

City Council Chamber, City Hall, Tuesday, April 1, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, April 1, 2003, Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, 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, Carroll Robinson; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present.

At 1:59 p.m. Mayor Pro Tem Quan stated that Council would begin their presentations. Council Member Robinson stated that today he had the honor of introducing Coach Ronnie Courtney, the athletic director Mr. Louis Blackwell and the TSU Basketball Team and invited them to the podium; that this year they were the SWAC Championship Team (Southwest Athletic Conference) and they had the good fortune to go to the NCAA Tournament three times in the school's history; and presented the coach a Proclamation which proclaimed Tuesday, April 1, 2003, as "Texas Southern University Tigers Basketball Team Day" in Houston, Texas. Mr. Courtney stated that they all had a great time playing and getting their education and he thanked Council for the honor. Mr. Blackwell thanked Council for inviting them and for the Proclamation and thanked the Coach and players for all their work and for bringing such highlights to the school. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Keller, Alvarado and Berry absent. Mayor Pro Tem Quan presiding.

Council Members congratulated the Coach and players and wished them continued success. Council Members Galloway, Goldberg, Ellis, Keller, Alvarado and Berry absent.

Mayor Brown stated that less than a year ago they kicked off the Get Lean Houston Program, an initiative designed to increase awareness of better health, nutrition and fitness and added another dimension by appointing Mr. Lee Labrada as the city first Fitness Czar; that obesity was not one city's problem but the whole country's and he put together a panel to help address obesity; that a fat drive was launched and he would ask Mr. Labrada to give a brief summary. Mr. Labrada stated that he launched the city's first fat drive on January 2, 2003, and asked that fat be pledged instead of money since obesity killed over 300,000 people a year; that this was National Nutrition Month and over 2,146 Houstonians pledged over five pounds of fat and it totaled 17,240 pounds and that was the equivalent of three African Elephants. Mayor Brown thanked him for his efforts and stated that he would like the drive extended until the end of the year. Council Members Ellis, Keller, Alvarado, Berry and Robinson absent.

Council Member Edwards stated that she was honoring the work and accomplishments of Greater Houston Pop Warner which was located in the Sunnyside Area and was coached by Officer Chamberlain and others and invited those present to the podium and presented Mr. Chamberlain with a Proclamation for devoting countless hours to practice and training and leading them to many accomplishments with the football teams and cheer squads having participated in the Youth Football Championships in Orlando, Florida, wishing them continued success and proclaimed Tuesday, April 1, 2003, as "Greater Houston Pop Warner Day" in Houston, Texas. Mr. Chamberlain thanked the Mayor and Council for the show of appreciation and their District Council Member for supporting their efforts; that they won the state championship with three teams and the cheer program won three divisions and went to the national's as well. Council Members Goldberg, Alvarado, Parker and Berry absent.

Council Member Vasquez stated that he wanted to acknowledge the Reagan High School Vertical Team and invited Mr. Neal Wiley to the podium. Council Member Vasquez stated that the Reagan High School Vertical Team would be providing the Festival of Arts and it was a wonderful event for Houston Heights students, Reagan High School had been at the forefront of education reform at the high school level having received an Anenberg Grant for a high school of the future program and they were very proud of the school not only in the Heights but all across HISD for their contribution; and presented a Proclamation to Mr. Wiley for hosting a Festival of

the Arts, promoting students abilities and proclaimed, April 4, 2003, as "Reagan High School Vertical Team Festival of the Arts Day" in Houston, Texas. Mr. Wiley stated that the Vertical Team Schools were 16 schools in the Heights Area which served about 10,000 students and one of their many educational goals was to become the schools of choice in art education; that the festival was an free annual event open to the public and invited all to come. Council Members Keller, Berry and Robinson absent.

Council Member Quan stated that Houston had 14 Sister City organizations representing Houston throughout the world with many volunteers giving time to promote Houston; that the Sister Cities had an annual art contest and today the winners were present and invited Ms. Angelica Schmitlang, vice president of the Sister City organizations to the podium to present those winners. Ms. Schmitlang stated that on behalf of Sister Cities of Houston she was proud to announce the winners; that this year's theme was "Reach for a Hand, Touch a Heart, and introduced the first place winner Miss Janet Yen, second place winner Nathan Chantra and an honorable mention Miss Christian Schmit. Council Member Tatro absent.

At 2:27 p.m. Mayor Brown called the meeting to order and Council Member Quan led everyone in prayer and in the pledge of allegiance. Council Member Tatro absent.

At 2:28 p.m. the City Secretary called the roll. All present.

Council Members Galloway and Robinson moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED.

Council Member Vasquez moved that the rules be suspended for the purpose of substituting Mr. Jeff Early for Ms. Ann Kennedy and adding Mr. Sergi Galpeiin to the list of speakers, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-0314 ADOPTED.

Council Member Galloway moved that the rules be suspended for the purpose of hearing Ms. Beneva Nyamu after Mr. Sergei Galpeiin, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0315 ADOPTED.

Council Member Goldberg moved that the rules be suspended for the purpose of hearing President Joseph Charles first, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Robinson absent. MOTION 2003-0316 ADOPTED.

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that the City Council was forcing him to come weekly trying to stop criminals from attacking him with Star War weapons and continued with his personal opinions until his time expired. Council Members Tatro and Robinson absent.

Mr. Jeff Early, 615 Louisiana #102, Houston, Texas 77002 (713-238-1411) appeared and stated that he was president of the Houston Symphony Society and it was his honor and privilege to be present today; that on behalf of the Houston Symphony he wished to express their sincere appreciation to Mayor Brown and his appointee Mr. Ed Wulfe for their assistance in facilitating the new agreement and thanked the community for their support and encouraged all to continue to support them while they worked to put their organization on a firm financial footing; that the symphony would be back on stage this weekend and he encouraged all to attend.

Mayor Brown thanked Mr. Early for coming and stated that everyone was happy the symphony would once again be playing.

Mr. Dave Kirk, 808 Byrne, Houston, Texas 77009 (713-868-8030) appeared and stated that he had been a member of the Houston Symphony for the past 21 years; that he had several discussions with the Mayor and Council during the dispute and he saluted Mayor Brown for

appointing Mr. Wulfe who helped mediate the dispute; that Houston was an international city and the orchestra was comprised with outstanding international artist and he brought one today and introduced Mr. Sergei Galperin.

Mr. Sergei Galperin appeared and stated that he only had one minute and would have to play very fast and entertained Council with a violin solo.

Mayor Brown introduced Mr. Ed Wulfe and asked that he stand to be recognized for his serving as arbitrator, holding a marathon session and bringing very positive results; and thanked him for his assistance.

Council Members thanked Mr. Wulfe and the Houston Symphony and Musicians Union for getting together; that they had a four year contract but were looking for a long-term solution; that this city needed to keep a world class symphony and they needed to attract such musicians. Council Member Sekula-Gibbs absent.

Ms. Beneva Nyamu, 3617 Providence, Houston, Texas 77020 (713-225-4501) appeared and stated that she had been fighting to get lots mowed and garbage picked up, it was an embarrassing situation; that she was HIV and did not want to die in a cesspool; that 14 years was too long; and secondly, HIV was here to stay and there were many myths going around and this year the World AIDS Day theme was to eliminate shame, ignorance and fear and that was up to everyone and she was asking for consideration. Council Members Parker and Sekula-Gibbs absent.

Mayor Brown stated that they did want to help her and Ms. Susie Hargrove was present and she would get Neighborhood Protection to help. Council Members Parker and Sekula-Gibbs absent.

Council Member Galloway stated that there was much illegal trash being dumped right around the corner from her residence and now it was having to be dug out; that they did have cameras to catch such people and maybe they could be placed there. Mayor Brown stated that he would ask those in Neighborhood Protection to do what was necessary to stop the problem. Council Members Parker and Sekula-Gibbs absent.

Mr. Dale York, 8855 Gulf Freeway, Houston, Texas 77017 (713-408-8181) appeared and stated that he wanted to read from a letter written to him by a prison inmate looking for a place to stay when he gets out; that the halfway house told him he had a slim chance of staying there and he was asking to be paroled to their organization, but Mr. Stewart Jenkins head of the Parole Board for the Houston Area was concerned as there was a rule that they did not want more than two ex-offenders living at the same facility and they were asking for a letter from the Mayor saying there was no problem having more than two at one facility; that they taught them a skill and the Bible and hopefully how to love and care for one another. Council Members Galloway, Parker and Sekula-Gibbs absent.

Mayor Brown stated that he could meet with Mr. Cantu at this time, give him information and then a decision could be made. Council Members Galloway, Parker and Sekula-Gibbs absent.

Ms. Michelle Gaddis, 6405 Westward, Houston, Texas 77081 (713-981-5803) appeared, presented information to the Mayor and Council Members and stated that she was a representative for the Center for NanoSpace Technologies, Inc. which was a 501C3; that they conducted cutting edge technology, research and development in the areas of aerospace, education, energy, life sciences and shipping and transportation and her goal today was to educate the city's government, business leaders and public about the need for assistance in capital development for the center; and wanted an appointment with Council Members to discuss goals. Council Members Galloway, Ellis, Parker and Sekula-Gibbs absent.

Mayor Brown stated that he was looking forward to reading her information. Council Members Galloway, Ellis, Parker and Sekula-Gibbs absent.

Ms. Myesha Smith, 3105 Hare, Houston, Texas 77020 (281-300-8608) had reserved time to speak but was not present when his name was called. Council Members Galloway, Ellis, Parker and Sekula-Gibbs absent.

Ms. Homerzelle Rousseve, 6602 Sherwood, Houston, Texas 77021 (713-748-4594) appeared and stated that she was with the finance division of Continental Airlines and present to address a critical issue to her company and the core of the community; that Wall Street estimated they would lose \$7 billion this year, revenues had decreased and 1,200 of her colleagues were furloughed last week; that she was wanting the federal government to eliminate fees and taxes and urged the Mayor and Council Members to support legislation which would provide financial tax relief and relief security finances. Council Members Galloway, Ellis, Parker and Sekula-Gibbs absent.

Mayor Brown stated that he wanted to assure her they did support Continental as Houston was their hometown; that they had been working in Washington to get assistance in anyway possible. Council Members Galloway, Ellis, Parker and Sekula-Gibbs absent.

Upon questions by Council Member Edwards, Ms. Rousseve stated that they were not union she came on her own; that they were wanting taxes and security fees rolled back, they were trying to present business as usual and at this point had asked for no cuts in pay. Council Members Galloway, Parker and Sekula-Gibbs absent.

Pastor Willie R. Davis, 6531 Beekman, Houston, Texas 77021 (713-748-0806) appeared and stated that he was present to speak on behalf of the president of the Mayor's Ministers Advisory Board, a group of pastors concerned with the '04 budget, in the past Council had been very elementary about the process going on in the city and he hoped this Council would look seriously at moving forward and get away from partisan disagreement. Council Members Galloway, Parker and Sekula-Gibbs absent.

Mayor Brown thanked Pastor Davis for coming and congratulated him on his elected position. Council Members Galloway, Parker and Sekula-Gibbs absent.

Upon questions by Council Members, Pastor Davis stated that the board met one time a month and after they heard the views of the Mayor and Council Members they would look over their areas of concern. Council Members Tatro, Galloway, Parker and Sekula-Gibbs absent.

Council Member Wiseman stated that she wanted to thank Pastor Davis for coming but with respect to comments on partisan efforts on Council she wanted to say that since her arrival on Council she had not seen where that was the case; that they did disagree at times but that was because of where their personal philosophies were with respect to their approach in serving the city and constituents, simply because one disagreed from the Administration it did not suggest partisanship; that they were nonpartisan as a body and did operate in that manner, outside the Chamber they were associated with party politics including the Mayor himself, but at the Council table it was a nonpartisan effort. Pastor Davis stated that was her view but not his view. Council Members Tatro, Galloway, Keller, Parker and Sekula-Gibbs absent.

Mr. Josh Bullard, 2600 Westridge #237, Houston, Texas 77054 (713-839-1505) appeared and stated that he was present to discuss the drainage fee; that he was asking they not vote for the \$1.2 billion fee; that over 80% of Wiseman's district did not want her voting for the fee and the Mayor and Tatro and Robinson were leaving so he did not see why they fought so much they were going to bump into each other on the street, but he was asking for them to not vote on something that would take 15 years and instead do it in increments. Council Members Tatro,

Galloway, Keller, Parker and Sekula-Gibbs absent.

Upon questions by Mayor Brown, Mr. Bullard stated that he lived on Braeswood at Kirby and he did not have flooding. Mayor Brown stated that he thought everyone who helped pay for the CIP bond payback helped him to live like he did; and upon further questions, Mr. Bullard stated that made since but all the improvement was approached in individual capacities and residents were not taxed or charged fees for 15 years. Council Members Tatro, Galloway, Keller, Parker and Sekula-Gibbs absent.

Council Member Wiseman stated that his views were not unique, people throughout the city disagreed with the way the plan was proposed; that she shared with her constituents the fact that it was a citywide issue but for every identifiable problem there were multiple solutions and this was only one solution presented and they wanted to see more and that was why she was asking the Administration to allow them to present other options. Mayor Brown, Council Members Galloway, Keller, Parker and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding.

Council Member Robinson stated at this time he agreed and did not think that fee should fly. Mayor Brown, Council Members Galloway, Ellis, Keller, Parker and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding.

Council Member Goldberg stated that there was a subdivision near the intersection of Kirby and Braeswood and 25% of the homes there had flooding inside and at the intersection of Kirby and Braeswood they were going to spend \$15,000,000 on drainage next year so drainage was needed. Mr. Bullard stated drainage was needed, but he did not want something passed that would cause him to pay every single month for 15 years and they had the ability to pass something that would take care of the problem and maybe place only a 36-month fee or five year fee. Mayor Brown, Council Members Galloway, Wiseman, Keller, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding.

Rev. Samuel Smith, 119 W. Gray, Houston, Texas 77019 (713-529-4507) appeared and stated that he would like to address the Mayor and all Council Members with the serious situation of Allen Parkway Village and those lives being affected and would reschedule his time. Mayor Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that next time he signed up to let her know and she would try and let him speak as early as she could. Mayor Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, 8630 Valley South Dr., Houston, Texas 77078 (281-458-8732) appeared and stated that she was running for Mayor this year and continued with her personal opinions until her time expired. Mayor Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

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. Mayor Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan 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 Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) had reserved time to speak but was not present when her name was called. Mayor Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Charles X. White, 4302 Reed Rd., Houston, Texas 77051 (713-733-3599) had reserved time to speak but was not present when his name was called. Mayor Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that he wanted to talk about the Geneva Convention, all government was guilty, all businesses were guilty and continued until his time expired. Mayor Brown, Council Members Galloway, Wiseman, Ellis, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

At 3:34 p.m. City Council recessed until 9:00 a.m., Wednesday, April 2, 2003. Mayor Brown, Council Members Galloway, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, April 2, 2003, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, 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; Ms. Susan Taylor, Senior First Assistant City Attorney, Legal Department; and Ms. Martha Stein, Agenda Director present.

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

MAYOR'S REPORT - Presentation on Super Neighborhood Program

Mayor Brown stated that he was pleased to give an update about the Neighborhood Oriented Government initiative and more specifically about Houston's Super Neighborhood Councils and the work those Councils were doing as a result of the many partnerships they had formed with City's leadership and each other; that Neighborhood Oriented Government continued to work and served the citizens and gave jobs a sense of purpose; that many times he said great cities were made up of great neighborhoods and now would say great neighborhoods were made up of great partnerships with families, churches, civic associations, businesses and municipal agencies; that the active Super Neighborhoods represented 54% of Houston's populations and 52% of its land area; that the Councils were encouraged to formulate Super Neighborhood Action Plans (SNAPS) and those projects included street repaving, new water mains, renovated police and fire and library facilities and wastewater drainage lines and other major infrastructure work and 190 CIP requests identified in SNAPS had been worked into the five year CIP Program and 35 projects were completed, a 25% completion rate; that the Super Neighborhood Alliance was comprised of Super Neighborhood Council presidents who worked together and he invited those present to the podium and presented them with Proclamations marking this important event and supporting their ongoing efforts to improve and strengthen the community; and proclaimed "Super Neighborhood Alliance Day" in Houston, Texas. A spokesperson for the Alliance thanked the Mayor for the recognition and asked for full support of a resolution. Council Member Galloway absent.

Mayor Brown stated that with formation of each Super Neighborhood Council he appointed a city employee to serve as a liaison and was appointing one to serve with the Super Neighborhood Alliance, Mr. Anthony Freddie, with Building Services, would serve as the City liaison, he was one of the 2002

Bravo Award Winners and had served on two Super Neighborhood Councils. Council Member Galloway absent.

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 – was called.

Ms. Judy Gray Johnson, City Controller, stated that she was pleased to present the Monthly Financial Report for February 2003; that they had not changed the General Fund Revenue estimate but a few detailed items in the General Fund had changed, they increased their estimate for gas franchise revenues and for Municipal Courts revenues by \$500,000 each and offsetting that there was a decline in miscellaneous revenues of about \$1,000,000; that the overall revenue projection was still at \$59.3 million below budget and balancing against that they were recognizing \$28.9 million of reduced spending and \$30.4 million of fund transfers approved by Council last week to bring the fiscal year '03 budget back into balance; that in the Enterprise Funds they reduced the estimates for Hotel Occupancy Tax Revenues and Convention and Entertainment Facilities Fund and those revenues were expected to be below those of the fiscal '02, however, it was not unexpected and for the rest of this fiscal year their office would be keeping a close watch on departmental spending, especially in the General Fund, by law the city could not spend more than the appropriation; that they were putting together revenue projections for the coming fiscal year and her intent was to provide Council with an independent source of information as it began a difficult process of balancing the budget for fiscal '04; and that concluded her report. Council Members Vasquez and Alvarado absent.

Dr. Philip Scheps, Director, Finance and Administration, stated that this report contained no major surprises as they had many briefings on solving the FY'03 dilemma; that sales tax was down and property tax was up strongly, however, tax refunds were up and creating a tightness on the expenditure side; that the expenditures were adjusted downward to the amount the Controller certified, but on the other hand if they looked at his report the revenues were projecting substantially higher than the Controller, but they were on different tracks he projected revenue and the Controller certified funds available so she was more conservative and if his report ended up being correct there would be additional surplus which would be very handy in the next budget year; that he placed in his report the dramatic decreases in city staff as it was down over 10% in the last 18 months and he wanted to keep reinforcing that notion as they decided what they were going to do in '04; and that concluded his report. Council Member Vasquez absent.

Council Member Tatro stated that he would like the highlights of the variance between the Controller's Office and his; and Dr. Scheps stated that in recoveries and refunds they were showing a difference of about \$1.6 million, there were three different items going into it with it being fire inspection overtime, grant revenue, it was a catchall account. Council Member Vasquez absent.

Council Member Parker moved to accept the Monthly Financial Report, seconded by Council Member Quan. All voting aye. Nays none. Council Member Vasquez absent. MOTION 2003-0317 ADOPTED.

Council Member Parker moved to suspend the rules to take Items 53, 48 and 17 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Vasquez absent. MOTION 2003-0318 ADOPTED.

53. ORDINANCE adopting and readopting Guidelines and Criteria required by Chapter 312, Texas Tax Code, for Tax Abatements; **AMENDING ARTICLE IV OF CHAPTER 44 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing for severability - **(This was Item 23 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBER TATRO** – was presented. All voting aye. Nays none. Council Member Vasquez absent. ORDINANCE 2003-306

ADOPTED.

48. ORDINANCE appropriating \$4,580,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund and appropriating \$2,500,000.00 from the Federal Aviation Administration Grant Agreement No. 3-48-0111-45 to be received and approving and authorizing professional consulting services contract between the City of Houston and **PARSONS INFRASTRUCTURE & TECHNOLOGY GROUP, INC** for Security Program Consulting Services for the Houston Airport System Project 612, CIP A-0486 - \$530,000.00 General and Enterprise Funds - was presented. All voting aye. Nays none. Council Member Vasquez absent. ORDINANCE 2003-307 ADOPTED.
17. ORDINANCE amending **CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the provision of Water Service by the City - was presented, and was tagged by Council Member Keller. Council Member Vasquez absent. **(Council Member Keller released his tag later in the meeting.)**

The CONSENT AGENDA (Items 1 through 48) was considered as follows:

MISCELLANEOUS - NUMBER 1

1. RECOMMENDATION from Director Building Services Department for approval of Computer Image for Dedication Plaque for Heights Boulevard Landscape Improvements, GFS F-0504-03-3 **DISTRICT H- VASQUEZ** – was presented, moved by Council Member Quan, seconded by Council Member Keller. All voting aye. Nays none. Council Member Vasquez absent. MOTION 2003-0319 ADOPTED.

ACCEPT WORK - NUMBERS 2 through 5

2. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$479,835.00 and acceptance of work on contract with **EPOXY DESIGN SYSTEMS, INC** for Tranquillity Parking Garage Repairs, GFS B-0024-07-3 - 04.31% over the original contract amount - **DISTRICT I – ALVARADO** – was presented, moved by Council Member Galloway, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0320 ADOPTED.
4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$597,000.78 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Bid Package No. 43 - Law Park, GFS F-0363-43-3 - 15.92% over the original contract amount - **DISTRICT E – WISEMAN** – was presented, moved by Council Member Galloway, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0321 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$5,361,654.12 and acceptance of work on contract with **TROY CONSTRUCTION, L.L.P.** for Alameda Road Reconstruction from Alabama Street to Hermann Drive, GFS N-0736-01-3 (N-0736-01) - 05.29% under the original contract amount - **DISTRICTS D - EDWARDS and I – ALVARADO** – was presented, moved by Council Member Galloway, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0322 ADOPTED.

PROPERTY - NUMBERS 6 through 9A

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Tom R. Northrup, Northrup Associates, Inc, on behalf of Zarsky Industries, Inc (Mitchell Zarsky, president), for abandonment and sale of a ±15,812-square-foot (±0.3630-acre) portion of Coachcreek Drive right of way, located within the C. W. Adams Survey, Abstract 101, Parcel SY3-036 - **STAFF APPRAISERS**

DISTRICT D – EDWARDS – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0323 ADOPTED.

7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Joe Castillo of Perry Homes, a Joint Venture (Richard C. Hale, senior vice president), for abandonment and sale of a 15-foot wide sanitary sewer easement, located within Lot 100, Dairy Subdivision and Town, E. Pillott Survey, A-631 and the H.T. & B.R.R. Co. Survey, A-405, Parcel SY3-042 - **STAFF APPRAISERS**
- DISTRICT F – ELLIS** – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0324 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 15

11. **GOMEZ FLOOR COVERING, INC** for Ceramic Tile Project for Three Fire Stations for Building Services Department - \$73,130.00 and contingencies for a total amount not to exceed \$76,786.50 - Fire Department Revolving and Disaster Recovery Funds – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0325 ADOPTED.
12. **CHERRY ENVIRONMENTAL SERVICES, INC** - \$103,632.00 and contingencies for a total amount not to exceed \$108,813.60, **BASIC INDUSTRIES, INC** - \$56,800.00 and contingencies for a total amount not to exceed \$59,640.00 and **CST ENVIRONMENTAL, INC** - \$65,100.00 and contingencies for a total amount not to exceed \$68,355.00 for Asbestos Abatement, Demolition and Site Clean-up Services for Planning & Development Department – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0326 ADOPTED.
13. **METRO/QUIP, INC** for Emergency Repair of Odor Scrubber System and Accessories for Department of Public Works & Engineering - \$71,035.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0327 ADOPTED.
14. **BIOCOPE, INC** for Odor Control Treatment for Department of Public Works & Engineering \$302,940.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0328 ADOPTED.
15. **RUSH EQUIPMENT CENTER, HOUSTON** - \$261,798.00 and **R. B. EVERETT & COMPANY** \$46,186.00 for Earth Moving Equipment for Various Departments - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0329 ADOPTED.

ORDINANCES - NUMBERS 16 through 48

18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the 15-foot-wide alley, located contiguous to Lots 1-5, Block 299, Houston Heights Subdivision, Parcel SY2-004A; and approving and authorizing the sale of the ±6,600 square-foot excess, fee-owned portion of the Yale Street Sewage Pumping Station Site, located contiguous to Lot 13, Block 299, Houston Heights Subdivision, Parcel SY2-004B; vacating and abandoning Parcel SY2-004A, and approving and authorizing the sale of Parcel SY2-004B to Kady Real Estate Investments, Ltd., a Texas limited partnership, the abutting owner, in consideration of its payment of \$19,665.00 and \$24,373.00, respectively, therefore, and other consideration to the City; subject to the terms and conditions of the conveyance - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-308 ADOPTED.
20. ORDINANCE establishing the east and west sides of the 900 block of Columbia Street within the

City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-309 ADOPTED.

21. ORDINANCE establishing the east and west sides of the 1000 block of Columbia Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-310 ADOPTED.
22. ORDINANCE establishing the south side of the 600 block of East 8th Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-311 ADOPTED.
23. ORDINANCE establishing the east and west sides of the 500 block of Harvard Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-312 ADOPTED.
24. ORDINANCE establishing the west side of the 1500 block of Harvard Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-313 ADOPTED.
25. ORDINANCE establishing the east and west sides of the 1600 block of Harvard Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-314 ADOPTED.
41. ORDINANCE appropriating \$280,000.00 out of Airports Renewal and Replacement Fund and approving and authorizing professional engineering services contract between the City of Houston and **BINKLEY & BARFIELD, INC** for Miscellaneous Improvements at George Bush Intercontinental Airport/Houston (Project No. 598), CIP A-0063 and A-0366 - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2003-315 ADOPTED.
42. ORDINANCE approving and authorizing professional Mediator Services Contract between the City of Houston and **WORKLIFE MINISTRIES, INC d/b/a WORKLIFE INSTITUTE** for the Houston Police Department - 1 Year with three one-year options - \$51,400.00 - Grant Fund - had been pulled from the Agenda by the Administration, and was not considered.
43. ORDINANCE awarding contract to **AMERICAN TEST CENTER, INC** for Inspection & Testing of Aerial Devices/Bucket Trucks Services for Various Departments; providing a maximum contract amount - \$102,391.00 - General and Enterprise Funds – was presented. All voting aye. Nays none. ORDINANCE 2003-316 ADOPTED.
45. ORDINANCE awarding construction contract to **SER CONSTRUCTION PARTNERS, LTD.** for Construction of Water, Wastewater and Drainage Facilities serving Section 2 of the Bellaire Villa Subdivision; approving and authorizing assignment of construction contract to **W & W ASSET MANAGEMENT, INC**, CIP S-0800-73-03 and R-0800-73-03 - **DISTRICT F – ELLIS** – was presented. All voting aye. Nays none. ORDINANCE 2003-317 ADOPTED.

Items removed from the Consent Agenda were considered as follows:

ACCEPT WORK - NUMBERS 2 through 5

3. RECOMMENDATION from Director Building Services Department for approval of final

contract amount of \$2,146,968.56 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Parks to Standard Program - Phase II, Bid Package 5 - Linkwood and Oak Forest Parks, GFS F-0363-05-3 - 07.78% over the original contract amount - **DISTRICTS A - TATRO and C - GOLDBERG** - - was presented, moved by Council Member Quan, seconded by Council Member Vasquez.

Council Member Goldberg stated that residents in the area where the community center was built had a lot of problems with the contractor and the list was so extensive he did not think they could be corrected in one week, but would like to meet with the contractor and would tag the item.

PROPERTY - NUMBERS 6 through 9A

8. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KY2-065, located at 10763 Katy Freeway, owned by Tom George, for the **APPLETREE WATERLINE EASEMENTS PROJECT from Apple Tree to IH-10**, CIP S-0900-54-3 - \$38,689.00 **DISTRICT G - KELLER** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0330 ADOPTED.

The City Secretary stated that Item 9 was posted as an Ordinance and a Motion, but upon further review the Ordinance actually provided for the purchase so 9a was not required.

9. ORDINANCE appropriating \$43,130.00 out of Solid Waste Consolidated Construction Fund 427 for and approving and authorizing the purchase from Frost Family, I. LTD. of a Parcel of Land, for and in connection with the Southwest Solid Waste Service Center Expansion Project located in the 11500 block of Post Oak Road; being 26,907 square feet of land, more or less, out of the George Allen Survey, A-96, Houston, Harris County, Texas; Parcel Number MY2-001; CIP L-00NA - **DISTRICT C - GOLDBERG** - was presented, and was tagged by Council Member Goldberg.
- 9a. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel MY2-001, located in the 11500 block of Post Oak Road, owned by Frost Family, I. LTD., for the **SOUTHWEST SOLID WASTE SERVICE CENTER EXPANSION PROJECT**, CIP L-00NA \$43,150.00 - **DISTRICT C - GOLDBERG** - was not required and not voted on.

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 15

10. **AMEND MOTION #99-1946, 11/9/99 and #02-1054, 9/11/02, TO EXTEND** expiration date from April 9, 2003 to August 8, 2003, for Apparel Uniforms for Houston Airport System, awarded to **CINTAS (formerly UNIFORMS TO YOU) and UNIFORMS PLUS** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez and was tagged by Council Members Wiseman and Sekula-Gibbs.

ORDINANCES - NUMBERS 16 through 48

16. ORDINANCE amending **CHAPTER 15, CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the adoption of Regulations governing the making of city contracts with persons or firms indebted to the City; containing a repealer; providing for severability - was presented.

Council Member Ellis stated that it was his intention to tag the item today as he had not received the amendments the Regulatory Affairs Committee had requested from the Legal Department, but he had received the amended version; that his request was to change Section 15-122 to enter in the full names and business and residence address of the individuals; Council Member Sekula-Gibbs had a change to Section 15-123H which would add language regarding the receipts after the delinquencies were taken care of; and Council Member Parker requested in Section 15-123 to cleanup the language of qualifying entities who they would have a reciprocal agreement with so they could collect taxes for

the city and the city could collect taxes for them and all the amendments had taken place and he thanked Ms. Taylor and Mr. Cheatham for their work; and with that said if Senate Bill 850 or House Bill 2375 passed the city would have to come back and do additional amendments because that would enable them to have more authority and more control over the individuals and entities who did business with the city; and he thanked the Mayor and Council Members for all their work and encouraged all to move forward with it.

Council Member Vasquez stated that he wanted to recognize and commend Council Member Ellis for being so persistent and coming up with the idea, he thought it long overdo and to be a good policy.

A vote was called on Item 16. All voting aye. Nays none. ORDINANCE 318 ADOPTED.

19. ORDINANCE granting the City's consent to the creation of **HARRIS COUNTY RURAL FIRE PREVENTION DISTRICT NO. 5** – was presented, and was tagged by Council Member Alvarado.
26. ORDINANCE establishing the north and south sides of the 400 block of West 23rd Street within the City of Houston as a special building line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2003-319 ADOPTED.
27. ORDINANCE approving and authorizing lease agreement between the City of Houston and **H.A.M.S. AVIATION MAINTENANCE SERVICE, INC d/b/a H.A.M.S. INC** for certain premises at William P. Hobby Airport - **DISTRICT I – ALVARADO** – was presented. All voting aye. Nays none. ORDINANCE 2003-320 ADOPTED.
28. ORDINANCE approving and authorizing second amendment to the Loan/Grant Agreement between the City of Houston ("City") and **SP8600, LTD**, a Texas Limited Partnership, whose sole general partner is SP8600 Management, L.L.C., to change the senior lender from Southwest Bank of Texas to Column Financial, Inc; and approving and authorizing subordination and inter-creditor agreement between the City and **COLUMN FINANCIAL, INC** - **DISTRICT F – ELLIS** – was presented, and was tagged by Council Member Goldberg.
29. ORDINANCE approving and authorizing amendment to contract (approved by Ordinance No. 2000-0741) between the City of Houston and **ARAMARK CORRECTIONAL SERVICES, INC** for providing Food Services in the Houston Police Jail – was presented. All voting aye. Nays none. ORDINANCE 2003-321 ADOPTED.
30. ORDINANCE approving and authorizing first amendment as approved by Ordinance No. 98-723 to a contract between the City of Houston and **MCLEMORE BUILDING MAINTENANCE, INC** for Window Cleaning Services for Various Department – was presented. All voting aye. Nays none. ORDINANCE 2003-322 ADOPTED.
31. ORDINANCE approving and authorizing amendment to the Groundwater Reduction Plan Participation Agreement between the City of Houston and the **SANDALWOOD CIVIC CLUB** – was presented. All voting aye. Nays none. ORDINANCE 2003-323 ADOPTED.
32. ORDINANCE approving and authorizing contract between the City of Houston and **HOLMAN & KEELING, P.C.** for Professional Litigation Support Services, providing a maximum contract amount - \$200,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2003-324 ADOPTED.
33. ORDINANCE approving and authorizing contract between the City and **BICKERSTAFF, HEATH, SMILEY, POLLAN, KEVER & MCDANIEL, L.L.P.** for Demographic, Economic and Geographic Analysis of issues in Redistricting, Strategic Partnership Agreements, pending Legislation,

Elections and Litigation - \$15,000.00 - General Fund – was presented, and was tagged by Council Members Ellis, Sekula-Gibbs and Tatro.

Council Member Robinson stated that he did not want to tag the item at this time, that he received the memo from the City Attorney's Office, but he wanted to be sure he understood what it said and upon questions, Ms. Taylor stated that the revolving door ordinance involved three aspects: 1.) you could not have a contract with the city directly and could not own 40% or more of a company which did have a contract with the city, 2.) you could not lobby the city as the lobbying ordinance described it, make contact with the city to influence an action, and 3.) you could not be hired by a company that had a contract with the city within the first year after the contract was entered into by the city if you had personal and substantial involvement in the development over that contract, so in this case what the memo was saying was Mr. Wood did not own any part of the company the city was contracting with, there was no position for him to lobby so the only one that may have any application was the third and in that case this was a contract that was not entered into while he was an employee with the city, he had no substantial involvement in its development while he was an employee so there was nothing in the revolving door ordinance to prohibit this relationship.

Council Member Ellis stated that he would request someone from the Legal Department and Mr. Jerry Wood set up a meeting prior to next week's Council Meeting; and Mayor Brown stated that would be taken care of.

Upon questions by Council Member Sekula-Gibbs, Ms. Taylor stated that essentially they were in a transition phase and this was the same services Mr. Wood provided in the past; that he left the employ of the city and those responsibilities had been assigned to someone else in the Planning Department who was trying to develop that expertise as well as absorb them within her workload and they felt the need to have Mr. Wood come in and assist at this point; it was a one year contract and they expected to review it at that time and see if there would be any need to expand it.

Council Member Vasquez stated that he wanted to be sure the city was training their employees to eventually do this so they did not need an outside contractor; and Ms. Taylor stated that this particular contract was being overseen by the Legal Department, primarily because most work being done was for filings and activities coming out of their department and their responsibility, but the action was typically housed within the Planning Department and the staff person who would be absorbing the responsibilities was learning from Mr. Wood. Council Member Robinson absent.

Mayor Brown stated that Item 33 had been tagged.

34. ORDINANCE amending Ordinance No. 1996-0061 to increase the maximum contract amount for professional legal services contract with **MLADENKA-FOWLER, ADAMS & ASSOCIATES** for Litigation relating to City's Sexually Oriented Business Ordinance - \$40,000.00 - Property and Casualty Fund – was presented, and was tagged by Council Member Parker.

Council Member Parker stated that the Ordinance was passed in 1997 and she had a problem with it since it was passed and had specific questions she wanted answered before next week; that they were involved in litigation almost since the day the ordinance was passed and she wanted to know how much was spent in litigation cost, how much was spent in staff time and whether there were any attempts to settle in the interim; that she would also like to know how many new such businesses had opened since the ordinance passed that were in violation of the original ordinance or the ordinance passed in '97 and she would like to know how much police staff and resource was devoted to licensing requirements for the establishments; that she had no problem with the litigators they were attempting to hire, it was the underlying assumptions they were making as they continued to fight the ordinance; and Mayor Brown stated that the appropriate person or persons would meet with her and answer her questions.

Council Member Sekula-Gibbs stated that since this was something which related to Neighborhood Protection and quality of life she would like to ask the chair of that committee to see if it could be placed on the Agenda, it was obviously an ongoing issue and she would like the questions

Council Member Parker asked addressed to the entire committee; and Mayor Brown stated that if Council Member Parker agreed the persons would address the entire committee. Council Member Parker stated that she would be happy to schedule it in, she had cancelled the meeting for next Monday but if possible she could schedule in that one or the very next meeting; and Mayor Brown stated it would be handled then at the committee briefing.

35. ORDINANCE approving and authorizing an engagement letter with **VINSON & ELKINS, L.L.P.** for condemnation matter at Ellington Field - \$200,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDINANCE 2003-325 ADOPTED.
36. ORDINANCE appropriating \$643,000.00 out of Houston Police Consolidated Construction Fund and \$690,604.00 out of General Improvements Consolidated Construction Fund as an additional appropriation for Program Management Contract; approving and authorizing first amendment to Ordinance No. 02-631 and approving and authorizing amended and restated contract between the City of Houston and **SUNLAND ENGINEERING COMPANY** for Professional Program Management Services for the Parks & Recreation Department Master Plan-Phase I Implementation, Houston Police Department - Capital Improvements Projects and In-House Renovation Projects for City Wide Facilities, GFS F-0504-1A-3, G-0098-01-3 and D-0113-01-5 – was presented, and was tagged by Council Member Sekula-Gibbs. **(Council Member Sekula-Gibbs released her tag later in the meeting.)**
37. ORDINANCE appropriating \$4,100.00 out of Water & Sewer System Consolidated Construction Fund No. 755; approving a Pipeline Crossing Agreement with **UNION PACIFIC RAILROAD COMPANY** for the Gulf Freeway No. 2 Lift Station and Force Main Extension Project (Near Old Galveston Road at Park Terrace), CIP R-2011-33-3 (WW4841-01) - **DISTRICT I – ALVARADO** – was presented, and was tagged by Council Member Ellis.
38. ORDINANCE amending Ordinance No. 2002-102 (passed by City Council on February 13, 2002) to increase the maximum contract amount and approving and authorizing first amendment to contract (approved by Ordinance No. 2002-102) between the City of Houston and **DATASTREAM SYSTEMS, INC** for Computer Software Maintenance Services for the Public Works and Engineering Department - \$130,090.00 - Enterprise Fund – was presented, and was tagged by Council Member Keller.
39. ORDINANCE awarding contract to **CKS HYDRO SERVICES, INC** for Runway Rubber Removal, Friction Testing, and Miscellaneous Airfield Paint Removal Services for Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$3,270,000.00 Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I – ALVARADO** – was presented, and was tagged by Council Member Tatro.

Council Member Tatro stated that on this and Item 40 his concern was the discrepancy in bids between the first to the third bidders, over 50% difference on both bids, and he wanted a variance to get a better grasp of why there was such a significant difference; and Mayor Brown stated that someone would brief him, they were aware of the difference and someone would give him an explanation.
40. ORDINANCE awarding contract to **JOMAR CONTRACTORS, INC** for Lighting Maintenance Services for Houston Airport System; providing a maximum contract amount - 3 Years with two one-year options - \$2,412,072.80 - Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I – ALVARADO** – was presented, and was tagged by Council Member Tatro.
44. ORDINANCE awarding construction contract to **SER CONSTRUCTION PARTNERS, LTD.** for Construction of Water, Wastewater and Drainage Facilities serving Section 1 of the Bellaire Villa Subdivision; approving and authorizing an assignment of the construction contract to **W & W ASSET MANAGEMENT, INC**, CIP S-0800-72-03 and R-0800-72-03 - **DISTRICT F – ELLIS** –

was presented.

Council Member Ellis moved to divide the question, seconded by Council Member Parker. All voting aye. Nays none. Note: No motion number was assigned as it was agreed after further discussion that the entire item should be delayed.

Council Member Ellis moved to delay W & W Asset Management, Inc., seconded by Council Member Keller; Ms. Stein advised that the companies were connected because of an assignment and she thought they should delay both.

Council Member Ellis stated that if he could he would just withdraw his motion to divide and tag the item until next week; and Mayor Brown stated that he could and there was no objection by Members of Council.

Item 44 was tagged by Council Member Ellis.

46. ORDINANCE appropriating \$3,926,200.00 out of Water & Sewer System Consolidated Construction Fund, conditionally awarding construction contract to **GARVER CONSTRUCTION, LTD.** for Brookfield Lift Station Replacement and Cook No. 1, Cook No. 2, and Sharpcrest Diversion, GFS R-0267-B2-3 (WW4728-11); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT F – ELLIS** – was presented. All voting aye. Nays none. ORDINANCE 2003-326 ADOPTED.
47. ORDINANCE approving and authorizing first amendments to professional construction management services contracts between the City of Houston and the following three companies: 1) **INTERSTATE ENGINEERS, INC** (as approved by Ordinance No. 02-129) 2) **ISANI CONSULTANTS, INC** (as approved by Ordinance No. 02-0406) and 3) **LOCKWOOD, ANDREWS & NEWNAM, INC** (as approved by Ordinance No. 02-477), GFS N-0369-02-3 – was presented, and was tagged by Council Member Ellis.

MATTERS HELD - NUMBERS 49 through 60

49. MOTION by Council Member Alvarado/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$1,518,979.90 and acceptance of work on contract with **FLORIDA TRAFFIC CONTROL DEVICES** for Traffic Signal Construction - North Zone; GFS N-0650-01-3 (N-0650-01) 04.80% under the original contract amount - **(This was Item 4 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** – was presented. All voting aye. Nays none. MOTION 2003-0331 ADOPTED.
50. MOTION by Council Member Quan/Seconded by Council Member Tatro to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$7,298,809.83 and acceptance of work on contract with **INFRASTRUCTURE SERVICES, INC** for Repair and Replacement of Concrete Pavement, Sidewalks, Driveways and Wheelchair Ramps and Mudjacking of Pavement, GFS N0655-01-3 (355-98) - 04.85% under the original contract amount - **(This was Item 5 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBER VASQUEZ)** – was presented. All voting aye. Nays none. MOTION 2003-0332 ADOPTED.
51. MOTION by Council Member Quan/Seconded by Council Member Parker to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$14,335,110.15 and acceptance of work on contract with **PEPPER-LAWSON CONSTRUCTION, L.P.**, for Improvements at 69th Street Wastewater Treatment Plant, GFS R-0509-04-3 (4242-4) - 01.47% over the original contract amount - **DISTRICT I - ALVARADO - (This was Item 8 on Agenda of March 26, 2003, TAGGED BY COUNCIL**

MEMBER ALVARADO) - – was presented. All voting aye. Nays none. MOTION 2003-0333 ADOPTED.

52. MOTION by Council Member Parker/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **AMEND MOTION #2000-492, 4/5/00, TO EXTEND** expiration date from April 5, 2003 to April 4, 2004, for Tools, Automotive and Equipment Contract for Various Departments, awarded to **SNAP-ON TOOLS COMPANY - (This was Item 22 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBER QUAN)** - – was presented. All voting aye. Nays none. MOTION 2003-0334 ADOPTED.

54. ORDINANCE consenting to the creation of **MONTGOMERY COUNTY DRAINAGE DISTRICT NO. 10 – (This was Item 27 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented. All voting aye. Nays none. ORDINANCE 2003-327 ADOPTED.

55. ORDINANCE appropriating \$14,846,347.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **MAXIMUS, INC** for an Integrated Case Management System for the Municipal Courts - **(This was Item 39 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBERS VASQUEZ, ALVARADO, TATRO, WISEMAN, KELLER and GOLDBERG)** – was presented.

Council Member Alvarado stated that she was still waiting to have questions answered and moved to postpone Item 55 to the end of the Agenda, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0335 ADOPTED.

56. ORDINANCE appropriating \$2,926,800.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **DELOITTE & TOUCHE, LLP** for performing as the Integrated Case Management System Project Manager for Municipal Courts - **(This was Item 40 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBERS ALVARADO, WISEMAN, GALLOWAY, VASQUEZ and TATRO)** – was presented.

Council Member Tatro stated the item was for the project management side of the Municipal Courts for software upgrade and his concern was they were paying a consulting team who also provided the software to install and upgrade a system and then going outside for professional services separate and distinct from the bidder and award of the bid and separate and distinct from the city's IT Department which was currently over budget and in-house people to contract with a third party to basically project manage this entire project for them and part of his concern was the hardware was about \$1.4 million and the software was about \$1.7 million and when it totaled the project management was above the hardware and software, it did not appear they structured a business proposal to be as tight and cost friendly as it could have been; that he thought this could be handled by the IT Department in-house by simply adding staff for the two year duration or by making it a part of the original RFP when it went out for bid; and he would encourage Council Members to vote no and put the burden back on the city and allow them to have the people on board who would have the knowledge after the system was upgraded to save cost on the backend. Council Member Keller absent.

Council Member Robinson stated that the first two items related to the technology fee and he would ask that Council Members be provided an update either directly or through the Legislative Committee on the status of the bill in Austin which talked about the extension and as of June 2nd whether that extension passed so they could make a determination on whether they wanted to keep the contract or eliminate it; and Mayor Brown stated they would get it for him. Council Member Keller absent.

Council Member Sekula-Gibbs stated that on the issue of cost she wanted to speak in favor of this, it was a highly technical arena and the department showed in the last couple of years that they did not have a handle on it, no way to manage tickets and boxes and boxes were stacked around; that they had asked for a complete overhaul and they supported High Tech innovations outsourced in the past and just like the crime lab she thought it reflected the city could not do all things well and on very high tech matters they needed to bring in expertise and she thought it would allow the department to become a revenue generator and it was fully funded by the technology fee; and she urged support of the item. Council Member Keller absent.

Council Member Alvarado stated that the legislation Council Member Robinson was talking about recently passed the House and she hoped by the next Legislative Affairs Committee Meeting they would have some news about where it was in the Senate. Council Member Keller absent.

Council Member Edwards moved to suspend the rules to have Ms. Barbara Sudhoff come up for questions, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-0336 ADOPTED.

Upon questions by Council Member Edwards, Ms. Sudhoff stated that there was going to be city IT staff, court IT staff, court staff that would be participating with the implementation of the project so they would retain knowledge not only of implementation but ongoing maintenance and support.

Council Member Berry stated that he had concerns recently with regard to conflict of interest provisions and other questions and needed to get comfortable before he could vote and moved for a two week delay, seconded by Council Member Tatro.

Mayor Brown stated that he would encourage Council to not approve this motion, this had been worked on since 1997 that they heard concerns about the courts and this was an effort to bring them into modern day time and they should certainly move ahead and approve the item; and called for a roll call vote.

Council Member Tatro stated that his concern on voting down the motion was Council Member Alvarado asked for the main item to be postponed to the end of the Agenda and it was possible if it was delayed it would be odd to pass the consulting project management through and delay purchase of software because of pending questions and he would ask Council to adopt or take it after Council Member Alvarado had an opportunity to have her questions answered.

Mayor Brown stated that Council Member Berry could withdraw his motion and they could take it up and the same time; and Council Member Berry stated no, it was \$3,000,000 and he wanted time to flush the issues out, if there was a conflict of interest issue he wanted time to track it down.

Upon questions by Council Member Robinson, Council Member Alvarado stated that she needed one piece of information in writing and until then she was not ready to vote on Item 55.

Council Member Berry stated he would withdraw his motion at this time and moved to postpone Item 56 to the end of the Agenda, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-0337 ADOPTED.

57. ORDINANCE appropriating \$262,920.00 out of Municipal Court Technology Fee Fund No. 261 and approving and authorizing Compromise and Settlement agreement between **DELOITTE & TOUCHE, LLP** and the City of Houston, to settle a claim arising out of activities financed by the Fund - **(This was Item 41 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBERS WISEMAN, TATRO, VASQUEZ and ALVARADO)** – was presented. Council Member Ellis voting no. Balance voting aye. ORDINANCE 2003-328 ADOPTED.

58. ORDINANCE appropriating \$363,000.00 out of Municipal Court Technology Fee Fund for Various

Projects for Municipal Courts Department - **(This was Item 42 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBERS WISEMAN, TATRO, VASQUEZ and ALVARADO)** – was presented. All voting aye. Nays none. ORDINANCE 2003-329 ADOPTED.

59. ORDINANCE appropriating \$97,887.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Regional Computerized Traffic Signal System (RCTSS) CMAQ Project, under an engineering services contract with **POST, BUCKLEY, SCHUH & JERNIGAN, INC d/b/a PBS&J CONSTRUCTION SERVICES, INC**, CIP N-0650-08-2 (approved by Ordinance No. 01-1005) - **(This was Item 45 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBER EDWARDS)** - was presented. All voting aye. Nays none. ORDINANCE 2003-330 ADOPTED.
60. ORDINANCE appropriating \$1,620,800.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R. K. WHEATON, INC** for Water Line Replacement in Gulf Meadows Subdivision, GFS S-0035-81-3 (WA10667); providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – WISEMAN** - **(This was Item 48 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBER QUAN)** – was presented, and was tagged by Council Member Ellis.

Council Member Sekula-Gibbs stated that she would remove her tag on Item 36.

Council Member Keller stated that he would remove his tag on Item 17.

36. ORDINANCE appropriating \$643,000.00 out of Houston Police Consolidated Construction Fund and \$690,604.00 out of General Improvements Consolidated Construction Fund as an additional appropriation for Program Management Contract; approving and authorizing first amendment to Ordinance No. 02-631 and approving and authorizing amended and restated contract between the City of Houston and **SUNLAND ENGINEERING COMPANY** for Professional Program Management Services for the Parks & Recreation Department Master Plan-Phase I Implementation, Houston Police Department - Capital Improvements Projects and In-House Renovation Projects for City Wide Facilities, GFS F-0504-1A-3, G-0098-01-3 and D-0113-01-5 – was again before Council.

Council Member Ellis stated that he was going to tag the item, but he understood Building Services was going to downsize and start outsourcing their business which he thought was good and would like to see other departments do it when it would bring more efficiency in services and as employees retired in that department it would keep them from having to retain other employees.

A vote was called on Item 36. All voting aye. Nays none. ORDINANCE 2003-331 ADOPTED.

17. ORDINANCE amending **CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the provision of Water Service by the City - was presented. All voting aye. Nays none. ORDINANCE 2003-332 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Galloway stated that the Lay Road grade separation had been pending, it was allocated for funding but there was a small contaminated area and contracts needed to be issued to cleanup the area and she would like someone in Public Works to expedite this so they could start repairing Lay Road. Council Member Wiseman absent.

Council Member Galloway stated that Mesa Road had been on the table since she came to Council and what happened was it was in this budget year and so far nothing was done and she did

not understand why streets in District B were placed for construction and then removed off the books when new Council Members came and if they were not aware it was not placed back on the books; that the money was budgeted and nothing done on either street and urged Mayor Brown to get his directors to do something right a way; and Mayor Brown stated that would be addressed immediately. Council Member Wiseman absent.

Council Member Robinson stated that he wanted an update on the valet parking zone fee he talked about for the last couple of weeks. Council Member Wiseman absent.

Council Member Robinson stated that by themselves it looked like a small amount of money but it was in the neighborhood of about half a million dollars when you put the two together relative to additional funding for the Parks Department, one was the idea of the MidTown Super Block being purchased and ultimately being developed as a park and underground parking garage and he wanted to know where they were in that process; that Mr. Haines said he had discussion with Mr. Ed Wulfe in that Mr. Tollett may have ideas but he really wanted to work on it as a long term source of parking revenues for the City Parks Department; that his other idea was two golf concessions were almost up and the City's percentage was about 2% in comparison to Hermann where they received about 10% and he would like to see if they could get those two concessions strengthened up as a part of this years budget; that as he understood it would be several thousand dollars a year increase and that would help on their maintenance issues. Council Member Wiseman absent.

Council Member Robinson stated that Mr. Vanden Bosch would be briefing the TTI Committee with thoughts of areas there may be for additional privatization relative to Public Works at the next meeting. Council Member Wiseman absent.

Mayor Brown stated that they were working on the items and someone would give him an update as to where they were. Council Member Wiseman absent.

Council Member Edwards stated that she was going to meet with Dr. Kendrick but thought it needed a full discussion, in their works with the HIV state of emergency she was astounded to report that in two incidents within a four block radius they came up with 22 cases of confirmed Hepatitis C and that to her was very scary; that she was not clear under what they were doing as a city and felt it was an issue which needed to be discussed publicly. Council Member Wiseman absent.

Council Member Edwards stated that she wanted to give a big thanks to Public Works, especially Jeff Taylor and his crew, regarding the Alameda sinkhole; that they now had a lane open and they were no longer detouring around the city. Council Member Wiseman absent.

Council Member Edwards stated that she wanted to congratulate all the Little Leagues that opened up over the past week and it was good to see the number of families supporting them. Council Member Wiseman absent.

Mayor Brown stated that Dr. Kendrick would follow-up on the Hepatitis C issue. Council Member Wiseman absent.

Council Member Vasquez stated that this Friday he was sponsoring a "Supply for Soldiers" donation drive and Houstonians could donate for troops in Iraq such as maximum protection sun screen, alcohol free wet wipes, insect repellent, pudding and hot sauce; that there was tremendous support from local media and he wanted to personally thank Mr. Ken Charles with Clear Channel Radio for taking the lead and making it possible to promote the event on stations including KTRH, KTRW, KLOL and KPRC and thanked Cornell Holan Bynam who oversaw the Junior ROTC Program with HISD as the high school ROTC cadets would volunteer at the event helping to collect and load supplies which would be directed to Ft. Bliss in El Paso; that the drive was taking place this Friday, April 04, 2003, from 7:00 a.m. to 6:00 p.m. at the Kroger Signature Store located at Westpark and Buffalo Speedway; and thanked Council Member Tatro who was the first Council Member to actually donate; that the Red Cross would be on hand to take any monetary donations; and he encouraged all

to come and make a big difference.

Council Member Vasquez stated that he wanted to ask Mr. Haines questions regarding the status of the Utility Fund, where they were in the process and what they could expect in the next couple of months. Mr. Haines stated that they were looking to prepare two items for Council consideration, one an ordinance establishing an enterprise utility for storm water and the other was to enter into a consulting agreement to enable them to have tough questions answered on rates, equitability, appeals and exemption; and they were finalizing District Council maps that would identify neighborhoods which would be based on prioritization of how the program would go forward throughout the city; and he was hopeful the maps would be ready over the next couple of days and within the next week or so have something to present to Council. Council Members Goldberg and Alvarado absent.

Council Member Keller stated that he wanted to congratulate Council Member Vasquez on taking the lead on such an important issue and he wished him every success; that he would donate and if he could help there he would. Council Members Goldberg, Alvarado and Robinson absent.

Council Member Keller stated that this Saturday the Post Oak YMCA on Augusta was having a Healthy Kids Day, it was between San Felipe and Woodway and it would include a petting zoo, moonwalk, face painting, pony rides and many other things. Council Members Goldberg, Alvarado and Robinson absent.

Council Member Quan thanked all who volunteered over the past weekend for "Keep Houston Beautiful Day", they had over 1,000 volunteers and he thanked Council Members Tatro, Berry and Alvarado for coming to the Kick-Off event; that he appreciated all who came and all who sponsored the event. Council Members Goldberg, Alvarado and Robinson absent.

Council Member Quan stated that this weekend in Hermann Park they would be having the 10th Annual Japan Festival, celebrating the 100th anniversary of the first Japanese to come to the City of Houston and invited everyone to attend. Council Members Goldberg and Robinson absent.

Council Member Quan congratulated the Astros for opening the season on a winning note. Council Members Goldberg and Robinson absent.

Council Member Sekula-Gibbs stated that her issue was health insurance for the city employees, retirees and their families; that again benefits were to be cut and it was a pharmacy related benefit, they had removed about 40 drugs from the formula and they were very popular and effective drugs which were widely used and they made them non-preferred; that caused people who needed them to have to pay more to get them and the preferred category was shrinking; that she was requesting Human Resources bring the issue to Fiscal Affairs so they could get a handle on it and then make sure that when they renegotiated the contract in the future they not have the opportunity to cut the benefits to employees without first going to Council and letting them know; that the second part of that was HMO did go to her awhile back saying they would provide a PPO option and yet the Human Resources Department had not acted on it and she was frustrated that department was not more proactive in getting the information to Council Members and working openly. Mayor Brown stated that he would ask Mr. Haines to take care a couple of those items. Council Members Galloway and Quan absent.

Council Member Sekula-Gibbs yielded to Council Member Keller who stated that he felt helpless as his wife was pregnant five months now and they were forced to change primary care physicians four times as of yesterday; that it had become a part-time job of his to monitor it and he did not know if they could withstand changing primary care physicians one more time. Council Member Sekula-Gibbs stated that with a PPO he could keep the doctor if he wanted and though it would cost more employees were willing to do it. Council Member Keller stated this would get a lot of his attention, whatever it took he wanted to do it. Council Member Galloway absent.

Council Member Parker stated that Council Member Sekula-Gibbs had brought the matter up before and her understanding was that Mr. Haines would be scheduling a meeting to talk with her, she was sorry it had not happened and she would be happy to schedule something into the next Fiscal Affairs Meeting, though with her specific concerns it might be better addressed with the Human Resources Department. Council Members Galloway and Wiseman absent.

Council Member Parker stated that the drainage fee was supposed to be coming to Council within the next week or so and it was tied to discussion of water rates and water rate potential increases and she would caution the Administration not to bring those two separately without some linkage back and forth because they were tied together and she did not want to be in a position to be forced to vote for one after voting for the other; that Council Member Robinson had been making the distinction in the TTI Committee and she would like a little more on the water rate before being locked into the drainage fee. Council Members Galloway and Wiseman absent.

Council Member Parker stated that she had sent a memo to the City Attorney, Mr. Hall, on March 5th asking for clarification under the ethics ordinance on donations to political campaigns and spoke to him about it last week and still had no response, it had been almost a month now and felt that was a little excessive and she would like clarification. Mayor Brown stated that he would ask Legal to complete that assignment and give copies to all Council Members. Council Members Galloway and Wiseman absent.

Council Member Parker stated that Council Member Vasquez had scheduled representatives of the Veterans Museum into a Planning Committee Meeting and after a great deal of debate a motion was made that the Aviation Department sit down and negotiate with those who were with the Veterans Museum to see if there was some mechanism to compromise and report back at the next committee meeting and she spoke to Aviation and apparently they sent a letter to the chairman stating to proceed with a meeting they wanted a written response to their provisions and apparently they were insulted, but this was a negotiation the city made an offer and they make a counter offer and she would suggest her patience with the Veterans Museum would evaporate if they did not get to the negotiating table. Council Members Galloway and Wiseman absent.

Council Member Alvarado thanked Council Member Parker for raising the issue of the ordinance; that members of certain boards and commissions were not certain of what they could and could not do and she would also appreciate clarification. Council Members Galloway and Wiseman absent.

Council Member Alvarado stated that she wanted to thank the Legal, Solid Waste and Citizens Assistance Departments; that she had a workshop in her district focusing on deed restrictions and neighborhood protection, which included dumping, junk cars, weeds, etc., and it was very informative and she thanked her colleagues who came by; that it was very worthwhile and it confirmed that civic clubs wanted to see action taken regarding deed restrictions and why was the city not dealing with them on the permitting side. Council Members Galloway and Wiseman absent.

Council Member Alvarado stated that there was a story this week about Homeland Security and she was amazed to see they were spending far less per week than other cities and she would like an update on it and perhaps the vehicle to do so would be Council Member Edwards Committee. Mayor Brown stated that they could get the information for her. Council Members Galloway and Wiseman absent.

Council Member Alvarado stated that she was asking her colleagues to support her in an effort as she was participating in the MS 150, a 180 mile bike ride to Austin, and she was soliciting pledges to raise money for MS; that she was intending to ride the full 180 miles and they could save money by pledging a flat pledge. Council Members Galloway and Wiseman absent.

Council Member Sekula-Gibbs stated that was a very good meeting that Council Member Alvarado hosted and several of her constituents asked her to look into the towing of junk cars; that they said several cars were not towed even though they had out dated plates; that police were reluctant; and upon questions, Council Member Alvarado stated that she would like to bring HPD,

Planning and Legal together and revamp the whole procedure; that there was legislation pending in Austin which she thought would bring relief to civic clubs as it related to neighborhoods that never had deed restrictions. Council Members Galloway and Wiseman absent.

Upon questions by Council Member Sekula-Gibbs, Ms. Taylor stated that Mr. Bibler who was Legal's guru on such issues indicated to her it was the Neighborhood Protection Division that was responsible for the towing of such vehicles and they were the ones to be contacted. Council Members Galloway and Wiseman absent.

Mayor Brown stated that if there was confusion he would ask Mr. Haines to bring both departments together and work out a solution. Council Members Galloway and Wiseman absent.

Council Member Berry stated that he wanted to hand out kudos to people who did their job very well and made the city look good in Mr. Vanden Bosh's department and that was John Sakolosky, Mohammed Zubair, Muntaz Baig, Karen Leback and Aubrey Mkanda; that they were called on an after hours request and they stayed until 10:00 p.m. at night and resolved a long standing problem. Council Members Galloway and Wiseman absent.

Council Member Berry stated that he wanted to commend Sgt. Craig at the Neartown Storefront who got involved with a neighborhood dispute and all sides were happy with her resolution; that she had come in during her off time to handle it and he thanked her for going the extra mile. Council Members Galloway and Wiseman absent.

Council Member Ellis stated that he wondered if Council Member Alvarado had received the information she needed to allow them to move on with the Agenda; and Council Member Alvarado stated that she had.

Council Member Ellis congratulated Council Member Vasquez on his efforts to support the armed services and to parallel his efforts two organizations were working locally, the USO and the Houston Area Law Enforcement Organization and maybe they could all work together.

Council Member Ellis congratulated Council Member Alvarado for her workshop and stated that he was going to copycat it in his district.

Council Member Ellis stated that on March 13, 2003, they had their first reverse auction and the outcome was a 23% savings and he would encourage the Administration to encourage the Procurement Department to have more such auctions.

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

55. ORDINANCE appropriating \$14,846,347.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **MAXIMUS, INC** for an Integrated Case Management System for the Municipal Courts - **(This was Item 39 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBERS VASQUEZ, ALVARADO, TATRO, WISEMAN, KELLER and GOLDBERG)** – was again before Council.

A vote was called on Item 55. All voting aye. Nays none. ORDINANCE 2003-333 ADOPTED.

56. ORDINANCE appropriating \$2,926,800.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **DELOITTE & TOUCHE, LLP** for performing as the Integrated Case Management System Project Manager for Municipal Courts - **(This was Item 40 on Agenda of March 26, 2003, TAGGED BY COUNCIL MEMBERS ALVARADO, WISEMAN, GALLOWAY, VASQUEZ and TATRO)** – was again before Council.

Council Member Berry moved to delay Item 56 one week, seconded by Council Member Tatro.

A roll call vote was called.

ROLL CALL VOTE:

Mayor Brown voting no
Council Member Tatro voting aye
Council Member Galloway voting no
Council Member Goldberg voting no
Council Member Edwards voting no
Council Member Wiseman voting no
Council Member Ellis voting no
Council Member Keller voting no

Council Member Vasquez voting no
Council Member Alvarado voting no
Council Member Parker voting no
Council Member Quan voting no
Council Member Sekula-Gibbs voting no
Council Member Berry voting aye
Council Member Robinson voting no
MOTION 2003-0338 FAILED

Item 56 was again before Council. Council Members Tatro and Berry voting no. Balance voting aye. ORDINANCE 2003-334 ADOPTED.

There being no further business before Council, the City Council adjourned at 10:52 a.m. upon MOTION by Council Member Ellis, seconded by Council Member Tatro.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary