wiseman absent. ORDINANCE 2003-0016 PASSED SECOND READING IN FULL.
- 32-2 A&T Environmental Cleaning, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0017 PASSED SECOND READING IN FULL.
- 32-3 A.C.C.P., Inc, A Texas Corporation – was presented. All voting aye. Nays none. ORDINANCE 2003-0050 PASSED SECOND READING IN FULL.
- 32-4 Accurate Transportation Services, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0051 PASSED SECOND READING IN FULL.
- 32-5 Advanced Disposal Systems, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0018 PASSED SECOND READING IN FULL.
- 32-6 Astro Waste, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0019 PASSED SECOND READING IN FULL.
- 32-7 Aztec Portacans and Containers, L.P. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0020 PASSED SECOND READING IN FULL.
- 32-8 Bay Area Waste Systems, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0021 PASSED SECOND READING IN FULL.
- 32-9 Bayou City Environmental Services, L.P. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0022 PASSED SECOND READING IN FULL.
- 32-10 Bayou City Waste Systems, L.P. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0023 PASSED SECOND READING IN FULL.
- 32-11 CES Environmental Services, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0024 PASSED SECOND READING IN FULL.
- 32-12 City Waste, L.P. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0025 PASSED SECOND READING IN FULL.
- 32-13 Disposal Doctor, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0026 PASSED SECOND READING IN FULL.
- 32-14 Eagle Construction & Environmental Services, L. P. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0027 PASSED SECOND

READING IN FULL.

- 32-15 Excell Disposal, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0028 PASSED SECOND READING IN FULL.
- 32-16 Gainsborough Corporation d/b/a Gainsborough Waste – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0029 PASSED SECOND READING IN FULL.
- 32-17 G. O. Weiss, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0030 PASSED SECOND READING IN FULL.
- 32-18 Grace Disposal Systems. L.L.C. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0031 PASSED SECOND READING IN FULL.
- 32-19 GRM Disposal Services, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0032 PASSED SECOND READING IN FULL.
- 32-20 Gulf Coast Environmental, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0052 PASSED SECOND READING IN FULL.
- 32-21 Gulf Coast Vacuum Service, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0053 PASSED SECOND READING IN FULL.
- 32-22 Halco Waste Container, Inc d/b/a Old Orchard Trucking and Waste Systems – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0054 PASSED SECOND READING IN FULL.
- 32-23 Hill Sand Company, Inc d/b/a Hill Waste Services – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0033 PASSED SECOND READING IN FULL.
- 32-24 Liberty Waste Systems, Inc. – was presented. All voting aye. Nays none. Council Members Wiseman, Vasquez and Quan absent. ORDINANCE 2003-0055 PASSED SECOND READING IN FULL.
- 32-25 LMMIG, Ltd. d/b/a Century Industries – was presented. All voting aye. Nays none. Council Members Wiseman, Vasquez and Quan absent. ORDINANCE 2003-0056 PASSED SECOND READING IN FULL.
- 32-26 May Environmental, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0034 PASSED SECOND READING IN FULL.
- 32-27 Philip Reclamation Services, Houston, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0035 PASSED SECOND READING IN

FULL.

- 32-28 PRI Services, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0036 PASSED SECOND READING IN FULL.
- 32-29 Pro Waste, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0037 PASSED SECOND READING IN FULL.
- 32-30 Ray Smith Construction, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0038 PASSED SECOND READING IN FULL.
- 32-31 Republic Waste Services of Texas, Ltd. – was presented. All voting aye. Nays none. Council Members Vasquez and Quan absent. ORDINANCE 2003-0057 PASSED SECOND READING IN FULL.
- 32-32 Northside Garbage Service, Inc d/b/a Northside Waste Service – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0039 PASSED SECOND READING IN FULL.
- 32-33 Star Disposal Systems, Inc. – was presented. All voting aye. Nays none. Council Members Vasquez and Quan absent. ORDINANCE 2003-0058 PASSED SECOND READING IN FULL.
- 32-34 Stericycle, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0040 PASSED SECOND READING IN FULL.
- 32-35 Specialized Waste Systems, Inc. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0041 PASSED SECOND READING IN FULL.
- 32-36 Triple S Equipment – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0042 PASSED SECOND READING IN FULL.
- 32-37 USA Waste Industrial Services, Inc. – was presented. All voting aye. Nays none. Council Members Vasquez and Quan absent. ORDINANCE 2003-0059 PASSED SECOND READING IN FULL.
- 32-38 U.S. Liquids of Houston, L.L.C. – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0043 PASSED SECOND READING IN FULL.
- 32-39 Waste Corporation of Texas, L.P. – was presented. All voting aye. Nays none. Council Members Vasquez and Quan absent. ORDINANCE 2003-0060 PASSED SECOND READING IN FULL.
- 32-40 Waste Management of Texas, Inc. – was presented. All voting aye. Nays none. Council Members Vasquez and Quan absent. ORDINANCE 2003-0061 PASSED SECOND READING IN FULL.
- 32-41 Waste Pro Services, L.L.C. – was presented. All voting aye. Nays none. Council

Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0062 PASSED SECOND READING IN FULL.

32-42 Alfred Savoy, Jr. d/b/a Dirt Works Unlimited – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0063 PASSED SECOND READING IN FULL.

32-43 Chief Environmental Surveys, Inc – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. ORDINANCE 2003-0064 PASSED SECOND READING IN FULL.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION from Director Finance & Administration Department for publication of names of delinquent taxpayers who owe the City of Houston over \$25,000.00 in property taxes – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. Council Members Goldberg and Wiseman absent.

Council Member Vasquez stated that he wanted to recognize and thank Council Member Keller for the recommendation back during the budget process, that he thought it was an appropriate way to get the attention of the public and the attention of people who owed the City taxes. Council Members Goldberg and Wiseman absent.

A vote was called on item No. 1. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Goldberg and Wiseman absent. MOTION 2003-0046 ADOPTED.

ACCEPT WORK

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,013,448.52 and acceptance of work on contract with **TROY CONSTRUCTION, INC** for Construction of Water Main Replacement in Magnolia Park Subdivision, GFS S-0478-01-3 (10481) - 00.23% over the original contract amount - **DISTRICT I – ALVARADO** – was presented, moved by Council Member Tatro, seconded by Council Member Vasquez, and tagged by Council Member Quan. Council Members Goldberg and Wiseman absent.

Council Member Quan stated that he wanted them to meet with him, that there was a question he had concerning the MWBE on it, and Council Member Alvarado stated that she would also like to have that same discussion, and Mayor Brown stated that they would have someone meet with them. Council Members Goldberg and Wiseman absent.

PURCHASING AND TABULATION OF BIDS

7. **AAA DEMOLISHING COMPANY** - \$37,145.00 and contingencies for a total amount not to exceed \$39,002.25 and **WILLIS DEMOLISHING/DISPOSAL** - \$37,695.00 and contingencies for a total amount not to exceed \$39,579.75 for Demolition and Site Clean-up Services for Planning & Development Department - Dangerous Building Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Ellis. Council Members Goldberg and Wiseman

absent.

8. **HOUSTON-GALVESTON AREA COUNCIL (H-GAC)** for Network-Based Digital Recording System through the Interlocal Agreement for Cooperative Purchasing for Department of Public Works & Engineering - \$101,908.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Members Robinson and Keller. Council Members Goldberg and Wiseman absent.
9. **VARIAN, INC** for One Gas Chromatography System from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$37,354.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0047 ADOPTED.

RESOLUTIONS AND ORDINANCES

10. RESOLUTION approving the issuance and sale by Houston Housing Finance Corporation of Multifamily Housing Revenue Refunding Bonds (Concord at Palm Center Apartments) Series 2003A and Subordinate Multifamily Housing Revenue Bonds (Concord at Palm Center Apartments) Series 2003B and approving the Preliminary Official Statement with respect to such bonds – was presented, and tagged by Council Member Goldberg. Council Member Wiseman absent.
11. ORDINANCE authorizing issuance of City of Houston, Texas, Water and Sewer System Junior Lien Revenue Refunding Bonds, Series 2003A; authorizing the Mayor and City Controller to approve the amounts, the interest rates, prices, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of certain outstanding bonds; authorizing Bond Insurance, a Co-Bond Counsel Agreement, and a Special Disclosure Co-Counsel Agreement; authorizing execution and delivery of a Paying Agent/Registrar Agreement; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0077 ADOPTED.
13. ORDINANCE approving and authorizing fourth amendment to Gas Sales Contract between the City and **CENTERPOINT ENERGY ENTEX F/K/A RELIANT ENERGY ENTEX**, a Division of Centerpoint Energy Resources Corp – was presented, and tagged by Council Members Robinson, Vasquez and Ellis. Council Member Wiseman absent. (Note: Council Members Robinson, Vasquez and Ellis removed their tag later in the meeting)

Council Member Vasquez stated that he would like to have someone visit with him on the item, and Mayor Brown stated they would have someone visit with him. Council Member Wiseman absent.

14. ORDINANCE approving and authorizing occupancy agreement between **GULF COAST COMMUNITY SERVICES ASSOCIATION**, as occupant, and the City of Houston, Texas, as owner, for space in the Third Ward Multi-Service Center - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Ellis. Council Member Wiseman absent.
15. ORDINANCE appropriating \$150,000.00 out of Homeless and Housing Consolidated Fund and providing \$3,101,000.00 out of Federal “HOME” Funds and approving and authorizing

first amendment to contract with **HOUSTON HOUSING FINANCE CORPORATION** to administer a new construction Homebuyer Assistance Program to extend term and increase number of households served – was presented.

Council Member Ellis stated that he was not going to hold the item up, that there was discrepancy on some delinquent ad valorem property taxes, but he thought that the problem was that the Houston Housing Finance Corporation had yet to file their tax exemption so they kept recording it, and would like to put that association on notice so they would go and file so they would get the proper tax exemption. Council Member Wiseman absent.

Council Member Goldberg stated that he would like to point out that the amount of money was for down payment of homes, that it was actually homes and not apartments and was in line with Mayor's Houston Hometown, which he thought was a great program and thought they needed to do more of it where they were building homes and not apartments, that they kept talking about the fact that they had an inverse ratio of apartments to homes and he thought it was about time they did something about it and he commended the Mayor on the program and thought, for the future of Houston, was one of the best programs he had initiated. Council Member Wiseman absent.

A vote was called on Item No. 15. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0078 ADOPTED.

16. ORDINANCE approving and authorizing second amendment to contract with **HOUSING OPPORTUNITIES OF HOUSTON, INC** to administer a Homebuyer Assistance Program to provide \$1,448,600.00 of additional Federal "HOME" Funds and to extend term and increase number of households served – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0079 ADOPTED.
18. ORDINANCE approving and authorizing first amendment to agreement between City of Houston, Miller Theatre Advisory Board and **BROOKS AND BROOKS, INC (dba HARLON'S BAR-B-Q)** for Concession Services at Miller Outdoor Theatre – was presented.

Council Member Quan stated that he wanted to thank the Parks Department for working with him on the item, that he knew they had a chance to meet with the producers from the Asian American and Chicano Festivals and had spoken with others as well, that it had been a difficult transition for a number of these ethnic festivals under the agreement with Harlon's Bar-B-Q, but he felt like they were at least trying to make some type of compromise and while it may not be everything that they wanted he thought it was a reasonable compromise and something that both sides could live with and planned to support it. Council Member Wiseman absent.

Council Member Sekula-Gibbs stated that she had requested the information and specifics on the contract and just got it right before the Council session and would like to tag it just for an opportunity to study it, and Council Members Alvarado and Goldberg stated that they also tagged the item, and Council Member Goldberg asked if someone from the Miller Outdoor Theatre Board could come and meet with him, and Council Member Sekula-Gibbs asked that they visit her as well, and Mayor Brown stated that they would make that happen. Council Member Wiseman absent.

19. ORDINANCE approving and authorizing contract between the City of Houston and **ANDREWS & KURTH, L.L.P.** for Professional Legal Services relating to the appeal of a lawsuit styled Texan Land & Cattle Company v. City of Houston in the County Court of Law No. Four, Harris County, Texas; providing a maximum contract amount - \$50,000.00 -

Property and Casualty Fund **DISTRICT D – EDWARDS** – was presented, and tagged by Council Member Quan. Council Member Wiseman absent. absent.

20. ORDINANCE appropriating \$179,520.11 out of General Improvements Consolidated Construction Fund, (*Fund*), and approving and authorizing Compromise and Settlement Agreement between City of Houston and **BOVAY ENGINEERS, INC** to settle a claim arising out of activities financed by the Fund **-DISTRICT H – VASQUEZ** – was presented.

Council Member Keller stated that he would tag the item as he still had not received some of the information on the item and would tag the item for a week and would like to look into it a little further because it was confusing to him that they would be agreeing to give money when they did not have anything in writing, that he would try and find that there was a paper trail to where they actually did request the work and signed authorization to have any of it done. Council Member Wiseman absent.

21. ORDINANCE approving and authorizing contract between the City of Houston and **TURNER COLLIE & BRADEN, INC** for a Vulnerability Assessment and the Development of an Emergency Response Plan for the City's Water Supply System - \$400,000.00 - Grant and Enterprise Funds – was presented.

Council Member Keller moved to postpone Item No. 21 to the end of the agenda, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0048 ADOPTED.

22. ORDINANCE appropriating \$55,779.26 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation contract between the City of Houston and **BEAZER HOMES, L.P.** for Construction of Water and Sanitary Sewer Lines to serve the Post Oak Place Subdivision, Section Four, CIP S-0802-10-03 and R-0802-10-03 **DISTRICT D- EDWARDS** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0080 ADOPTED.

23. ORDINANCE appropriating \$162,052.01 out of Water & Sewer System Consolidated Construction Fund and \$195,000.00 out of Affordable Housing Uptown 2002B Fund and approving and authorizing Developer Participation contract between the City of Houston and **BEAZER HOMES OF TEXAS, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Tierra Glen Section 3, CIP S-0800-79-03 and R-0800-79-03 - **DISTRICT E – WISEMAN** – was presented, and tagged by Council Member Robinson. Council Member Wiseman absent.

24. ORDINANCE appropriating \$84,929.86 out of Water & Sewer System Consolidated Construction Fund and \$119,701.81 out of Affordable Housing Uptown 2002B Fund and approving and authorizing Developer Participation contract between the City of Houston and **BEAZER HOMES OF TEXAS, L.P.** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Tierra Glen Section 4, CIP S-0800-80-03 and R-0800-80-03 - **DISTRICT E- WISEMAN** – was presented, and tagged by Council Member Robinson. Council Member Wiseman absent.

25. ORDINANCE appropriating \$25,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation contract between the City of Houston and **DE ANDA ENGINEERING, INC** for Construction of Water and Sanitary Sewer Lines to serve the Meadow Creek Gardens Subdivision, CIP S-0802-09-03 and R-0802-09-03 **DISTRICT E- WISEMAN** – was presented, and tagged by Council Member Robinson. Council Member Wiseman absent.

26. ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated Construction Fund and \$240,000.00 out of Affordable Housing Uptown 2002B Fund and approving and authorizing Developer Participation contract between the City of Houston and the **KINGDOM COME COMMUNITY DEVELOPMENT CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Kingdom Come Place Section 1, CIP S-0800-55-03 and R-0800-55-03 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0081 ADOPTED.
27. ORDINANCE appropriating \$216,936.60 out of Water & Sewer System Consolidated Construction Fund and \$219,000.00 out of Affordable Housing Uptown 2002B Fund and approving and authorizing Developer Participation contract between the City of Houston and the **KINGDOM COME COMMUNITY DEVELOPMENT CORPORATION** for Construction of Water, Sanitary Sewer and Storm Sewer Lines to serve Kingdom Come Place Section 2, CIP S-0800-56-03 and R-0800-56-03 - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0082 ADOPTED.
29. ORDINANCE appropriating \$125,000.00 out of Houston Airport System Subordinate Lien Revenue Bonds, Series 1998B (AMT) Construction Fund and approving purchase of approximately 4.137 acres of land out of the J. Armstrong Survey, Abstract 89, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0082, and approving purchase and sale agreement with Donald Harris and Carol Harris to acquire the land and improvements thereon for a purchase price, including title insurance and closing costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0083 ADOPTED.
30. ORDINANCE awarding contract to **FIKES OF HOUSTON, INC** for Odor Control Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options \$643,875.00 - General, Park Special Revenue and Building Inspection Funds – was presented, and tagged by Council Member Goldberg. Council Member Wiseman absent.

NON CONSENT AGENDA - NUMBERS 33 and 34

MISCELLANEOUS

33. RECOMMENDATION to suspend Council Rules to adjust schedule for presentation of Monthly Financial and Operations Report for May 2003 and October 2003 – was presented, moved by Council Member Tatro, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0049 ADOPTED.

PROPERTY

34. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Ward of David Ward Partners, on behalf of Park 45, Ltd. [Ruby Memorial, Inc (Steven Yari, president), general partner], for abandonment and sale of Witcher and Winchester Streets, from Hussion Street ?100 feet east to their dead-ends, in exchange for the conveyance to the City of right of way to widen Hussion Street, all located within the Anderson Addition, Parcels SY3-022A, SY3-022B and AY3-452 **APPRAISERS - DISTRICT I – ALVARADO** – was presented.

Council Member Alvarado named Mr. William July, Jr. and Ms. Jasmine Quinerly as appraisers and moved approval of the recommendation, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0050 ADOPTED.

MATTERS HELD - NUMBERS 35 through 43

35. MOTION by Council Member Quan/Seconded by Council Member Parker to adopt recommendation from Director Building Services Department for approval of Change Order 1 in the amount of \$88,135.00 on contract with **PYRAMID WATERPROOFING, INC** for Roof Replacement at BARC, Animal Control Center - North, GFS H-0011-04-3 - **DISTRICT G - GALLOWAY – (This was Item 4A on Agenda of January 15, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented.

Council Member Ellis moved to postpone Item No. 35 for one week, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0051 ADOPTED.

36. MOTION by Council Member Quan/Seconded by Council Member Parker to adopt recommendation from Finance & Administration Department to award to **PATCH MANAGEMENT, INC** for Rental of Asphalt Road Patching Trucks for Department of Public Works & Engineering - \$294,000.00 - General Fund – **(This was Item 9 on Agenda of January 15, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0052 ADOPTED.

37. MOTION by Council Member Quan/Seconded by Council Member Sekula-Gibbs to adopt recommendation from Finance & Administration Department to award to **VOSS ELECTRIC SUPPLY dba VOSS LIGHTING** - \$862,998.25, **TURTLE AND HUGHES, INC** \$55,000.00 and **E. SAM JONES DISTRIBUTOR, INC** - \$202,950.60 for Electrical Lighting for Various Departments General and Enterprise Funds – **(This was Item 10 on Agenda of January 15, 2003, TAGGED BY COUNCIL MEMBER KELLER)** - was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0053 ADOPTED.

38. ORDINANCE approving and authorizing first amendment to contract between the City and **BONDRESOURCE PARTNERS, LP** (formerly contracted as **ARTHUR ANDERSEN, LLP**; Contract No. 53444) for Arbitrage Services; providing a maximum contract amount - \$198,699.00 General and Enterprise Funds - **(This was Item 13 on Agenda of January 15, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. ORDINANCE 2003-0084 ADOPTED.

39. ORDINANCE awarding contract to **P.E.S. VENTURES, INC dba FORT BEND MECHANICAL** for Heating, Ventilation & Air Conditioning (HVAC) Services for Various Departments; providing a maximum contract amount - 5 Years - \$2,441,065.00 - General and Building Inspection Funds - **(This was Item 15 on Agenda of January 15, 2003, TAGGED BY COUNCIL MEMBER KELLER)** – was presented.

Ms. Stein stated that there was a public speaker on Item No. 39 and Mayor Brown stated they would come back to Item No. 39 later. Council Member Wiseman absent.

40. ORDINANCE appropriating \$264,901.94 out of Water & Sewer System Consolidated Construction Fund as Houston's share of the Blackhawk Regional Wastewater Treatment

Plant Renovation Project (Contract No. 20513 between the City of Houston and **THE GULF COAST WASTE DISPOSAL AUTHORITY**), CIP R-0019-21-3 - **DISTRICT E – WISEMAN – (This was Item 20 on Agenda of January 15, 2003, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented.

Council Member Ellis moved to postpone Item No. 40 for one week, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0054 ADOPTED.

41. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$594,827.51 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** for Construction of IRA Street Storm Sewer Outfall, GFS M-0126-13-3 (M-0126-13) - 00.17% over the original contract amount - **DISTRICT H – VASQUEZ - (This was Item 22 on Agenda of January 15, 2003, POSTPONED BY MOTION #2003-31)** – was presented.

Council Member Ellis moved to postpone Item No. 40 for one week, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0055 ADOPTED.

42. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2000-251, 2/16/00, TO EXTEND** expiration date from February 16, 2003 to August 15, 2003, for Safety Footwear for Various Departments, awarded to **SAFETY SHOE DISTRIBUTORS, INC – (This was Item 27 on Agenda of January 15, 2003, POSTPONED BY MOTION #2003-36)** – was presented. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Wiseman absent. MOTION 2003-0056 ADOPTED.
43. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **DIRECT ACTION UNIFORMS** - \$2,436,021.02 and **L & N UNIFORM SUPPLY CO.** - \$100,514.80 for Apparel, Uniforms for Various Departments - General, Enterprise and Storm Water Utility Fund – **(This was Item 28 on Agenda of January 15, 2003, POSTPONED BY MOTION #2003-37)** – was presented.

Council Member Tatro stated that Council Member Wiseman was not present and knew that the Mayor's office had discussion with her about the item and had agreed to a six week delay and moved to postpone Item No. 43 for six weeks, seconded by Council Member Robinson.

Council Member Ellis asked Council Member Tatro why a six week delay and Council Member Tatro stated that Council Member Wiseman and the administration had been discussing the item and Mayor Brown stated that they were going to do some more work on it and take it before the committee again and they supported the request to delay it for six weeks. Council Member Wiseman absent.

Council Member Sekula-Gibbs asked if it was only civil employees or was it only classified employee's uniforms, and Mayor Brown stated that they could find out, that he knew it was not the police and fire.

A vote was called on Council Member Tatro motion to delay Item No. 43 for six weeks. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council

Member Wiseman absent. MOTION 2003-0057 ADOPTED.

Ms. Stein asked Council Member Keller if he was ready to go to Item No. 21, and Council Member Keller stated yes.

21. ORDINANCE approving and authorizing contract between the City of Houston and **TURNER COLLIE & BRADEN, INC** for a Vulnerability Assessment and the Development of an Emergency Response Plan for the City's Water Supply System - \$400,000.00 - Grant and Enterprise Funds – was again before Council.

Council Member Keller stated that it was a ripple effect of a program, that after 911 Governor Perry adopted the Texas First Responder Initiative, which basically was going to bring about \$120 million to the State for homeland security, that he wanted to compliment their efforts, that he had been fortunate enough to serve on the Houston Galveston Area Council Governors Committee on Emergency Preparedness as Chairman and they had been developing plans for all of the members of the Houston Galveston Area Council, which for a large part was the City of Houston, and there was a guy named Craig McDowell that had brought a tremendous amount of expertise, not only to Houston but to all the other counties and members of HGAC, which they probably comprised 70% of, but his evaluation was going to give them a leg up, they were the first to have all of their plans submitted to the Governor and thought the most thorough plan, therefore he thought that this indirectly was an investment in their getting the lion's share of \$120 million, that there would probably be two other regional boards competing against them for the money and he thought that they had done an extremely thorough job, and of course their water supply was one of the things that they took for granted in the City and it needed to be protected, but their water supply, as well, did affect the surrounding areas of the City, that he also wanted to compliment Roger Hulbert with Public Works and Engineering, who had helped with the Water Supply Response Plan and John Bales, Director of Public Safety and Drug Policy, that the Mayor mentioned last week. Council Members Wiseman and Berry absent.

Council Member Alvarado stated that she understood that the study was going to look at potential threats to their water supply and would like to know why they would not consider taking into consideration the proposed San Jacinto Rail Project that very well may go near their water plant, that she understood that the study did not include this and would like for somebody to explain that to her. Council Members Wiseman and Berry absent.

Mayor Brown asked Mr. Haines to respond, and Mr. Haines stated that it was mainly because of time, that once it was awarded they had to respond to the Surface Transportation Board DEIS, as they knew, within the next few weeks, that the contract was not in place at the time and so they had done an add on to their other consultant agreements to get that element done in terms of evaluation of Burlington Northern, that it would not be added on at a later time, that they were handing it through their consultants, frankly between the Airport and what they already had in place with Parsons, so that was done because of the accelerated schedule and time lines that they had that Colonel Colin Braden could not get to it, and Council Member Alvarado asked what would happen if the STB granted the route that would take the project right past the water plant, and Mr. Haines stated that the better way to answer that question was that they would be prepared with the answer to the STB relating to the vulnerability of the water of that particular water plant as it related specifically to the San Jacinto Rail Line, that it could not be pulled off in time to respond to the Draft EIS as it related to the that water plant. Council Members Wiseman and Berry absent.

Council Member Edwards stated that they had considered bringing it to the Public Safety Committee for a full hearing and wanted to know if he would assist them in those efforts to make it happen, and Mayor Brown stated that they did have some time restraints on it and would be glad to come and brief her. Council Members Wiseman and Berry absent.

Upon question by Council Member Sekula-Gibbs, Mr. Haines stated that they were evaluating the 2D alignment, which would go close to the treatment plant that they were talking about on the southeast and that was currently being done by their existing agreement with Parsons and another consulting firm that was involved, and that was coming together specifically as it related to San Jacinto Rail, that the reason why they had done it this way was because, as they knew, they had to have a response to the STB by February 21, 2003 and were going to be briefing Council through committee the week before, there was no way that this contract would have gotten them there on time so they had gone ahead and pulled that element into the other piece, that as part of the vulnerability assessment, if the 2D alignment were to be approved and they had no appeal and that were in place, then it would be part of this study, it was a vulnerability assessment to potential terrorism, which a component of that could be that rail line, that they did not need an amendment to make it a part of it, that it would become a part of the vulnerability assessment and if it was not they would let them know, but he was almost convinced that it was their responsibility as an expansive look at the vulnerabilities of the systems, if that rail line was approved and would come through there that would be part of the assessment. Council Member Berry absent.

A vote was called on Item No. 21. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Wiseman and Berry absent. ORDINANCE 2003-0085 ADOPTED.

At 9:29 a.m. Mayor Brown requested the City Secretary to begin calling the list of speakers. Council Members Vasquez and Robinson absent.

Council Member Alvarado moved to suspend the rules to hear Ms. Sally Daniels after Mr. Henry Oramas, seconded by Council Member Parker. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Vasquez and Robinson absent. MOTION 2003-0058 ADOPTED

Mr. Tom Bazan, P. O. Box 2784, Houston, Texas 77252 (713-466-4477) appeared and stated that he was present to speak on Item 16; that every time the city funded the program he came before Council begging them to enforce the contract provisions which required proper lead inspections on older homes, it was his understanding that there had been several state and federal investigations where they uncovered what appeared to be massive bogus lead based paint certifications through that program and the Administration had done nothing to try and stop it; that there was an OIG investigation that information was not released in 1999 or 2000 from open records request so families could be notified, it was shielded by the Texas Attorney General; that he had received some information from OIG which said his allegations were sustained and that was in 1998; that a number of children had been poisoned but the number had been confidentially sealed by the Health Department; and he was again asking for Council to enforce the contract which required proper lead based paint inspections. Council Members Wiseman, Keller, Vasquez and Robinson absent.

Upon questions by Council Member Sekula-Gibbs, Mr. Bazan stated that current rules were sufficient if they were followed, but the problem was members of the City Administration, the administrator of the program and the underwriters, major lenders, who participated in the program all sat through special seminars where they were instructed so they all knew what they needed to be aware of and he was only asking that the contract provisions which had been in place since December 1995 be enforced. Council Members Wiseman, Keller, Vasquez and Robinson absent.

Council Member Sekula-Gibbs stated that she would like the Chair of the Housing Committee to respond because he had knowledge of this issue; and Council Member Quan stated that he had talked with Mr. Bazan and he was checking with Legal to make sure it was not in litigation as he planned to place it on the Agenda before the Committee. Council Members Tatro and Vasquez absent.

Council Member Sekula-Gibbs stated that this overlapped between two departments Health and Housing and moved to suspend the rules to hear from someone in the Health Department and Housing Department, seconded by Council Member Quan. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Tatro and Vasquez absent. MOTION 2003-0059 ADOPTED.

Ms. Rhonda Wimberly and Ms. Betty Rosignon with Housing came to the Council Table for questions. Upon questions by Council Member Sekula-Gibbs, Ms. Rosignon stated that Mr. Bazan had not approached her office for discussion but HUD did have procedures in place where each house had to have an inspection and be deemed lead free; that she believed he was saying some inspectors might not be doing a thorough report, but the department did not monitor inspectors they were certified through the state and they relied on the state to monitor their work. Council Members Vasquez and Robinson absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Rosignon discussed how the lead was determined in houses which included inspectors using the XRL machine. Council Members Tatro, Vasquez, Parker and Robinson absent.

Mr. Bazan stated that the Administrator of the program was the gatekeeper who was supposed to verify all documents and the lenders were also supposed to make sure the documents were correct before submitting them, but no one was checking the reports or checking whether the inspectors were certified and this was a serious situation with criminal elements and he would like it stopped. Council Members Tatro, Vasquez, Parker and Robinson absent.

Upon questions by Council Member Edwards, Ms. Wimberly stated that the Housing Department monitored the operation and it was her opinion that HOH was using the list from the State of Texas of certified risk assessors; that Housing did not have jurisdiction to challenge inspectors, they accepted them certified when they were on the state's list; that she could contact the State Department of Health to find out more information and she would give her a number. Council Members Tatro, Vasquez and Robinson absent.

Upon questions by Council Member Edwards, Mr. Bazan stated that he was a long time commercial appraiser and held risk assessment certification number one from the TDH and was a certified inspector and a lead abatement supervisor; that he did not participate in the state program as much as he should as he had been blackballed by participants, major lenders, in the program. Council Members Tatro, Vasquez and Robinson absent.

Upon questions by Council Member Goldberg, Mr. Bazan stated that the agency in charge of citing people who did the work improperly was the Texas Department of Health under the EPA Authority; that the State of Texas certified individuals as being competent and the lenders were the ones who hired or ordered inspectors out. Council Members Tatro and Vasquez absent.

Mr. Henry Oramas, 5308 Ashbrook, Houston, Texas 77081 (713-512-9900) appeared, presented information and stated that he was vice president and general manager of Way Service and present to protest the award of Agenda Item 39; that they were protesting the award because they believed the defined specifications and contractor qualifications provided by the city were not enforced; that they believed their company was the lowest price, responsible and properly bonded bidder; that they had never protested an award but this was an exception as they had never seen an award with so many unanswered questions and unresolved issues; and he went over a list of discrepancies and stated that Fort Bend Mechanical, the proposed winner, did not meet qualifications or specs which was why they were 33% lower in price and they were asking Council to deny the award and refer the questions back to Purchasing for a satisfactory answer. Council Member Goldberg absent.

Council Member Alvarado stated that she was disappointed to learn the city was looking to enter into a contract with a company which was currently being sued by the Houston Hotel Association regarding issues of underpayment of prevailing wages; that she understood the contractors did pay prevailing wages but to the developer and the employees were cheated out of hundreds of dollars; that it was appalling the city would even consider doing business with anyone who had violated the prevailing wage act. Council Member Goldberg absent.

Mayor Brown stated that it would be appropriate for her to make a motion to refer it back to the Administration so it could be looked at; that this had just come to his attention as well. Council Member Alvarado stated that she wanted to know where the check and balance was. Council Member Goldberg absent.

Council Member Keller stated that the flaw would be partly in the RFP process and he was going to make a motion at the proper time to refer the item back to the Administration and also make a formal written notification to Ms. McGilbra who chaired the committee which oversaw debarment to start debarment proceedings and investigation on this item and if they saw the information and evidence was warranted then they would be debarred for no more than two years; that on January 6 the federal judge issued a ruling dismissing the request by Fort Bend for a summary judgment citing overwhelming evidence against them which was partially financed by the city through Houston Community Development and they should get with whoever was doing this on the City's behalf, which he thought was Housing and Community Development, that in addition to prevailing wage if the City did not annihilate them for abusing prevailing wage they set a precedent for others to do the same. Council Members Goldberg and Berry absent.

Council Member Ellis stated that he supported his colleague for sending the item back to the Administration; that when he read through the lawsuit and allegations brought against Fort Bend Mechanical he was appalled and felt there should be more investigation and if it proved the allegations were true he would be in support of Council Member Keller's suggestion of sending them through the debarment process. Council Members Goldberg and Berry absent.

Council Member Vasquez stated that he too supported referring the item back to the Administration; that when the prevailing wage issue was taken up by Council it was very contested, however, through much discussion and negotiation it became agreed upon by Council and contractors and it needed to be upheld. Council Members Goldberg and Berry absent.

Council Member Alvarado moved to take Item 39 out of order, seconded by Council Member Keller. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Berry absent. MOTION 2003-0060 ADOPTED.

39. ORDINANCE awarding contract to **P.E.S. VENTURES, INC dba FORT BEND MECHANICAL** for Heating, Ventilation & Air Conditioning (HVAC) Services for Various Departments; providing a maximum contract amount - 5 Years - \$2,441,065.00 - General and Building Inspection Funds - **(This was Item 15 on Agenda of January 15, 2003, TAGGED BY COUNCIL MEMBER KELLER** – was before Council.

Council Member Keller moved to refer Item 39 back to the Administration, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Berry absent. MOTION 2003-0061 ADOPTED.

Council Member Vasquez stated that this was an important issue for the city and he hoped the Administration would consider coming back with the next best bidder. Council Member Berry absent.

Ms. Sally Daniels, 4001 Tierwester, Houston, Texas 77004 (713-528-8699) had reserved

time to speak but was not present when her name was called. Council Member Berry absent.

Mr. Dennis Woodard, 3715 Bruce, Houston, Texas 77009-6103 (713-864-9426) had reserved time to speak but was not present when his name was called. Council Member Berry absent.

Ms. Jackie Carpenter, 7047 Bissonnet #114, Houston, Texas 77074 (713-995-0251) appeared and stated that the city should pass a resolution opposing the war with Iraq as many other cities had done and expressed her personal opinions regarding the war until her time expired. Council Members Alvarado, Quan and Berry absent.

Upon questions by Council Member Edwards, Ms. Carpenter stated that she would like the city to pass a resolution stating Houston was against the war as other cities such as Ann Arbor, Michigan and Chicago, Illinois had done and use their tax dollars for other purposes. Council Members Alvarado, Quan and Berry absent.

Council Member Vasquez stated that he appreciated her coming and speaking on her beliefs. Council Members Alvarado, Parker and Berry absent.

Council Member Ellis stated that he would remove his tag on Item 13 and move to suspend the rules to consider the item. Council Member Vasquez stated that he would also remove his tag. Council Member Tatro seconded the motion. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Members Alvarado and Berry absent. MOTION 2003-0062 ADOPTED.

13. ORDINANCE approving and authorizing fourth amendment to Gas Sales Contract between the City and **CENTERPOINT ENERGY ENTEX F/K/A RELIANT ENERGY ENTEX**, a Division of Centerpoint Energy Resources Corp. – was again before Council. Council Member Berry absent.

Council Member Robinson stated that he supported the item but it was tagged because they owed back taxes and he wanted to make sure they understood they needed to go pay their tax bill and he wanted assurance at the close of 10 days they would have a check there. Council Member Berry absent.

A vote was called on Item 13. Council Member Edwards voting no. Balance voting aye. Council Member Galloway absent due to death in family. Council Member Berry absent. ORDINANCE 2003-0086 ADOPTED.

Mr. Stan Merriman, 2338 Dryden, Houston, Texas 77030 (713-666-8444) appeared and stated that he was present to support the resolution opposing the war in Iraq, but since the proposed resolution had not yet been presented he would release his time to Ms. Francis Farenthold who would present the resolution. Council Member Berry absent.

Council Member Robinson moved to suspend the rules to hear from Ms. Francis T. Farenthold out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent due to death in family. Council Member Berry absent. MOTION 2003-0063 ADOPTED.

Ms. Francis T. Farenthold, 2929 Buffalo Speedway #1813, Houston, Texas 77098 (713-621-5608) appeared, presented packets to the Mayor and Council and gave her personal opinions as to why she and others with her were opposing the war with Iraq; and urged Council Members to support the proposed resolution they had presented opposing the war as had many other cities.

Upon questions by Council Member Berry, Ms. Farenthold stated that she had not presented the proposed resolution to Congress, but she did believe it was a decision for all to

make.

Council Member Berry stated that he was not commissioned to speak on the issue and he did not think the Council was commissioned to speak out on the issue either and that he would suggest the city stick to city issues.

Council Member Edwards stated that a quote from Martin Luther King was, "Sometimes silence becomes betrayal."; that her son in law was in the Marines and she believed all voices needed to be lifted up; and upon questions, Ms. Farenthold stated that in the packet presented there was information from National Priorities and a conservative figure for the war was at one hundred billion dollars; that the Gulf War which they did not pay for except with lives and infirmities was around eighty one billion dollars.

Council Member Alvarado stated that Council Members were leaders in the community and they had just voted on Item 21 regarding a study because of a potential threat to the City's water supply; that in the past the Council passed resolutions having to do with the federal government; and they were voting on certain items because of possible threats.

Mr. Jonathan Howard, 3403 Arbor, Houston, Texas 77004 (713-942-1946) had reserved time to speak but was not present when his name was called.

Mr. Ken Freeland, 3535 West Holcombe #16, Houston, Texas 77025 appeared, presented a petition and stated that he had over 2,100 signatures to present from Houston citizens who were protesting the war in Iraq and requesting the Council to pass a resolution opposing that war; that Houston was a possible target for terrorism and continued expressing his personal opinions as to why there should be no war and why local government needed to be involved until his time expired.

Mrs. Yolanda Garza-Birdwell, 3323 Cloverdale, Houston, Texas 77025 (713-667-0553) appeared and expressed her personal opinions as to why there should be no war with Iraq and why the City of Houston should consider being the 42nd city expressing their opposition to the war until her time expired.

Mr. Walter Birdwell, 3323 Cloverdale, Houston, Texas 77025 (713-667-0553) appeared and stated that he was a military veteran of the U. S. Army and then expressed his personal opinions as to why there should be no war with Iraq and asked Council Members to support the proposed resolution opposing the war.

Mr. John Staley, 8511 Neff Street, Houston, Texas 77036 (713-772-0061) appeared and expressed his personal opinions as to why he opposed the war with Iraq and urged the Council Members to join with over 40 other American cities in opposing that war.

Council Member Ellis moved to suspend the rules to hear Ms. Hazel Wise, Mr. Reynaldo Loggin, Ms. Sally Daniels, Mr. Dean Voreh, Ms. Ming Zeng, Ms. Jinfia Wei, Ms. Karen Jacobs, Mr. Jeff Pinkerton, Mr. Shelton Modelist and Mr. Jeff Trevino out of order at this time, seconded by Council Member Tatro. Council Member Edwards voting no. Balance voting aye. Council Member Galloway absent due to death in family. MOTION 2003-0064 ADOPTED.

Ms. Hazel Wise, 2803 Tidewater, Houston, Texas 77045 (713-433-0616) appeared and stated that she was present regarding the Mayor's Assistance Program; that in March of 1998 her mother received assistance from the program to help remodel her home and was eligible for \$11,000.00 at that time, but within the last four years she had contacted city offices trying to get the money for repairs and finally after four years they came to start repairs and said it would take a week, but they were still there; that they were saying certain things they were not to fix and they could not use the tub or the stove; that there was a hole in the wall, cracks in the ceiling which they caused, the kitchen floor was not replaced and when you flushed the toilet sewage came

up right by the kitchen sink and would just sit there and her mother was so upset they needed to medicate her. Council Members Tatro, Vasquez and Parker absent.

Mayor Brown stated that Mr. Mike Halpern was present and would meet with her and work to get the problem taken care of. Ms. Wise stated that she had spoken with Mr. Halpern on several occasions and he would not call back. Mayor Brown stated that he was present and had to report back to him on taking care of the problem. Council Members Tatro, Vasquez and Parker absent.

Upon questions by Council Member Edwards, Ms. Wise stated that the hole in the bathroom was because there was a stove there, but they were told it was not up to code and the workers took it out and said they were only contracted to do the tile in the bathrooms so they left the hole, but if they were not to fix it why not just leave it there. Council Member Edwards stated that she would like to meet with her after the meeting. Council Members Tatro, Vasquez and Parker absent.

Mr. Reynaldo Loggin, 343 Sulky Trail, Houston, Texas 77060 (832-788-7279) appeared and stated that he was having problems with HPD racial profiling, he was a limo driver and was stopped at U of H with the officer saying she stopped him so she could see what they were doing; that he had another encounter where the officer pulled a pistol on him and his passenger because they ran the tags on his Infinity and it came back saying it was a Nissan and he went to others but it seemed they did not care what was going on; that he was stopped again in his car and told someone said he was selling drugs, then they asked to search the car and he said no but then he searched it anyway so immediately after the search he called his supervisor and he came out and looked at the car and showed him the citation he was written and said nothing was wrong with the car and the tickets should not have been written but he could not take the tickets back so he filed against him in Internal Affairs and in court the officer was taking pictures of him and his paperwork was messed up. Council Members Tatro, Alvarado and Parker absent.

Mayor Brown stated that Assistant Chief Wong was present and would meet with him after Council Members questions and see what needed to be done to resolve the issue. Council Members Tatro, Vasquez and Parker absent.

Upon questions by Council Member Goldberg, Mr. Loggin stated that when he went to court the officer was taking pictures and the clerk acted like she could not get his papers together; that he filed a complaint against them at the Municipal Courts on Lubbock Street because they had put the wrong court room on his papers, he went to the court number on the paper and at the time appointed but his name was not called and he was then told to go find out where he was supposed to be so he went to the first floor and found he was to be in Court 11 so he went there and the officer was there laughing saying he had messed up big time; that the Judge asked why he was not present when he was supposed to be and he said his paperwork was messed up and then she said they did not play that and said he should go post bond; that he tried showing her his paperwork and she said if he threw something at her again she would hold him in contempt so he had to make another bond but she made it where he could not post through a bondsman and had to do it with cash; that he saw the officer a week later at Home Depot and he heckled him; that the judge was Judge Timberlake and the officer was Officer R. P. Houghton, but this was ongoing and no one was doing anything about it; that Internal Affairs had told him the officer did not do anything outside of his job duties and his next court date was upcoming. Council Members Tatro, Wiseman, Berry and Robinson absent.

Council Member Edwards stated that she would like a copy of the report from the Assistant Chief; and upon questions, Mr. Loggin stated that he was a limousine driver and he drove for Sam's Limousines and was working on Loggin Limousines; that a few of his tickets were dismissed because he came up with his paperwork, but he wrote one for a nonworking light but his supervisor saw it was working and he then said he did not use his signal, but he saw him sitting write in front of him and you don't make a mistake like that, but he could not prove

something like that by a picture. Council Members Tatro, Wiseman, Berry and Robinson absent.

Council Member Quan thanked Mr. Loggin for coming to Council and sharing this; that they wanted officers to enforce the law but it seemed sometimes, if what he described, they were overzealous and outside the bounds of what they should be doing; that he too would like a copy of the report from Internal Affairs; that it seemed the courts were more understanding when someone was given the wrong information and went to the wrong court room and then having to post bond over being in the wrong place when he was there; that it was not the kind of conduct he expected from the police or the court system and he would speak with Judge Majia; that he would like a copy of the report and he would follow-up as well. Council Members Tatro, Edwards, Wiseman, Berry and Robinson absent.

Mr. Dean Voreh, 9019 Wrenwood, Houston, Texas 77099 (281-933-2749) had reserved time to speak but was not present when his name was called. Council Members Tatro, Edwards, Wiseman, Berry and Robinson absent.

Ms. Ming Zeng, 3247 Reiby Park Ln., Katy, Texas 77490 (281-693-0600) appeared, presented information and spoke on the persecution of her mother for being a Falun Gong practitioner and asked for help in rescuing her mother and her sister. Council Members Tatro, Edwards, Wiseman, Berry and Robinson absent.

Ms. Jinfia Wei, 4454 South MacGregor #1, Houston, Texas 77021 (713-398-3051) appeared, presented information and spoke on the persecution she and other Falun Gong practitioners had suffered until her time expired. Council Members Tatro, Ellis, Vasquez, Berry and Robinson absent.

Ms. Karen Jacobs, 14609 South Main, Houston, Texas 77035 (713-283-5253) had reserved time to speak but was not present when her name was called. Council Members Tatro, Ellis, Vasquez, Berry and Robinson absent.

Mr. Jeff Pinkerton, 14609 South Main, Houston, Texas 77035 (713-283-5253) had reserved time to speak but was not present when his name was called. Council Members Tatro, Ellis, Vasquez, Berry and Robinson absent.

Mr. Shelton Modelist, 5619 Lakefield, Houston, Texas 77033 (713-733-6994) had reserved time to speak but was not present when his name was called. Council Members Tatro, Ellis, Vasquez, Berry and Robinson absent.

Mr. Jeff Trevino, 317 Snover, Houston, Texas 77007 (713-829-2140) had reserved time to speak but was not present when his name was called. Council Members Tatro, Ellis, Vasquez, Berry and Robinson absent.

Mr. Earl Gerhard, 2017 Trixie Lane, Houston, Texas 77042 (713-532-3003) appeared and spoke against the proposed war in Iraq and stated that he was present asking the Mayor to support placing a resolution opposing the war in Iraq on Council's Agenda. Council Members Tatro, Ellis, Vasquez, Berry and Robinson absent.

Upon questions by Council Member Quan, Mr. Gerhard stated that he certainly supported any danger being removed but there was no way the US needed to bomb and attack that country to do that, there was a much smarter way of doing it than what was proposed. Council Members Tatro, Ellis, Berry and Robinson absent.

Ms. Diane D. Bulanowski, 5411 Lamonte, Houston, Texas 77092 appeared and expressed her personal opinions against the proposed war in Iraq until her time expired. Council Members Goldberg, Parker, Sekula-Gibbs, Berry and Robinson absent.

Mr. James Essig, 250 Eldorado, Webster, Texas 77598 (281-461-8886) appeared and stated that he and his grandmother had gone to Washington to protest against the proposed war in Iraq, expressed his personal opinions against the war and requested the Mayor and Council support the proposed resolution. Council Members Tatro, Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Ms. Hannah Hawk, P. O. Box 6778, Houston, Texas 77265 (713-797-6722) appeared and stated that she was the spokesperson for the Muslim Public Affairs Council in Houston, a fourth generation American and proud granddaughter of a decorated World War II veteran and spoke on the importance of local leaders to articulate their constituents feelings and urged support for the proposed resolution opposing war in Iraq. Council Members Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Upon questions by Council Member Edwards, Ms. Hawk stated that regarding the immigrant community in Houston, the men required to go to immigration, it had several impacts among those were some leaving America to go where they came from as they would feel safer there, they did not feel welcome and some thought they were legal were having passports taken and being detained without valid reason; that there was a real fear in the Muslim community that even if you were a US citizen or a fourth generation American that you were a suspect and that was a sad state in a democracy, in a great country like this one. Council Members Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Upon questions by Council Member Parker, Ms. Hawk stated that the other cities who had signed the resolution modified them according to their own cities needs and they could be found on line, it was a national initiatives called Cities for Peace; that if she would go to the Muslim Public Affairs web site she could find that as a link; that the drafted resolution presented to this Council was locally drafted; that she just found the web site address was www.citiesforpeace.org. Council Members Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Mr. Charles Mauch, 1621 Cherryhurst, Houston, Texas 77006 (713-524-2452) appeared and stated that he was a member of the Houston Peace Center and Harris County Green Party and expressed his personal opinions as to why the war with Iraq should be opposed and urged Council's support of the proposed resolution. Council Members Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Ms. Sylvia Stewart, 3700 Wakeforest #6, Houston, Texas 77098 (281-483-4757) appeared and expressed her personal opinions regarding opposing the war with Iraq and urged Council's support of the proposed resolution. Council Members Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Mr. Robert Graham, 5319 Chenevert, Houston, Texas 77004 (713-528-0677) had reserved time to speak but was not present when his name was called. Council Members Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Mr. Nebeil Al-Oboudi, 10603 Wilcrest #50, Houston, Texas 77009 (832-496-2350) appeared and expressed his personal opinions regarding war with Iraq, retaliation among people within the city and urged all to look in their hearts and ask and work for peace. Council Members Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Upon questions by Council Member Quan, Mr. Al-Oboudi stated that since the 9/11 incident he had been treated different; that ignorance was a terrible thing and a very dear friend of his was shot, he was told by the person he did not want his money but was going to blow him away like those in New York were blown away. Council Member Quan stated that Council wanted to make sure Houston continued to be his city and a city which continued to welcome people of all backgrounds and where they were not judged because of their ethnicity and color of their skin. Council Members Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Mr. Don Seributra, 7023 Dickson Way, Missouri City, Texas 77489 (281-437-4931) appeared and expressed his personal opinions as to why war was being proposed with Iraq and urged Council to support the proposed resolution opposing the war. Council Members Sekula-Gibbs, Berry and Robinson absent.

Mr. Raj Mankad, 1325 1/2 Laird, Houston, Texas 77008 (281-863-7627) had reserved time to speak but was not present when his name was called. Council Members Sekula-Gibbs, Berry and Robinson absent.

Mr. Rob Calvin, P. O. Box 30603, Houston, Texas 77249-0603 (713-518-4506) appeared and stated that he was present to support the proposed resolution, spoke on the cost of war and expressed his personal opinions against war with Iraq until his time expired. Council Members Sekula-Gibbs, Berry and Robinson absent.

Mr. Chris Hernandez, 16407 Burham Park Dr., Houston, Texas 77429 (713-480-7452) appeared, expressed his personal opinions in opposition to the war with Iraq and urged Council Members to stand with the other 40 cities in taking a stand against it. Council Members Tatro, Sekula-Gibbs and Robinson absent.

Council Member Vasquez commended Mr. Hernandez on his activism and stated that he hoped he would be a lifelong participant in the democratic process; and upon questions, Mr. Hernandez stated that he went to Jersey Village High School.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 had reserved time to speak but was not present when his name was called. Council Members Sekula-Gibbs and Robinson absent.

Mr. William Ennols Beal, 4748 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak but was not present when his name was called. Council Members Sekula-Gibbs and Robinson absent.

Mr. Tom Brown, 5439 Redstart, Houston, Texas 77096 (713-729-8648) had reserved time to speak but was not present when his name was called. Council Members Sekula-Gibbs and Robinson absent.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 had reserved time to speak but was not present when his name was called. Council Members Sekula-Gibbs and Robinson absent.

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he was the world's wealthiest and expressed his personal opinions until his time expired. Council Members Goldberg, Sekula-Gibbs and Robinson absent.

At 11:41 a.m. Mayor Brown stated that concluded the public session and would now move to Council presentations.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Vasquez stated that he wanted to talk about the City employees who were reservists and potentially being called into active duty as they prepared for the potential conflict with IRAQ, that he wanted to make sure they were properly compensated by the City when they returned and that they have their jobs as soon as possible when they return and would like to know how many men and women had been called into active military duty and if someone could visit with him he would like to know if there was any impact on their departments, just to make sure their policies were in line as they approached the information, and Mayor Brown stated that

they would get that for him. Council Members Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Council Member Quan stated that he knew they were planning to have the Super Bowl in Houston next year and that last weekend he had the opportunity to go to the National Wheelchair Soccer Tournament, which was hosted in Houston, and their Houston challengers had gained the finals against the Long Island Seagulls, who were the national champions, that it was a very exciting match and the Seagulls won at the very last second, but he just wanted to say what wonderful athletes the wheelchair athletes had been and was happy that the City of Houston was hosting the national championship. Council Members Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Council Member Quan stated that he wanted to commend Mayor Brown for being selected as the recipient of the Drum Major Award by the Northeast Frontier Club on Martin Luther King Day, that it was a great tribute to him. Council Members Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Council Member Quan stated that he was disturbed recently to see a news broadcast of stray dogs wandering the streets and attacking people as well as livestock and really wished they would direct some attention to that, that it was very disturbing to see that happening in Houston, and Mayor Brown stated they were working on it. Council Members Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Council Member Parker stated that they had that issue scheduled for the next Neighborhood Protection Quality of Life Committee meeting and with the Animal Control issues. Council Members Goldberg, Sekula-Gibbs, Berry and Robinson absent.

Council Member Alvarado stated that there were two articles in the Chronicle on the weekend that discussed the inefficiencies at the HPD Crime Lab, that as they knew she raised that issue several times last year and knew they had been making some headway in getting some of those issues resolved, she would like to know if they could get an update from HPD, and Mayor Brown stated that he would have the acting chief come and brief them on the Kmart issue and would include that into his presentation. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Ellis stated that he wanted to recognize and congratulate Council Member Quan for being this year's recipient of the Asian Society Leadership Award. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Ellis stated that he would like to offer his condolences to Council Member Galloway and her family for the loss of a family member and thanked Council Member Edwards for bringing it to their attention. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Ellis stated that he wanted to recognize a few people in Public Works who responded to a situation that occurred two weeks ago in his district, that there was an individual driving down Wilcrest and veered off the road and went between the guardrail before the bridge and fell about 40 feet and was killed, and so they were extremely concerned that the City might be at fault for some reason or another and they sent out some individuals from Public Works who took a look at the site and it was amazing that the person was able to go through the two guardrails, they had to jump up off of the road and go through about a 12 to 14 foot break between both of the roads and without him hitting one of the guardrails, that Robert Federline, Nicole Flannery and Rick Rokosky, had taken action to see that there would be some type of pole placed where the individual went through the two bridges, that he wanted to thank them for responding quickly on that. Council Members Goldberg, Keller, Vasquez, Sekula-Gibbs and Berry absent.

Council Member Ellis stated that tonight a CIP and townhall meeting was being held at the Sharpstown Center, they would deal with the CIP as most of the District Council Members had meetings scheduled as well, that they would also be discussing the storm drainage fee and wanted to invite everybody in District F to come out and voice their opinion, that they had a rather lean CIP this year and he went along with a small CIP so other districts throughout the districts could have some of their projects addressed, that they had two major projects in District F and one was being held up and they were not really getting any response and that had to do with the Houston Multi Service Center and would request that someone from the Mayor's office come and discuss it with him and tell them why it was being held up, that they were back to the repaving project of Kirkwood, that they had yet to get the surety to go out and try to start the construction and they had yet to start the process to find another contractor to come out and complete the job, so they were going to keep pounding on it until they could get something done, that Public Works had been working with them to try to mitigate any problems that may occur because the construction had stopped out in that area and there had not been any word since July of last year, that he would request some assistance from the Mayor's office on both of those projects, that he would like to invite anybody who would like to come out to their CIP meeting, it would be at the Sharpstown Recreation and Golf Center, and Mayor Brown stated that he would have Mr. Haines follow up on those two items. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that as to the CIP meetings, as most of them were aware there was an initial draft that was prepared for the dates and locations and the final list of CIP meetings was sent out after that with some changes which would include hers, that unfortunately there had been some people circulating the draft list of CIP meeting so she had been getting calls from people in her district that were concerned about the actual dates and times of her CIP meetings, so she wanted everyone to be aware that District E CIP meetings would be held on February 17th and 19th and would not be having them on January 29th and February 2nd as was noted on the draft list. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that she wanted to thank her colleagues for assisting her in helping to address some of the items on the agenda during her absence this morning, that she would like to give her thanks to all of them and Mayor Brown most certainly for taking the opportunity to take a closer look at their desire to purchase uniforms at such a high cost and to find ways where they could find cuts, that she appreciated the Mayor giving it full consideration and see what they could do. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that she wanted to thank the Parks Director, Roxsan Okan-Vick for all the work that she did with respect to an effort to apply for grant assistance from the Texas Parks and Wildlife Department to acquire approximately 70 acres by Ellington Field to preserve it as a nature park, that it was an opportunity that was presented to the City, that she was also very pleased to say that the County took a great interest in acquiring that land for park space also, they had the money to spend and right now the City was trying to cut corners everywhere they could and was concerned whether or not they would be able to afford to maintain the property once they acquired it if they did so through grant funding, so she thought it was very gracious of the County to step in and use their money to purchase the land and thought it would be good for the community and was a good example of how community leaders from throughout the region could take combined active interest in something. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Wiseman stated that it saddened her to share with them the passing of a community public servant, as some of them had heard, Sunday, 33 year old Porter Volunteer Firefighter, Gary Staley, died in the line of duty, that Porter was the community adjacent to the Kingwood area and a close knit community, that the Houston Fire Department assisted in the

call and everyone was touched by the incident, that Mr. Staley was a graduate of Kingwood High School and has an 8 year old daughter, that funeral services would be held at 10:00 a.m. at Forest Cover Baptist Church in Kingwood, that a fund had been established at Southwest Bank of Texas in Porter for his 8 year old daughter, Courtney, that the phone number was 281-354-8398 and asked for a moment of silence. Council Members Goldberg, Keller, Sekula-Gibbs and Berry absent.

Council Member Robinson stated that as to the Centerpoint issue, he would like for somebody to send him something in writing once they pay their bills so he would have his mind relieved of that heavy burden so that he would not have to keep smacking them around between now and every pop off he had, that if Mr. Hall or Mr. Haines could help him out so he could save his energy for some other issues. Council Members Goldberg, Keller, Quan, Sekula-Gibbs and Berry absent.

Council Member Robinson stated that he believed about two weeks ago they passed the changes in the Aviation ordinances and it was his understanding that at some point they would be coming back to Council to talk to them about the possibility of trying to implement some alternative delivery on one or two projects and was trying to find out where they were and if they had any projects in mind that they would like to deliver or to come talk to them about delivering by design, build or see them at risk, he would like to try to see if they could try some of those alternatives, initially in the amendment to the Aviation ordinance they had it in there, but Council Member Goldberg raised some issues that he wanted them to come back to Council and ask for permission and like they initially try to do with what took them so long to finally get passed, reverse auction, he thought what he would like was to see if in fact the alternative methods did deliver them some savings, and they could use the Aviation Enterprise area to try to test them out and if they did work they could move them over in other areas and they could talk about saving on General Fund dollars. Council Members Goldberg, Keller, Quan, Sekula-Gibbs and Berry absent.

Council Member Edwards stated that as to Council Member Galloway, she was not sure what the service was tonight, if it was just a viewing or a full blown service, but they could check with her office for more details. Council Members Goldberg, Keller, Quan, Sekula-Gibbs and Berry absent.

Council Member Edwards stated that regarding the proposed or impending war, that she would like to speak as to what were their roles as City Council Members, that she believed in due diligence and about what their responsibilities, that she believed in the position that all politics were local, whereas those were federal jurisdictions, they had local citizens who were being affected by the federal decisions, in particular their employees and asked what was their position on employees that might be called up in reserves, that she thought they had a responsibility to give their employees information as to how they could best well be served if they were going into the reserves, what was open and available to them; that she had several calls regarding the immigration issue as far as racial profiling and those type of issues regarding immigrants from those communities, that she would like to know what was their position on that and did they have any role to play in helping people who were in those situations. Council Members Tatro, Goldberg, Ellis, Keller, Quan, Sekula-Gibbs and Berry absent. NO QUORUM PRESENT

Mayor Brown stated that as to the issue of City employees being called up to active duty, the policy of the City of Houston was to make them whole, if there was a gap between what the government pays them the City makes up that gap so they would not lose anything, that Human Resources would tell them what the procedures were, and Mr. Hall stated that when they were called up they were automatically enrolled. Council Members Tatro, Goldberg, Ellis, Keller, Quan, Sekula-Gibbs and Berry absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 12:02 p.m. upon MOTION by Council Member Robinson, seconded by Council Member Vasquez.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary