

City Council Chamber, City Hall, Tuesday, May 20, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, May 20, 2003, with Mayor Pro Tem Gordon Quan presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Shelly Sekula-Gibbs, M.D., Michael Berry and Carroll Robinson; Ms. Jo Wiginton Sr. Assistant City Attorney, Division Chief, Legal Department; Mr. Richard Cantu, Director, Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Mayor Lee P. Brown absent on personal business. Council Member Mark Ellis absent due to being ill.

At 1:54 p.m. Mayor Pro Tem Quan stated that Council would begin with the presentations. Council Members Tatro, Goldberg, Edwards, Wiseman, Keller, Alvarado, Parker, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that it was her honor to recognize the Houston Fire Department for National Emergency Medical Services Week and invited Dr. Persse, Chief Ivy, Chief Corral and firefighters who responded to a call for Chief Corral to the podium. Chief Ivy stated in October 2002 a call was placed from Chief Corral's home, a unit responded and began life support procedures and he was transported to the hospital and recovered successfully; that what made the system work was early notification, early response, rapid ALS procedure and rapid care. Council Member Sekula-Gibbs stated that with a 911 call the first responder, basic support, was there within 5.3 minutes and the advanced life support arrived on average 8.8 minutes and she wanted to give kudos to engine 60, squad 60 and ambulance 51 for being one of the best in the United States. Dr. Persse stated that EMS Week was set aside each year to reflect on what it meant; that in the 1960s all you needed to drive an ambulance was a drivers license and the person with you needed nothing and now they had the highest training with difficult skills, it was ICU level care and a team effort and some of the best care in the nation. Chief Corral stated that he was happy to be present and wanted to thank the men personally and publicly for what they did and say they all deserved a raise. Council Member Sekula-Gibbs presented a proclamation to Chief Ivy for three decades of service, commending all who made Houston's EMS recognized as one of the best in the world and proclaimed May 20, 2003, as "Houston Emergency Medical Services Day". Council Members Edwards and Parker absent.

Council Member Vasquez stated that he wanted to recognize Chief Corral for his distinguished career and thanked him for his years of service and for his contributions to the City of Houston and the Hispanic community. Council Members Edwards and Wiseman absent.

Council Member Robinson stated that he wanted to thank all the men and women of the Fire Department for all they did daily and Council intended to see they got their fair treatment also. Council Members Edwards and Wiseman absent.

Council Members Vasquez and Galloway had a presentation and Council Member Vasquez invited all winners of the Railroad Safety Art Contest to the podium. Mr. Lee Vela stated that they were promoting safety around trains and targeted schools in the districts where the problem was more pronounced, there were 200 entries from third grade children and it was difficult to choose; that the fourth place winner was Jessica Dominguez from Rusk Elementary, third place winner was Shesholt Vegas from Crawford Elementary, second place winner was Dalton Colton from Anson Jones Elementary and first place winner was Kevin Chan from Anson Jones Elementary. Council Member Vasquez presented Certificates of Recognition to each and he and Council Member Galloway thanked Clear Channel for their bringing the contest to their districts. Council Members Tatro, Wiseman and Parker absent.

Council Member Robinson stated that he wanted to recognize a young lady by the name of Ashley Upton and invited her and her mom to the podium. Council Member Robinson stated that Ebony Magazine recognized Ashley as one of the top African American graduates in the country and was a model to many; that she was a principal scholar for five years in elementary, a

student counsel officer, reporter and library volunteer; in middle school she was a national junior honor society member, vice president of the fellowship of Christian athletes, president of math club, etc., went to senior high and was president of several clubs, ambassador of Hugh O'Brien youth leadership organization, member of honor society, volunteer for Red Cross, End Hunger volunteer, Keep Houston Beautiful volunteer and continued to read all her accomplishments; that it made his heart feel really well to have someone like her in Houston, presented a Certificate of Recognition proclaiming May 20, 2003, as "Ashley Upton Day". Council Member Galloway stated that the best came from District B and Ashley showed that and presented her a certificate as well. Ashley received a standing ovation from Council Members and those attending. Council Member Edwards stated that she wanted to acknowledge Mom who had something to do with this.

Mayor Pro Tem Quan stated that he wanted to recognize Older American's Month and invited Ms. Hazel Kugan one of the winners of the Ms. Senior Contest and who was 100 years old to the podium. Ms. Kugan received a standing ovation and stated that she thanked all for the warm welcome; that she was queen last year and in the top 10 this year and considered herself lucky as so many had such wonderful talent and was happy to represent the City of Houston. Mayor Pro Tem Quan stated that Ms. Vivian Green's essay won her the contest for Sr. Mayor of the Day and invited Ms. Green to the podium. Ms. Green gave an overview of her essay and thanked everyone for her being Sr. Mayor of the Day. Mayor Pro Tem Quan asked all the contestants and previous winners to stand and be recognized. Council Member Robinson absent.

At 2:26 p.m. Mayor Pro Tem Quan called the meeting to order and Ms. Green led everyone in prayer and in pledging allegiance to the flag. Council Member Robinson absent.

At 2:27 p.m. the City Secretary called the roll. Mayor Brown absent on personal business. Council Member Ellis absent due to being ill. Council Member Robinson absent.

Council Members Keller and Vasquez moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor Brown absent on personal business. Council Member Ellis absent due to being ill. Council Member Robinson absent. Mayor Pro Tem Quan presiding. MOTION ADOPTED.

Council Member Vasquez moved that the rules be suspended for the purpose of hearing Mr. Richard Perez, Mr. Domingo C. Marquez, Mr. Domingo Trevino, Mr. John Martinez, Mr. Ernest Aguia and Mr. Marqarito C. Vasquez as the first speakers and Ms. Carmen Orga and Mr. Claude Cummings after Mr. Jim Sheriff, seconded by Council Member Tatro. All voting aye. Nays none. Mayor Brown absent on personal business. Council Member Ellis absent due to being ill. Council Member Robinson absent. Mayor Pro Tem Quan presiding. MOTION 2003-0478 ADOPTED

The City Secretary stated that under the rules adopted by Council when the speakers time totaled more than 150 minutes their time was one minute and Council Members questioning time was also limited to a total of one minute combined. Council Member Robinson absent.

Mr. Richard Perez, 2400 Persimmon, Houston, Texas 77093 (713-451-0488) appeared and stated that he thanked the city for always being there for the veteran's issues; that in 1988 the City of Houston was the first city in the nation to fly the POW flag which was still flying and also one of the first cities which allowed Desert Storm veterans into HPD by waiving college requirements and thanked the business community for saving the federal government over \$18,000,000 in rebuilding the new VA regional office and VA hospital; that today he was present regarding the Hardy Tidwell Park which was a 21 1/2 acre tract they wanted to become a park for veterans and invited Council to ground breaking ceremonies June 8, 2003 and asked that Council consider renaming it to the City of Houston Veteran's Memorial Park in the near future. Council Members Tatro, Keller and Robinson absent.

Mr. Domingo C. Marquez, 1455 Wunderlich #2201, Houston, Texas 77069 (281-880-9659) appeared and stated that he served in the U. S. Air Force in Korea and quoted a Marine Commandant who recently said "Poor is a nation that has no heroes, but poorer yet is one who does and forgets". Mr. Domingo stated that the City of Houston by in large had forgotten their heroes as permanent memorials were not present except for the one in the Heights and the USS Houston memorial at Sam Houston Park; that they would be petitioning the city to change the name of Hardy Tidwell Park for the veterans and though you did not have to wear a certain sleeve to serve your country, as the Council Members were serving now, but the ones who did should not be forgotten. Council Members Tatro, Keller and Robinson absent.

Mayor Pro Tem Quan stated that a representative of the Parks Department was present and they could speak with her regarding changing the name. Council Members Tatro, Keller and Robinson absent.

Mr. Domingo Trevino, 3901 Weems, Houston, Texas 77009 (713-692-4070) had reserved time to speak but was not present when his name was called. Council Members Tatro, Keller and Robinson absent.

Mr. John Martinez, 3410 Frick, Houston, Texas 77086 ((713-226-3186) had reserved time to speak but was not present when his name was called. Council Members Tatro, Keller and Robinson absent.

Mr. Ernest Aguia, 702 Sue, Houston, Texas 77009 (713-694-5499) appeared and stated that he was a veteran of WWII and was a veteran of five campaign battles including Battle of the Bulge; that they needed the park and needed Council's backing. Council Members Tatro, Keller and Robinson absent.

Mr. Marquarito C. Vasquez, 1023 Point Blank, Houston, Texas 77038 (281-820-1389) appeared and stated that he was a retired marine and fought and served with honor in Korea and Vietnam; that he served actively 31 years, 3 days, 8 hours and 10 minutes and an additional 9 years in the reserves; that presently he had two grand sons in the United States Marine Corps. and granddaughter in the United States Air Force; that it was an honor to see the City of Houston Veteran's Park become a reality; that it was important to keep veterans memories alive as "Freedom was not Free". Council Members Tatro, Keller and Robinson absent.

Council Member Vasquez stated that at the beginning of his term in office those four gentlemen came to him asking for help in terms of putting together a veterans memorial and had worked with his office and Parks Department; that the ground breaking would be June 8th and he thanked the Mayor for seeing the vision, having a commitment and making it a priority to get done this year. Council Members Tatro, Keller and Robinson absent.

Mayor Pro Tem Quan stated that he looked forward to being there; that the city certainly wanted to honor the work and sacrifice of veterans and thanked them for their efforts. Council Members Tatro, Keller and Robinson absent.

Council Member Galloway moved that the rules be suspended for the purpose of hearing the speakers in the following order after Ms. Ruby Mosley, Ms. Sandra Price, Ms. Jewell Houston, Ms. Dessie Coleman, Mr. James Smith, Mr. Willie Richards, Ms. Mary Taylor, Mr. Dave Jones, Ms. Ruby Benentt, Ms. Clementine Siner, Mr. Leroy Flowers and Mr. Michael Thibodeaux, seconded by Council Member Alvarado. All voting aye. Nays none. Mayor Brown absent on personal business. Council Member Ellis absent due to being ill. Council Members Tatro, Vasquez, Parker and Robinson absent. Mayor Pro Tem Quan presiding. MOTION 2003-0479 ADOPTED

Mr. Bernard Middleton, 3730 Kirby #1200, Houston, Texas 77098 (713-523-3636) appeared and stated that he was present on behalf of the employees of SBC and City employees facing layoffs as well as the taxpayers and voiced his opinions against VOIP and urged Council to use the money instead to save jobs. Council Members Tatro, Galloway, Vasquez and Robinson absent.

Mr. Ramiro Orta, 55 Lyrly #110, Houston, Texas 77022 (713-695-9393) appeared and stated that he was president of the American Communication Services and an SBC agent for five years; that the previous consultant who spoke on the matter said services should be disconnected by the city and based his opinion by entering numbers into software which fed back numbers based on traffic and he would not do that, instead he would meet with department heads to determine. Council Members Galloway, Keller, Vasquez, Alvarado and Robinson absent.

Upon questions by Mayor Pro Tem Quan, Mr. Orta stated that a lot of time and effort would go into this study and the amount needed may be what was being asked. Council Members Galloway, Keller, Alvarado and Robinson absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that he was representing the Harris County AFL/CIO Counsel of Communication Workers of America and the affiliated unions and voiced his opinion against spending funds for VOIP and recommended using the system they had, perfect the cost savings with SBC and then reevaluate after they were no longer in the hole they were in. Council Members Galloway, Alvarado and Robinson absent.

Mr. Kevin Roche, 290 Concord Road, Billerica, MA 01821 (978-625-3070) appeared and stated that he was general manager of the North America operations and leader of the organization that bid on the opportunity to work with the city on the VOIP and voiced his opinion in favor of those services. Council Members Galloway, Alvarado and Robinson absent.

Upon questions by Mayor Pro Tem Quan, Mr. Roche stated that the City of Houston would require between 16,000 and 20,000 phones, approximately double what they had done worldwide, it was one of their largest initiatives. Council Members Galloway, Alvarado and Robinson absent.

Mr. Jim Sheriff, 9301 Southwest Freeway, Houston, Texas 77074 (713-448-1600) appeared and stated that he was vice president for Cysco Systems and voiced his opinions as to the fair process the city had and his favor of the VOIP system; Mr. Sheriff further stated that if any CWA workers were displaced as a result of the project they would put them through a network academy training them for the project and there was 200 openings in that space they could be redeployed. Council Members Galloway, Alvarado and Robinson absent.

Upon questions by Mayor Pro Tem Quan, Mr. Sheriff stated that Cysco guaranteed the training, it was up to SBC to guarantee their placement. Council Members Galloway, Alvarado and Robinson absent.

Upon questions by Council Member Parker, Mr. Sheriff stated that Cysco was not actually involved in the bidding but some of the bidders used their platform. Council Members Galloway, Alvarado and Robinson absent.

Ms. Carmen Orta, 55 Lyrly #110, Houston, Texas 77022 (713-695-9393) appeared and stated that she was speaking for the American Communication Services; that it was important to have good technicians and they were in the process of discussions with the IBW Union because they had a program to train and certify technicians and felt VOIP was a good thing. Council Members Galloway, Alvarado and Robinson absent.

Mr. Claude Cummings, 3915 Cherry Forest Dr., Houston, Texas 77088 (713-419-6044) appeared and stated that he knew of no agreement where Cysco would train any people being laid off and continued voicing his opinion against VOIP and urged Council to vote against it; that the phone company providing services to them already and did an assessment free and they should keep the money, keep libraries open, etc; Council Members Galloway, Alvarado and Robinson absent.

Council Member Parker stated that one thing keeping her on the fence was she kept hearing from SBC there was one million eight in savings and wanted someone in SBC to put it in writing, sign on the line and guarantee it; and Mr. Cummings stated he thought they would do it. Council Members Galloway, Alvarado and Robinson absent.

Mayor Pro Tem Quan stated that if Mr. Cummings was willing to do that letter Mr. Lewis was waiting for him. Council Members Galloway, Alvarado and Robinson absent.

Ms. Elizabeth Banderan, 7143 Japonica, Houston, Texas 77087 (713-924-6197) appeared and stated that she lived in a beautiful tree lined neighborhood, unfortunately the abandoned house next door turned their dream into a nightmare, they were told it would be torn down in months but now it had been years and hundreds of children passed by it daily going to and from school and in daily play. Council Members Galloway, Alvarado and Robinson absent.

Mayor Pro Tem Quan stated that it was Item 15 on tomorrow's Agenda and if approved funds would be able to be allocated and he was hopeful they could attend to it immediately. Council Members Galloway, Alvarado, Berry and Robinson absent.

Ms. Michelle Fernandez, 7135 Japonica, Houston Texas 77007 (713-928-8795) had reserved time to speak but was not present when her name was called. Council Members Galloway, Alvarado, Berry and Robinson absent.

Ms. Aurora Fernandez, 7135 Japonica, Houston Texas 77007 (713-928-8795) appeared and stated that she also lived next to the abandoned house and hoped something could be done. Council Members Galloway, Goldberg, Berry and Robinson absent.

Council Member Alvarado stated that the house was on the Agenda for demolition tomorrow, her office had been working on it since June 2002 and it should be dealt with soon. Council Members Galloway, Goldberg, Berry and Robinson absent.

Mr. Ron McPherson, 15415 Tutbury Circle, Houston, Texas 77044 (281-225-2165) appeared and stated that he was present to speak on the International Cultural Festival, he and those with him went inside and was told no cameras and was taken to the ticket booth showing a form of no cameras, but the lady at the ticket booth said it did not mean personal cameras, but professional cameras though he had to take them back to his car and return, but once in again he saw numerous cameras all over the place; that there seemed to be a policy no one understood, was not uniformly enforced and needed to be reviewed. Council Members Galloway, Goldberg, Berry and Robinson absent.

Council Member Parker stated that she had tried to get a uniform festival ordinance out of the Administration for a couple of years now, she understood it was pending and this was the kind of issue that could be addressed, needed to be and she was sorry he was inconvenienced. Council Members Galloway, Berry and Robinson absent.

Mayor Pro Tem Quan stated that he appreciated him coming and Ms. Marene Gustin with Parks was present and would be glad to speak with him. Council Members Galloway, Berry and Robinson absent.

Ms. Rosanna Cisenros, 8414 Joplin, Houston, Texas 77087 (713-437-4444) had reserved time to speak but was not present when her name was called. Council Members Galloway, Berry and Robinson absent.

Mr. Greg Armstrong, 1415 Louisiana #300, Houston, Texas 77002 (713-739-6521) had reserved time to speak but was not present when his name was called. Council Members Galloway, Berry and Robinson absent.

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 Galloway, Berry and Robinson absent.

Ms. Lynne Horn, 2814 Trailing Vine Rd #A, Spring, Texas 77373 (281-355-6809) appeared and stated that she was present to address layoffs of HPD teleserve employees which would adversely affect their lives; that 911 was keeping call takers not trained to process those calls and at the same time HPD was in process of laying off an entire unit of already trained employees; that before layoffs and furloughs were mentioned, and she did not understand why layoff was a better situation to use, why not furlough employees citywide, they had been loyal employees and felt the city should be loyal to them. Council Members Galloway, Alvarado, Berry and Robinson absent.

Council Member Parker stated that she would do whatever she could through the budget process to try and reverse any layoffs, but clearly to do that cuts would be needed in other areas; and upon questions, Ms. Horn stated she was not offered at this time employment in any other areas, but had not received a layoff notice; that minutes of a meeting were taken and mailed to Dispatch and that was how they found out about it. Council Member Parker stated that there was no excuse for that and if she received anything to let her know. Council Members Galloway, Alvarado, Berry and Robinson absent.

Ms. Yolanda Mingo, 3703 Gardenia Bend Dr., Houston, Texas 77053 (713-247-5733) appeared and stated that she was also present to speak on the proposed layoff; that last year when the merge occurred with 911 they were given a choice to remain with HPD or go with 911 and most with 20 to 25 years stayed with HPD, but now could be laid off a year later and many were single parents and dedicated workers; and urged they not be thrown away as if they never existed. Council Members Galloway, Wiseman, Alvarado, Berry and Robinson absent.

Mayor Pro Tem Quan stated that they would be having budget hearings during the next two

weeks and would certainly look into it and see what could be done. Council Members Galloway, Wiseman, Alvarado, Berry and Robinson absent.

Council Member Parker stated that before the Police Department came in for their presentation on the budget she would like them to be prepared to discuss their reassignment plan within the city, it was disturbing they were notified through back channels with no official communication and she understood there would be relocation efforts. Mayor Pro Tem Quan stated that he agreed with her and would have them respond. Council Members Galloway, Wiseman, Alvarado, Berry and Robinson absent.

Mr. Robert Smith, 9309 Willowview, Houston, Texas 77080 (713-722-8995) appeared and stated that he spoke previously about a lien against his home issued by inspector Joe Sanchez who was no longer with the City of Houston; that now he found out his house was levied against; that he had been a volunteer for the city and made them an average of \$130,000 a year as a handicap volunteer and quit over this so the city lost about \$90,000 over an \$11,000 lien. Mr. Smith presented pictures for Council to view. Council Members Galloway, Wiseman, Alvarado, Berry and Robinson absent.

Mr. Elton Childs, 21655 Bay Palms, Katy, Texas 77449 (713-838-1313) appeared and stated that he was present regarding the franchise fee Council assessed as of January 1, 2004, that the franchise fee was assessed on them as wastewater haulers, it was waste haulers and supposed to be solid waste, he hauled wastewater and they had derived from the term solid into making it a term of liquid and he did not know how, but he was asking them to reconsider the matter. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Council Member Parker stated that she knew when they passed that fee they were thinking about solid waste, basically trash haulers, and she did not know if there was anyone present to hear from but it might be something to bring up at committee. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Council Member Parker moved that the rules be suspended for the purpose of hearing Ms. Tina Paez, seconded by Council Member Vasquez. All voting aye. Nays none. Mayor Brown absent on personal business. Council Member Ellis absent due to being ill. Council Members Wiseman, Alvarado, Berry and Robinson absent. Mayor Pro Tem Quan presiding. MOTION 2003-0480 ADOPTED

Council Member Parker stated that the discussion she remembered in passing the franchise fee was essentially for trash haulers and he was talking about hauling liquid waste; and upon questions, Ms. Paez stated that her understanding was the City's definition of solid waste was taken from the Texas Health and Safety Code and it included industrial and liquid waste; that they began sending letters in December and continued to repeat them as more letters came in, but perhaps Ms. Wiginton could help with it. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Upon questions by Mayor Pro Tem Quan, Ms. Wiginton stated that she believed Ms. Paez was right with her definition and would follow-up and E-mail Council Members of the definition. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Childs stated that the franchise fee they were being asked to pay was 4% of their gross income; that he already gave 50% of his company to dump his waste and if he gave another 4% he would be down to 46% and that was providing for his workers and himself and there was no way to do it. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he would look for the Legal opinion and get a copy to him. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Roland Curry, 5519 Capling, Houston, Texas 77026 (713-545-3324) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Joshua Curry, 5519 Capling, Houston, Texas 77026 (713-545-3324) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Keller, Alvarado, Berry and Robinson absent.

Ms. Melonie Foster, 3211 Eastex Freeway, Houston, Texas 77026 (713-633-3829) had reserved time to speak but was not present when her name was called. Council Members Wiseman, Keller, Alvarado, Berry and Robinson absent.

Mr. Floyd Johnson, 11802 Woodshadows Dr., Houston, Texas 77013 (713-459-3389) had reserved time to speak but was not present when his name was called. Council Members Wiseman, Keller, Alvarado, Berry and Robinson absent.

Ms. Yolanda Simon, 6208 Octavia, Houston, Texas 77026 (713-633-3829) had reserved time to speak but was not present when her name was called. Council Members Wiseman, Keller, Alvarado, Berry and Robinson absent.

Ms. Shelia Crumedy, 10211 Sugarbranch, Houston, Texas 77036 (713-981-7431) had reserved time to speak but was not present when her name was called. Council Members Wiseman, Keller, Alvarado, Berry and Robinson absent.

Ms. Charlien Rose, 3202 Parkwood Dr., Houston, Texas 77021 (713-748-5753) appeared and stated that she was present from the Judson Robinson Jr. Center and they were very concerned because the city decided their center along with 13 others would have the parents pay, they had not paid in years and for that to be dropped on them was ridiculous. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Council Member Edwards stated that there were provisions for the parents who could not make the payment, provisions where the fee could be waived; that they had to raise fees to maintain the program and she would like her to meet with herself and the Parks director and her office would call about a time for a meeting. Council Members Wiseman, Alvarado, Berry and Robinson absent.



Mayor Pro Tem Quan stated that a Parks representative was present and would speak with her at this time. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Ms. Beatrice Hill, 4919 Denoran Dr., Houston, Texas 77048 (713-738-0813) appeared and stated that they were present before and Mayor Brown sent them to talk with Public Works; that at houses at 4919 Denoran there was a storm drain which ran between her home and another and there was a lot of sinking in the area; that when they came out their conclusion was curbs, driveways and foundations needed to be done and they wanted the storm drainage moved and placed as it should be. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Council Member Edwards stated that the community had worked on that a number of years and had many promises that had not been and hoped this would be pushed through and solved. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Mayor Pro Tem Quan stated that Mr. Fiederlein was present and she should speak with him at this time. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Ms. Annie Jackson, 4915 Denoran, Houston, Texas 77048 (713-734-4936) appeared and stated that she was the one who had the storm drain going north and south and not east and west so it was resting on her property; that she put 12 yards of dirt this year and she would like the drainage taken east and west to the bayou instead of on her property and wanted it removed. Council Members Wiseman, Alvarado, Berry and Robinson absent.

Mayor Pro Tem Quan stated that he agreed with her and she could join her neighbor and Mr. Fiederlein and see what could be done. Council Members Edwards, Wiseman, Keller, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Joshua Bullard, 2600 Westridge, Houston, Texas 77054 (713-839-1505) had reserved time to speak but was not present when his name was called. Council Members Edwards, Wiseman, Keller, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Erma Thomas, 3922 Old Spanish Trail, Houston, Texas 77021 (713-592-6170) appeared and stated that she was present pleading for help; that they had an HIV Program at 3922 OST, she was the forerunner and supporter of the whole program and had two grants from Houston Read Commission and needed help to continue the program, that she had a wonderful program in place. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Ms. Thomas stated that she was asking for a grant. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Sekula-Gibbs, Ms. Thomas stated that she was funded through no one, she was using personal funds. Council Member Sekula-Gibbs stated that she should contact the Health Department because they did offer grant funding, but it

was a very competitive process. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Ms. Gloria Moreno with the Health department was present and would speak with her at this time. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Agnes Johnson, 10700 Fondren, Houston, Texas 77093, no phone had reserved time to speak but was not present when her name was called. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Ruby Mosley, 862 South Victory, Houston, Texas 77088 (281-447-6095) appeared and stated that she would like to relinquish her time to Mr. Smith who needed to leave and she would speak later. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Tatro moved that the rules be suspended for the purpose of allowing Mr. James Smith to speak at this time, seconded by Council Member Sekula-Gibbs. No vote was recorded as a quorum was not present. Mayor Brown absent on personal business. Council Member Ellis absent due to being ill. Council Members Wiseman, Keller, Vasquez, Alvarado, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. James Smith, 1534 W. Donovan, Houston, Texas 77091 (713-688-0269) appeared and stated that he was present to speak on parks in Acres Homes; that he understood the city may be cutting back and he would like to know what was being cut; that they were having a parade May 5th and went through proper channels asking for it to be cut and for restrooms to be opened and when they got there it looked like a dump, it was not cut, restrooms were not opened and they had no electricity; that it was a Super Neighborhood Parade to raise funds for the community and he could not understand where cuts were when nothing was done in the beginning. Council Members Wiseman, Keller, Vasquez, Alvarado and Robinson absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that he was disturbed with that as well, there was another event coming in June and a representative from Parks was present and would speak with him to see what could be done to have the park cleaned. Council Members Tatro, Wiseman, Keller, Vasquez, Alvarado and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Sandra Price, 754 Davidson, Houston, Texas 77091 (713-691-5748) appeared and stated that she was present on behalf of the Acres Homes Citizen Council Group and she would like to know if there were any plans regarding livestock in their area; that 500 people in Acres Homes were pro-livestock and she was standing for them also; that many had livestock on their land and they believed they were being kept in the dark and wanted Council Member Galloway to set a date and time to discuss accusations and assure there was no trickery involved and have answers to their questions. Council Members Tatro, Wiseman, Keller, Vasquez, Alvarado and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that he had heard the issue before, but no direct complaints; and upon questions, Ms. Price stated that people in Acres Homes had not been told what the problems were but there were rumors and they wanted to know if there were any plans, initiatives, focus groups, etc., regarding stables or land. Council Member Goldberg stated that he agreed there was something going on with the Bureau of Animal Regulations and Control

and he asked to be kept informed and had not heard anything; that two months ago they said they would have something in three to four weeks, but did not have it; that sometimes when there was not a sufficient problem they over regulated and he was going to stay on top of it and he would be glad to contact her and let her know what he knew. Council Members Tatro, Keller, Vasquez, Alvarado and Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Galloway stated that she did have a meeting in the Acres Homes area to discuss there were no rules that came before them, it was just a discussion and derived from citizens complaining about the odor and a concern over the West Nile Virus, but as for the committee nothing was planned they only had discussion so she did not know how things got out of hand; that Animal Control was to prepare something but the community would not be left out in the decision making and that was a certainty in her district. Council Members Tatro, Keller, Vasquez, Alvarado, Parker and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that they would follow-up, he knew there was a tradition in Acres Homes with a lot of land and many owing livestock; and he assured they would follow-up with Council Members and she would be notified. Council Members Tatro, Keller, Vasquez, Alvarado, Parker and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Jewell Houston, 2026 Ferguson Way, Houston, Texas 77088 (281-447-2925) appeared and stated that she was a resident of Acres Homes and they were concerned about libraries and budget cuts; that Mr. Simpson informed them their library would not be reduced past the 40 hours they now had and they wanted to thank Council for that, however, he did not say their materials would not be reduced and they had that concern also. Council Members Tatro, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he had been to the Acres Homes branch library and it was a very nice library and they had nothing as a cut in materials and Mr. Simpson reported the hours should remain the same; that they would be having hearings on the library budget if she would keep posted on that. Council Members Tatro, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Dessie Coleman, 3802 Villa Glen Dr., Houston, Texas 77088 (713-847-4501) appeared and stated that her topic was ditches in the Acres Homes area, for many years they were plagued with unclean ditches with some having not been clean in the last 20 years and some were the 6400 block to 6900 block of Morrow, the 800 block of Lawn to the 800 block of Ringo from Ferguson Way to Tower and on Maxroy between Dewalt and Ferguson and standing stagnant water was at 9618 Maxroy with computer monitors dumped there and giant turtles; and thanked them for their consideration. Council Members Tatro, Wiseman, Keller, Vasquez, Alvarado, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Mr. Fiederlein with Public Works was present and would be overseeing that; that records did not show any current request under the 311 system for ditch cleanup there, but they would take the request and see what could be done. Council Members Tatro, Wiseman, Keller, Vasquez, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Ruby Mosley, 862 South Victory, Houston, Texas 77088 (281-447-6095) appeared and stated that there were no health services in the Acres Homes area and education was the cheapest thing to render and they could not even get that; and she also wanted to address Neighborhood to Standards; that Lincoln City Civic Club was one of the first put into Neighborhood to Standards and it was still not complete; that they went to Yorkdale and did

some there and went to Ferguson Street and did some there; that they did get some water hydrants repaired but shortly after that they notified the president the area was going into Neighborhood to Standards and she wanted to inform Council that to this date a total of \$11,940.00 had been spent in that area for Neighborhood to Standards and said they installed water hydrants but they were already there. Council Members Tatro, Keller, Vasquez, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Sekula-Gibbs, Ms. Mosley stated that they had no health services in their area and had to use the Harris County Hospital District Clinics or the Heights Center and none were close to them. Council Member Sekula-Gibbs encouraged Ms. Mosley to work with Gateway to Care which was designed to help such communities and take health care to their communities; and Ms. Mosley stated that they were already doing that. Council Members Tatro, Keller, Vasquez, Parker, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Willie Richards, 1919 DeWalt, Houston, Texas 77088 (281-447-8734) appeared and stated that he was president of the Garden City Civic Club and sometime ago the city resurfaced all the streets in the Acres Homes area, but they left Garden City completely out; that they had been there 50 plus years and nothing had been done to them; that he went to his Council Member before and in January to the CIP Program and today he was here still trying to get something done. Council Members Tatro, Keller, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that Mr. Fiderlein was present to meet with him and the records showed no request for street repair in the area, but they were more than happy to work with him. Council Members Tatro, Keller, Vasquez, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Ms. Mary Taylor, 403 Fashion Hill Dr., Houston, Texas 77088 (281-445-0682) appeared and stated that she was present regarding the extension of a bikeway trail for White Oak Bayou; that she was a resident of Willow Run in Acres Homes and the bridge should be on the east side, but now they changed the plan and were placing it on the west side and she was present asking that they continue to place it on the east as it was intended. Council Members Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that the city did not have authority regarding some TXDOT work, but they did have a bike advisory board and he would refer her to Mr. Fiderlein and see what could be done. Council Members Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Dave Jones, 2529 S. Victory, Houston, Texas 77008 (281-591-6594) appeared, presented information and stated that he was speaking on the cut of the DARE Program for young people; that as they cleaned up Acres Homes the trash came to his area, Inwood, and they needed DARE to continue; and what District A needed was a crime prevention study to study crime and clean their area also. Council Members Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Tatro stated that he would see what could be done and give him a call. Council Members Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Ruby Bennett, 744 Boeneman Dr., Houston, Texas 77091 (713-697-1709) appeared and stated that she was present to talk about the lack of tire and heavy trash pickup; that she heard it was going to be reduced and in Acres Homes they never had it; that as soon as heavy trash was picked up it was back and it continuously looked like a dump, with tires piled higher

than her and it was terrible around the schools. Council Members Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that a contract was coming up next week on Keep Houston Beautiful because they felt it was important to work with communities such as hers and to provide resources; that Ms. Sandra Hines was present and was very good at getting people to neighborhoods and she should speak with her. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that also spoke to the issue of illegal dumping and that needed to be looked at. Mayor Pro Tem Quan stated Ms. Bennett should speak with Ms. Hines and she would see what could be done. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Clementine Siner, 10771 Marjorie, Houston, Texas 77088 (281-999-2853) appeared and stated that on behalf of the Acres Homes Council for Community Improvement they wanted to thank Council for their assistance in the past and today was present with pressing issues, the weeded lots in the community had provided a safe haven for transients, illegal drugs, gang fighting, etc., and if they were cut there would be no where to hide; that she wanted to know which lots constituted priority cutting, was there a pilot program in Acres Homes for selling property with delinquent taxes, and Acres Homes was at least 70% elderly with schools about to be out and the rainy season approaching she wondered what was being done regarding the spraying of mosquitoes. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he knew the Mosquito Control District handled the spraying and that was a county function, but Ms. Matti Terrell, Planning Department, was present and would speak with her regarding the vacant lots. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that since the issue of mosquitoes was brought up, she knew there would be another round of West Nile and she thought maybe Health could put out something stating how they were coordinating activities with the County; and Mayor Pro Tem Quan stated that they would have the Agenda Director take care of that. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Leroy Flowers, 8616 Easter, Houston, Texas 77088 (281-447-3301) appeared and stated that he was president of the Montgomery Terrace Civic Club located in Acres Homes and he was requesting signal lights be installed at the 2500 block of Allerton and 9500 block of West Montgomery Road; that there were approximately 150 homes in the Montgomery Terrace Subdivision and many more under construction and they had two schools and a police station and it was difficult going out during rush hour; that they came to check and checked Allerton when the problem was Montgomery Road; that another location was the 2800 block of Marcella Drive and the 10000 block of Montgomery Road. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he saw a traffic study was done in 2001 and it was determined no signal was needed; that he could speak with Mr. Fiderlein and if there were changed circumstances they would be glad to do so. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding.

(NO QUORUM PRESENT)

Mr. Michael Thibodeaux, 6913 Coverington, Houston, Texas 77091 (832-752-5968) had reserved time to speak but was not present when his name was called. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Charles Ingram, 5503 Mountwood, Houston, Texas 77091 (713-681-4206) appeared and stated that he was with the Acres Homes Citizen Council and today they were all present to show Council their concerns; that they knew there would be a budget cut and they felt the crunch; that Acres Homes was in the city about 32 years and Council Member Galloway needed help; that the members of the Acres Homes Citizen Council, approximately 48,000 people and 16 civic clubs, were present to lend their support but to also let them know that during the cuts to be considerate of Acres Homes; that Council Member Edwards was removing livestock from her area and it was coming to their area and they did not like it, some even had horses on land that was not their land, but today they were not present over livestock but the people; and again urged no cuts for their area. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Council appreciated each of them taking time to come to Council and expressing their concerns; that was what they were here for to see how the city could work in conjunction with neighborhoods to make them better and make a better city. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that they did not know their livestock had moved to Acres Homes, but she thanked him for telling her; and there was a program called Horses in the Hood where you use animals and horses to work with children so they did not want them all gone, but wanted them to work together. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that tentatively they were scheduling a meeting for June 16th in Neighborhood Protection to deal with possible new regulations for horses in residential areas; that he could check with her office. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Guy Lewis, 1801 Ferguson Way, Houston, Texas 77088 (281-448-8725) appeared and stated that he was present trying to keep a street opened; that Acres Homes had too many dead end streets as it was, in particular today he was informed a portion of the street may be private property and his neighbor said he was given instruction to close that section which was about 1/2 block and when it was closed he could not get to his property. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that his information stated Hilliard between Ferguson Way and Ester was private and the dispute was private between the two property owners; that the city had no right to tell him to open or close it and he hoped he would be able to resolve it with him; and Mr. Fiederlein was present and would speak with him. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Valkeith Fisher, 919 DeWalt, Houston, Texas 77088 (281-931-0370) appeared and stated that she had been a resident of the Acres Homes community all her life and today was speaking about the abandoned houses; there were many there and some were not boarded;

that they were asking for Council's help in tearing them down to protect the children and some of the addresses were 3205, 3212 and 3218 Cliff Marshall, 2725 and 2905 Starling Drive, 918 DeWalt, 10018 Lawn Allen and 3519 Clifdale. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated he would like her to give the list to Mr. Cantu's Office and Ms. Dillard was present; that there was a large backlog of homes to be torn down, but she would be able to help. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Thomas J. Birmingham, 384 Litchfield, Houston, Texas 77024 (713-465-7415) appeared and stated that he was present to find out whose responsibility it was for gas and power transmission within Houston. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that it used to be HL&P and Entex and now they were combined to Centerpoint Energy. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Birmingham stated that he asked because he was in Midtown three days ago and a private truck was putting up major power transmission lines and he asked who it belonged to and he said he did not know he was just told to install it; that it was a 4100 volt transmission line being done by a private contractor with obviously no license, he said he had no license, and he wondered if Public Works oversaw any of that. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that the Public Works Department could speak with him, but power transmission lines were private enterprises, they paid franchise fees to the city for use of right of way, but the city did not operate them and regulations were through the Public Utilities Commission of the State of Texas. Council Members Tatro, Galloway, Edwards, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Alma Cooper, 5508 Hialeah Dr., Houston, Texas 77092 (713-6864650) appeared and stated that she was present on behalf of a new organization, Latinos For Peace, and their concern was that during the last Cinco de Mayo parade members of LULAC pulled them out and they were left astonished and speechless for such action so they wanted to know if the parade organizers could restrain their right to speak and overlook their Constitutional rights and if organizers could determine who was entitled to freely communicate their political points of view and who was repressed and also wanted to know if Council's opinion supported that Constitutional rights had to be applied. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Ms. Cooper stated that they were registered to be in the parade and paid their fee, but they were told they did not want their signs and banners reflecting their political point of view while others such as candidates had their banners and expressed their points of view. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he was a member of LULAC and if she would present

information to his office he would speak with LULAC and see what happened. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Monique Ward, 1802 Blodgett, Houston, Texas 77004 (713-523-1316) had reserved time to speak but was not present when her name was called. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry 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. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Brandi Cooper, 9723 Arvin, Houston, Texas 77078 (713-635-2825) appeared and stated that she was present to thank Council Members for their support in the first annual HIV-AIDS Hip Hop Summit at the George R. Brown Convention Center; that because of their support and co-sponsorship they were able to bring awareness of the disease and how it affected the community; and asked for their continued support. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan thanked Ms. Cooper for all her work and stated that his office would be glad to support her in the future, she should contact his office. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Sandra Hines, 4425 Alvin, Houston, Texas 77051 (713-731-9806) appeared and stated that she was present in support of Ms. Brandi Cooper and wished to thank all Council Members especially Council Member Berry who had his staff there for three days; that when men and women entered prison they entered HIV negative and were at the greatest risk of getting the disease and passing it to families; that the disease was a silent killer and all should be educated. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards congratulated Ms. Hines, Ms. Cooper and all who worked on the program; and encouraged them to continue working with the SOE who would be able to help even more than the city. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Demetria Reed, 11150 Beamer Rd. #460, Houston, Texas 77089 (281-464-2733) appeared and stated that she was owner of Home Sweet Home Community Development and they decided to go into Sunnyside and build houses, but in the process they were trying to get the land which was owned by individual people who had delinquent taxes; that they were willing to pay taxes on the land and build a house but needed time; that they helped low income and elderly; that they could not build and sell a house when next door was a vacant house, etc., so they were having to redevelop the whole street, some donated the land but they needed time to pay taxes. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Ms. Reed stated that most of the liens were city taxes owed and they would like time to build a home and sell it and then pay the city the taxes owed. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards encouraged Ms. Reed to get with her office and stated that they



had a housing plan they developed and they talked with the firm who handled the city's delinquent taxes as to how to help someone do what she was doing and they could assist her. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that they were holding a seminar for Council Members on legal foreclosure and what could and could not be done on May 30th and they would be glad to have her attend. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. James Partsch Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak but was not present when his name was called. Council Members Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. William 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 Tatro, Galloway, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 appeared and stated that he was the official United States President and continued to express his personal opinions until his time expired. Council Members Tatro, Galloway, Edwards, Wiseman, Keller, Vasquez, Sekula-Gibbs, Berry 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 the U. N. Security Council and U. S. law makers were all guilty and continued to express his personal opinions until his time expired. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Joseph Omo Omuari, 15 Charleston, Houston, Texas 77025 (713-665-1929) appeared and stated that he was not complaining, but Ms. Pruitt had been out of a home for a longtime now and he would like to see if she could put in an application for Section 8 housing and be expedited as a homeless individual and possibly an agency assist her in paying the deposit; that this had been ongoing for two years and was very doable. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that they put in a request to Congresswoman Lee for consideration of Ms. Pruitt for Section 8 housing and had no response yet; that there was a long waiting list of about 60,000 people and they had worked with Coalition for the Homeless but she did not want to go to a shelter; that Mr. Cantu had made diligent efforts to assist in this matter and he could speak with him. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

At 4:22 p.m., City Council recessed until 9:00 a.m., Wednesday, May 21, 2003. Mayor Brown absent on personal business. Council Member Ellis absent due to being ill. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Parker, Sekula-Gibbs, Berry and Robinson absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, May 21, 2003, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, 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; and Ms. Martha Stein, Agenda Director present. Council Member Mark Ellis absent due to being ill.

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

At 9:13 Mayor Brown reconvened the meeting of the City Council. Council Member Wiseman absent.

### **MAYOR'S REPORT**

Council Member Vasquez moved to suspend the rules to consider Item Numbers 40, 40a, 2, 2a, 52, 30, 51, 51a and 54 out of order, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Ellis absent due to being ill. Council Member Wiseman absent. MOTION 2003-0481 ADOPTED.

40. ORDINANCE appropriating \$147,830.85 out of Parks Consolidated Construction Fund in connection with design and construction contracts presented by the Building Services Department for the Civic Art Program – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Council Member Wiseman absent. ORDINANCE 2003-0470 ADOPTED.

40a. ORDINANCE appropriating \$579,000.00 out of Parks Consolidated Construction Fund, awarding construction contract to **GULF COAST LANDSCAPE SERVICES, INC** for Construction of Hardy Tidwell Park GFS F-504B-03-3; providing funding for engineering testing services, Civic Art Program and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund and Civic Art Fund; containing provision relating to the subject - \$82,000.00 Parks Consolidated Construction Fund - **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Council Member Wiseman absent. ORDINANCE 2003-0471 ADOPTED.

Council Member Vasquez stated that he wanted to thank Mayor Brown for his commitment and support of the project, that it was a project that they all agreed upon, from the very beginning, would be for all of Houston's veterans and not for any one group, that it was a great project and deserved a lot of recognition. Council Member Wiseman absent.

Council Member Vasquez moved to suspend the rules to hear from Mr. Richard Perez, seconded by Council Member Keller. All voting aye. Nays none. Council Member Ellis absent due to being ill. Council Member Wiseman absent. MOTION 2003-0481 ADOPTED.

Mr. Perez stated that he was a 100% disabled veteran and had artificial hips and was hurt real bad, that he worked for intelligence in the Marine Corp., that one of the things was that he loved his beloved Marine Corp., but he was saved not by the Marine Corp. but by the Air Force, that they came in to take them out because they were 35 miles behind enemy lines, that they had the Army come in with their chopper to take out the recon team who was embattled, that it was all documented through Congressman Green on how the battle went on, but the thing was that they had always emphasized in the military that they were there to help all veterans, that it was not a minority thing, it was for all veterans, that he wanted to make City Council aware of it, that what ever was written they were not mad, it was just the idea that they were there to serve all the veterans, that the Mayor and Council would be very proud with the ideas they had as veterans in making the park one of the biggest attractions to the City of Houston, and Mayor Brown stated that they were all appreciative and grateful

for their service. Council Member Wiseman absent.

2. RECOMMENDATION from Director Library Department to Change the Library Fee Schedule – was presented, moved by Council Member Quan, seconded by Council Member Tatro. Council Member Wiseman absent.

Council Member Keller stated that it was unfortunate that they had to get to dire straights before they sought to seek help and admit that they were not doing a necessary function which was collecting fines, that it was also unfortunate that almost one third of the Library's budget was basically in outstanding debt and collection, that one example of why it may occur and it may occur repeatedly with departments was that he read in the newspaper that a Library spokesperson stated "collected fees and fines would do little to alleviate the department's financial problems because they go into the City's General Fund rather than the department's budget", that their incentive should be to collect the fines and fees and put them into the General Fund and when they add to the General Fund Council sees that the department was doing more to help the General Fund and actually encourages them to do more of the same and then they become a department that adds value to the General Fund, that he hoped they would give a little Economics 101 lesson with some of the spokespersons of the department, but it exemplifies why they were getting to these problems and why they did have to outsource and give away possibly 22% on the dollar, that he would rather have 78 cents on the dollar than zero cents on the dollar. Council Member Wiseman absent.

Council Member Parker stated that she sympathized with Council Member Keller, that in the five budgets that they had already passed since she had been in Council she had never seen them reward a department for doing exemplary service and saving money, that they usually said they had saved money or retrieved money, thank you, they appreciate it and they give it to someplace else, that Council Member Keller was right, that it was very short sided for anyone to say that they should not actively collect all the fines and fees due the City of Houston.

Council Member Alvarado stated that she wanted to echo the sentiments of her colleagues, and asked if there was an urgency to pass the item, and Mayor Brown stated that the sooner the more money they would collect, the more they delay the more money they would lose, and Council Member Alvarado asked if there was anyone present from the Library Department that could address some of their questions. Council Member Wiseman absent.

Council Member Alvarado moved to postpone Item No. 2 to the end of the agenda, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0483 ADOPTED.

- 2a. ORDINANCE approving and authorizing contract between the City of Houston and **UNIQUE MANAGEMENT SERVICES, INC** for Library Collection and Recovery Services for the Library Department; making various findings and provisions relating to the subject – was presented.

Council Member Alvarado moved to postpone Item No. 2a to the end of the agenda, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0484 ADOPTED.

52. ORDINANCE appropriating \$911,000.00 out of Equipment Acquisition Consolidated Fund and approving and authorizing contract between the City of Houston and **GETRONICSWANG CO. L.L.C.** for an IP Telephony System – (**This was Item 35 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER WISEMAN**) – was presented.

Council Member Parker stated that she had an amendment to Item No. 52 that she wanted to

distribute to the Council Members, that the debate over the last few weeks had revolved around what exactly they owned, what they should own, what was the most optimum configuration and who should tell them that, that there had been a lot of numbers thrown around, that she knew that during the initial contract proposals a number of companies bid on a line assessment and believed the range of fees for a line assessment for the City of Houston ranged from something like \$500,000 up to well over \$1 million, that in order to shift that discussion out of the overall discussion of moving into Voice Over IP in the future her amendment limits the agenda item only the line assessment portion, that her amendment had two parts and presented the following written motion:

Motion by Council Member Parker

1. "That the ordinance for Item 52 on the May 21 City Council Agenda be amended to change the amount appropriated from \$911,000 to \$527,757.
2. That Article IV Section F of the contract between the City of Houston and GetronicsWang appearing as Item 52 on May 21 City Council Agenda be amended to reduce the amount of the Original Appropriation from \$911,000 to "\$527,767 to pay the costs of the Phase I Assessment only."

Council Member Parker stated that they were not designing a Voice Over IP System and were not moving ahead with a Voice Over IP System, there were not going to be any CWA workers affected by any decisions the Council made today and would encourage her colleagues to consider the amendment. Council Member Alvarado absent.

Council Member Tatro stated that the item before them was for the Voice Over IP Contract, only the funding portion of the contract, that to make no mistake, the item before them was for passage of the contract, that it was for passage of the solution that was bid in the RFP and the funding level of that was only for the first two phases, the amendment simply reduced the funding amount, but they still would in effect pass the entire contract so it really did not nothing to affect the passage of the contract, it simply funded it at a smaller level only completing the first phase, what they would not obviously get, with the passage of the contract and the funding of any phase of it, was an independent analysis, and that was what the City was in dire need of, an independent analysis, and an independent assessment and that was what they should go out and bid on and come back to the table and look at, a truly independent assessment and would ask Council to reject the amendment because it was basically the same thing they were doing just funded at a lesser amount. Council Member Alvarado absent.

Council Member Sekula-Gibbs stated that she too would express her concern about the amendment and would encourage her colleagues to vote against because she thought it just caused confusion about the ultimate goal of what the item did, that it did start the wheels moving towards replacing all of their phone systems whether they made a \$900,000 down payment or a \$500,000 down payment, it did not matter, the final bill was going to be \$22 million and the final result was predetermined to be replacement of their phone system, that if they wanted to be clear it really did not change the heart of the matter at all, they had to address it as, were they going to move forward to replace their phone systems at the cost of \$22 million, or were they going to just put it to bed and go back to Southwestern Bell and tell them the City wanted their savings now, they were tired of waiting for their savings and they wanted the savings to be implemented today and move forward with that plan and that way get back to their core services and try to reduce the number of layoffs that were expected and get back to reopening libraries and keeping the clinics open, so she encouraged all of her colleagues to vote against the amendment.

Mayor Brown stated that to make sure it was clear the item had no impact on clinics or libraries it was a totally separate fund.

Council Member Quan moved to suspend the rules to hear from Mr. Richard Lewis, Director, IT Department, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Ellis absent due to being ill. Council Member Alvarado absent. MOTION 2003-0485 ADOPTED.

Upon questions by Council Members, Mr. Lewis stated that he had seen the amendment and it effectively limited the work to the assessment phase, that yes, after they completed the assessment phase they had the option to continue or discontinue after their assessment, that each step of the way they would have a choice as to whether to continue or not, that he had not seen the letter from SBC guaranteeing the savings at \$1.8 million, which was addressed to Council Member Parker, that the first time he saw it was at the Council table, that the assessment phase involved a complete inventory of the voice network, trunk analysis and so it provided, in his view, an independent third party with expertise in the area to work with the City and SBC on the actual projects that they had already started, that he thought it was very important that it complemented that, that any trunks that did not exist and any circuits that did not exist would not be part of the design phase and therefore would not be subject to the incentive payments associated in the contracts, that after the assessment phase if they disagreed with their assessment they were not obligated to continue, that it had always been the case that the City could terminate the contract at the end of the assessment phase and the motion limited the work and spending to just the assessment phase, that pricing for the assessment had been very competitive, the high number for the nine proposals they originally submitted for the assessment phase was \$3 million and the low was \$165,000, but the hours associated with that were way to low to actually perform the level of assessment that needed to be performed, that he thought the \$527,000 sounded like a very good number of hours and a very competitive hourly rate and that was why that firm was rated the highest in the ratings, that one firm was at \$1.7 million, SBC was at \$1.1 million, that they no longer had any confidentiality requirements to any of the proposers so they would give them the full list. Council Member Alvarado absent.

Mayor Brown stated that he had just received the letter to Council Member Parker himself where SBC stated they could save \$1.8 million and asked if they should get that savings regardless of what they do and Mr. Lewis stated yes, that they had already realized about \$423,000, that they had taken action on \$423,000 as of this date, and Mayor Brown stated if they had lines that were not being used it seemed to him that SBC should let them know or the City should ask them for that information so that they would not keep paying for those lines, and Mr. Lewis stated that was correct, and Mayor Brown stated that whatever they did they would get the savings due to the City from SBC and Mr. Lewis stated yes. Council Member Alvarado absent.

Upon further questions by Council Members, Mr. Lewis stated that it would be possible, after the assessment, to go with another firm for the design and implementation, that the City had the right to cancel the contract.

Council Member Robinson asked if they were not obligated to go forward with Getronics after the assessment could the question be divided to move forward only on the assessment, and Ms. Jo Wiginton, Legal Department, stated that she thought it would cause some problems just with the amount of the Letter of Credit, which would be way too much, that if they decided to move forward with just the assessment it would probably have to be agreed to by Getronics and did not think they would put up \$5 million to guarantee a \$500,000 application, and Council Member Robinson asked what was the difference to Getronics if the Council could, after the assessment, vote not to continue, why put up the \$5 million, and Mr. Lewis stated that from a business standpoint, by taking the action that had been suggested, they had basically locked in the prices if they chose to go forward, the schedules on the exhibits that were referred to, Exhibit B, the software, hardware and services, that they had locked in the prices and the hourly rates, that the maximum guaranteed price was triggered subsequent to the design phase, that they would have to do the design and they would have that triggered, that Getronics had always been at risk, all of the contract negotiations had always allowed the City to terminate the contract at the end of the assessment and at the end of design, and Council Member Robinson asked what was the spread between their price and the next lowest bidder, and also when was there going to be a contract amendment with SBC because certain of the cost savings that they were talking about were not just line elimination, that there was also a conversion to a new municipal tariff that would require an amendment to the existing contract and wanted to know where they were on that, and Mr. Lewis stated that last Thursday morning he had asked Mr. Ewen to deliver to his office a proposed draft amendment to extend the contract for 30 months and he had not received it yet but knew he

was working on it and as soon as it was received they would get it to the Legal Department and would commence expediting negotiations as soon as they receive their draft.

Council Member Galloway asked if they decided to upgrade their system did they have a value on the old system where they could have some extra revenue coming in, and Mr. Lewis stated yes, that the hardware/software prices had taken into account the trade in they would get on any of the hardware or software that they removed as a result of an implementation and those were very significant discounts.

Upon questions by Council Member Vasquez, Ms. Wiginton stated that the amendment meant that there was no way to proceed to the second phase without Council knowing it and appropriating the money and approving it, that if they chose to go to the next phase they also had the option of terminating at the end of Phase I and going somewhere else, that the language was built into the existing contract, and they then had the right to use the assessment document for whatever they wanted, that they would have to go out for a new RFP, that there was no other impact, from a legal perspective of the amendment that she could see, it just made it totally dependent on Council approval, that if they pass the amendment it states that no additional funds could be spent on any scope of services beyond the assessment phase.

Council Member Tatro stated that he wanted to tag the amendment and move to refer Item No. 52 back to the administration, seconded by Council Member Berry.

After further lengthy discussion, Council Member Goldberg stated that he thought they should vote down the motion to refer the item back and get on with the assessment so they could start saving the taxpayers money.

Council Member Vasquez asked Council Member Tatro if it was his intention to have the item go back to a committee to be reviewed or discussed, what was his intention with the motion, and Council Member Tatro stated that the motion was obviously to refer back, that he would hope that they could come to the TTI Committee with an independent assessment or an independent assessment RFP or contract which he thought would be competitive and thought they would see a substantial decrease in cost.

Council Member Quan stated that he too was opposed to the motion to refer back and thought a delay was more appropriate, that he thought that by separating the phases it was in fact an independent assessment because there was no guarantee that they were going to go to Phase II with these individuals, if they did not like the assessment they could go out for an RFP, that had been explained and thought they were accomplishing that, that he liked Council Member Parker's amendment, that he thought it being tagged was more appropriate so that they could consider them both together so he thought a delay would serve their purpose.

Council Member Sekula-Gibbs referred to the SBC letter that was presented at the Council table and stated that SBC had been offering the same thing and yet they had been delaying the implementation, that once the implementation of SBC's savings happens, Mr. Lewis's proposed savings and Getronics proposed savings were completely off, none of those numbers would come to reality and that was why she thought they could not go forward, whether they pay \$900,000 or \$500,000, with that particular contract because it was based on faulty numbers, that they had said that at every TTI meeting they had been to, that it was based on a faulty footprint, the closet was full of lines and they needed to reduce those lines and then go back to all of the nine contract bidders and say to re-bid based on the proper number of lines, that they were bidding on a contract that was based on the wrong number of lines to begin with and that was why they needed to refer it back.

Council Member Parker stated that Council Member Sekula-Gibbs called it a down payment but she would prefer to call it an incentive, that absolutely she thought that Getronics would do their best to try to justify moving ahead with the contract, that concept did not offend her in the least, her point about faulty numbers and faulty footprint, she thought, also bolstered the argument that what they

absolutely needed was an assessment, they needed to know what they had now, what they could eliminate and what they were going to be needing in the future and this was one way to accomplish it, that Getronics could not go ahead with any other part of the contract, but it did freeze the terms of the contract which seemed to be fairly beneficial to the City, if they could not convince Council Members that they were the best company to do the work they were not going to get any more work out of the contract, even though the shell of the contract was in place, it gave them the opportunity to completely review their work through the process and completely review again what that footprint was, what the number of lines were, what the optimum number of lines were and gave the City the time to decide whether moving forward was in the best interest of the City.

Council Member Galloway stated that she was against referring it back and would prefer a weeks delay because she thought the amendment was most appropriate and that they did need an assessment in order to know what they had and which way they were going on the contract, that she did recommend a delay so they could get both items together on the agenda.

After further discussion, Mayor Brown stated that he wanted to recognize Council Member Parker for a point of order, and Council Member Parker stated that she had a housekeeping amendment to the amendment she passed out, that her amendment went through a couple of lawyers, her staff, the Agenda Office and Anna Russell caught a typo in the amendment in the second paragraph, that it was Article IV Section E not F, that there was no change, that she was glad that Ms. Russell caught it and she thanked her for that, that she did phenomenal job, and Mayor Brown stated that on No. 2 it should read "E" rather than "F" and shown below:

2. That Article IV Section F of the contract between the City of Houston and GetronicsWang appearing as Item 52 on May 21 City Council Agenda be amended to reduce the amount of the Original Appropriation from \$911,000 to "\$527,767 to pay the costs of the Phase I Assessment only."

Council Member Keller stated that he would like to offer a substitute motion to delay the item one week instead of referring it back and called the question, seconded by Council Member Vasquez.

Council Member Keller moved to call the question on Item No. 52, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0486 ADOPTED.

Mayor Brown stated that the motion before them was to delay Item 52, that it was a substitute motion, for one week rather than referring it back.

Council Member Keller offered a substitute motion to postpone Item No. 52 for one week, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0487 ADOPTED.

Mayor Brown stated that now the amendments and the main item had been delayed for one week.

Council Member Robinson requested that someone advise him if and when the folks from Southwestern Bell respond to Mr. Lewis's request to provide them with language for the amendment to the contract, so that they would know it had arrived, and Mr. Lewis motioned that he would.

30. ORDINANCE approving authorizing a professional Legal Services contract between the City of Houston and **VINSON & ELKINS, L.L.P.** for Appeal of the Decision of the surface transportation board in the Bayport Loop Rail Line Matter - \$250,000.00 - Enterprise Fund – was presented.

Council Member Quan stated that he liked Vinson & Elkins and thought they were a great law firm, but had reservations about allocating a quarter of a million dollars to fight the issue, that he knew

that several Council Members strongly felt that they needed to fight the decision, that he thought they had adequate resources within their Legal Department and knew they had a deadline, but thought the more prudent way was for them to begin negotiating with Burlington Sante Fe to see what route would be the least intrusive to their citizens, that he thought only when they began negotiation in earnest would Union Pacific begin to consider sharing track. Council Member Parker absent.

Mr. Hall stated that they did not have anybody on their staff who had ever practiced at all in the Surface Transportation Board process, that to say they had that expertise was a stretch, they tried not to have their lawyers practice for the first time on things that were important to the Council, that was a very specialized area of practice, quite frankly, and they made several attempts to have lawyers they had already engaged handle it, private lawyers, and they frankly indicated that they did not have the expertise and all of them recommended this person if they had any chance, that there had been numerous efforts to talk compromise, Council Members had them, the Legal Department had them, that they were aware that was not the way to get compromise, that people tended to compromise when they had something to lose and they wanted to make certain that there was at least something put in play so that they could get a compromise, that he indicated last week that they hoped they could have some discussions if it went forward about at least mitigating the impact of a rail line that would be built, that to understand that all of the routes had been approved so they needed to make certain that they entered their objections in the order of preference in the record so that there would be something on which there could be discussion and compromise, to get that done effectively they needed the help, that they had told them what the City's preferred route was and they had made their decision and it was the most objectionable route to the City and they had no way to make them change it unless they could get a contest of their decision, and Council Member Quan asked if Mr. Hall felt that by further appealing they would then have more leverage, and Mr. Hall stated yes, and Mayor Brown stated that it was the only leverage they had at this time if they had already made their decision, if they did not do anything then they would get what they wanted. Council Members Tatro, Keller and Parker absent.

After further discussion by Council Members a vote was called on Item No. 30. Council Member Quan voting no, balance voting aye. Council Member Ellis absent due to being ill. Council Member Goldberg absent. MOTION 2003-0472 ADOPTED.

Council Member Keller moved to suspend the rules to consider Item Numbers 47 and 48 after Item No. 54, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. Council Member Goldberg absent. MOTION 2003-0488 ADOPTED.

51. ORDINANCE making an appropriation of \$15,000,000.00 from the Public Works & Engineering Accumulated Unexpended Fund (Fund No. 754); authorizing its transfer to the Rainy Day Fund (Fund No. 12R); amending Ordinance No. 2003-0243 related to the Interim Borrowing of Cash in support of the City's General Fund – **(This was Item 32 on Agenda of May 14, 2003, POSTPONED BY MOTION #2003-461)** – was presented. Council Members Tatro, Berry and Wiseman voting no, balance voting aye. Council Member Ellis absent due to being ill. Council Member Goldberg absent. ORDINANCE 2003-0473 ADOPTED.
- 51a. ORDINANCE amending and restating the City of Houston's Financial Policies adopted by Ordinance No. 1987-1881, and previously amended by Ordinance No. 1997-776, to add a provision related to the City's Rainy Day Fund – **(This was Item 32a on Agenda of May 14, 2003, POSTPONED BY MOTION #2003-462)** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Council Member Goldberg absent. ORDINANCE 2003-0474 ADOPTED.
54. ORDINANCE making an appropriation of \$15,000,000.00 from the Public Works & Engineering Accumulated Unexpended Fund (Fund No. 754); authorizing its transfer to the Stormwater Utility Fund (Fund No. 227) – **(This was Item 38 on Agenda of May 14, 2003, POSTPONED BY MOTION #2003-463)** – was presented. Council Member Goldberg



absent.

Council Member Tatro stated that Item No. 51 was a transfer of \$15 million Water and Sewer money to the General Fund out of the Water Sewer Enterprise Fund and this item was another transfer of \$15 million out of the Water Sewer to the Storm Utility Fund which was typically funded by current revenues, that in this transaction and the other transaction combined it was \$30 million of Water Sewer money being transferred out of the Water Sewer Department, which was about 5% or 6% of the City's total revenues for the year, that how the Council could suggest that they were taking steps to make sure that future people did not transfer Water Sewer money out and that they were doing something to secure the ratepayers in the future, he thought, was beyond hypocrisy. Council Member Goldberg absent.

Council Member Robinson stated that he was under the mistaken impression that Fund 227 was the Drainage Fund where they normally transferred the 5%, 4% for the drainage projects and 1% for National Pollutant Discharge, and they normally did that anyway, they just moved up the date of half the transfer and that was all that happened on Item No. 54, that he did not know that they were doing something extraordinary different than they had done in the past, and on Item No. 51 and 51a, instead of moving the \$25 million that they had agreed to do at the beginning of the budget year, they used it to help balance and they moved this money over there so now they had \$20 million in cash in case another Tropical Storm Allison occurs, so the citizens of Houston would at least have that cash on hand which was distinct from the Fund Balance, which was really not real money, so he was pretty proud of what they were doing today, they at least had half the money for their drainage projects and had \$20 million cash on hand to deal with an anticipated emergency, that he respected Council Member Tatro's position but he was glad they took the two steps today.

A vote was called on Item No. 54. Council Members Tatro, Berry and Wiseman voting no, balance voting aye. Council Member Ellis absent due to being ill. ORDINANCE 2003-0475 ADOPTED.

47. ORDINANCE approving first amendment of the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown); authorizing the City Secretary to distribute such plans - **DISTRICTS C - GOLDBERG and G - KELLER** – **(This was Item 19 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER TATRO)** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0476 ADOPTED.

Council Member Tatro stated that he wanted to point out a happening or a funding mechanism that was happening within the TIRZ's that he disagreed with, that TIRZ's were funding and reimbursing developers for water and sewer replacements within the TIRZ with TIRZ money, that normally when a developer develops or replaces or enhances water and sewer facilities for the City by extensions they enter into what was called the developer reimbursement, because it was beneficial for the City, the developer did that so the City reimburses the developer for engineering construction costs, but what was not happening was that those developer reimbursements were not being used within the TIRZ, what they were doing was paying TIRZ money, which was the ad valorem money to the developer with reimbursement of utility expenses, that he thought the proper course of action would be for the Water Sewer Enterprise to fund or pay the developer what would be a standard Developer Reimbursement Agreement, that the problem it created was they did not use proper funding to replace water lines within the TIRZ and it prolonged the life of the TIRZ by the TIRZ having to issue more debt to fund water sewer improvements, therefore extending the life of the TIRZ because the TIRZ had to pay off debt, that he would encourage possibly the Planning and Development Department and the administration to look at that funding mechanism to approach the TIRZ's to look at proper funding and proper reimbursement of water sewer capital expenditures in the TIRZ and properly pay for them with water sewer money that way the TIRZ had to incur less debt and the TIRZ would actually retire earlier, therefore they would reap the benefits as taxpayers because once the TIRZ

retired and went away and paid its debt all of that revenue would flow back into the City. Council Members Wiseman and Robinson absent.

Council Member Parker stated that she was under the impression that the Water and Sewer Enterprise did repay the General Fund for all water and sewer expenditures made by the TIRZ, and Mr. Haines stated that was correct, that the process was simple, that the TIRZ was essentially, as everybody knew, a draw on the General Funds property tax load anyway and that was a reimbursement that went indirectly into the General Fund from the Water and Sewer Fund, and Council Member Parker asked if it would matter whether the money went back to the TIRZ or the General Fund in the reimbursement, and Mr. Haines stated that advantage to the General Fund was the way it was being done presently, and believed it was a matter that was discussed by Council a few years ago when they looked at it during a previous budget, rather than accruing that benefit to the TIRZ fund, that he thought the TIRZ were doing just fine.

Council Member Goldberg stated that he thought Council Member Tatro did bring up a valid point, that TIRZ money, which expect for the TIRZ, would be General Fund money, was going to pay back water and sewer, which expect for the TIRZ, would come out of the Water and Sewer Enterprise, that it was almost akin to taking money improperly out of the ALP, they were taking General Fund money and putting it back in Water and Sewer when they should be using the Water and Sewer Enterprise money and paying it back, and asked when they were talking reimbursement developers, was there a difference in the way they reimbursed developers versus redevelopers, and Mr. Haines stated that he would get him answer, that citywide they did not participate in any way on redevelopment projects that were within the TIRZ, that it was all done 100% by the developer.

Council Member Keller stated that regardless of whether it was a TIRZ or not they had with their impact fees some incentive for developers to increase the size of infrastructure beyond the codes.

48. ORDINANCE appropriating \$167,791.00 out of Airport System Subordinate Lien Revenue Bonds, Series 2000B (NON-AMT) Construction Fund, CIP A-0390, and approving and authorizing Change Order No. 3 to construction contract between the City of Houston and **STEWART-MATL, LTD.** for HAS Administration Building Renovation and Expansion at George Bush Intercontinental Airport/Houston (IAH), Project No. 562B - **DISTRICT B - GALLOWAY** – (**This was Item 21 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER KELLER**) – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0477 ADOPTED.

### **CONSENT AGENDA NUMBERS 1 through 41**

#### **MISCELLANEOUS** - NUMBER 3

3. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$67,974.46 to Lone Star Groundwater Conservation District for water user fee for 2003 Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0489 ADOPTED.

#### **ACCEPT WORK** – NUMBER 7

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$8,556,553.73 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Construction of 84-inch Water Main along Kelley and Kashmere, GFS S-0900-41-3 (10559) - 03.40% over the original contract amount - **DISTRICTS B - GALLOWAY and H - VASQUEZ** – was presented, moved by

Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0490 ADOPTED.

**PROPERTY** - NUMBERS 8 through 11

8. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee disclaiming, releasing and relinquishing the City's right, title, interest, claim and demand in and to a 15-foot-wide alley, from Sherman Street to the Hike and Bike Trail, located within Block 32, Oak Lawn Addition, on request from David Cindric of Vinson & Elkins L.L.P. on behalf of Latino Learning Center, Inc (Frank Orozco, executive director) **DISTRICT H - VASQUEZ** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0491 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Doris Smith on behalf of Good Hope Missionary Baptist Church (Reverend D. Z. Cofield, pastor), for abandonment and sale of a portion of a 15-foot-wide easement, located between Lots 5, 6, and 7 and Lots 8, 9, 10, 11, and part of Lot 12, Block 33, in exchange for the conveyance to the City of a 15-foot-wide sanitary sewer easement along the west property line of Lot 12, Block 33, all within Riverside Terrace, Section 5, Parcels SY3-061 and DY3-022 - **STAFF APPRAISERS - DISTRICT D - EDWARDS** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0492 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcels KY3-055A, KY3-055B, KY3-055C and KY3-055D, located within the 150-foot wide Houston Lighting and Power utility corridor between Appletree and IH-10, owned by Reliant Energy Incorporated, formerly known as Houston Lighting and Power Company, now known as CenterPoint Energy Houston Electric, LLC, a Texas limited liability company, for **APPLETREE WATERLINE EASEMENTS PROJECT from Apple Tree and IH-10**, CIP S-0900-53-3 \$87,234.00 - **DISTRICT G - KELLER** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0493 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 16 and 18

16. **AMEND MOTION #2003-0081, 1/29/03, TO INCREASE** award to purchase two additional garbage trucks for Solid Waste Management Department, awarded to **HOUSTON FREIGHTLINER, INC** for a total increase of \$277,358.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0494 ADOPTED.
18. **AMEND MOTION #2000-1011, 8/16/00, TO EXTEND** term from August 16, 2003 to August 15, 2004, for Screw Fasteners Contract for Various Departments, awarded to **D. F. SALES** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0495 ADOPTED.

**ORDINANCES** - NUMBERS 20 through 41

32. ORDINANCE approving and authorizing (1) an untreated water supply contract between the City of Houston and **AIR PRODUCTS, L.P.** and (2) an amendment to the Untreated Water Supply contract between the City of Houston and **CROWN CENTRAL**

**PETROLEUM CORPORATION** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0478 ADOPTED.

37. ORDINANCE appropriating \$2,002,000.00 out of the Water & Sewer System Consolidated Construction Fund, awarding contract to **BEARDEN CONTRACTING COMPANY** for Water Line Grid Extension Package II at Various Locations, GFS S-0700-55-3 (WA10676); providing funding for engineering testing, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D- EDWARDS** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0479 ADOPTED.
39. ORDINANCE appropriating \$2,081,500.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **LAUGHLIN-THYSSEN, LTD.** for Pressure Reducing Valve Station Improvements Package 2, GFS S-0900-79-3 (WA10658-2); providing funding for engineering testing, construction management, and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - Fund No. 755 - **DISTRICTS B - GALLOWAY; D - EDWARDS; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0480 ADOPTED.
41. Omitted

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:**

**MISCELLANEOUS**

1. RECOMMENDATION from Director of Houston Parks and Recreation Department for approval to reinstitute fees for the Houston Parks and Recreation 2003 Summer Enrichment Program – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0496 ADOPTED.

**ACCEPT WORK**

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$7,282,710.49 and acceptance of work on contract with **LAUGHLIN ENVIRONMENTAL, INC** for Northeast Regional Right of Way Maintenance Facility, GFS D-069A-01-3 - 04.77% over the original contract amount - **DISTRICT I – ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Keller.
5. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,255,248.16 and acceptance of work on contract with **PROGRESSIVE COMMERCIAL AQUATICS, INC** for Parks to Standard Program - Phase II, Agnes Moffitt Pool Renovation, GFS F-0363-42-3 - 05.00% over the original contract amount - **DISTRICT A– TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Goldberg.
6. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$337,127.00 and acceptance of work on contract with **TURNER PAVING & CONSTRUCTION, INC** for Renovation of Parking Lot “H”, GFS B-0018-01-3 - 04.03% 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 Ellis absent due to being ill. MOTION 2003-0497 ADOPTED.

## PROPERTY

10. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel HY2-012, located at 6905 Avenue L, owned by David O. Duran and wife, Esperanza Duran, for the **FIRE STATION NO. 20 EXPANSION PROJECT**, CIP C-0142-01-3 - **DISTRICT I - ALVARADO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0498 ADOPTED.

## PURCHASING AND TABULATION OF BIDS

12. **AMEND MOTION #2000-0887, 7/5/00 and #2002-0533, 5/8/02, TO EXTEND** term from July 5, 2003 to July 4, 2004, for Card Reader Access Control Components, Parts and Labor Contract for Houston Airport System, awarded to **TEXAS TECHNICAL SERVICES, INC** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0499 ADOPTED.
13. **SHOOTING RANGES INTERNATIONAL, INC** for 16 Projectile Trap Assemblies for Houston Police Department - \$69,996.96 -Police Special Services Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0500 ADOPTED.
14. **A&T ENVIRONMENTAL CLEANING, INC** for Demolition Services for Planning & Development Department - \$66,799.00 and contingencies for an amount not to exceed \$70,138.95 Dangerous Building Consolidated Fund – was presented.

Council Member Galloway stated that she was glad that her colleagues were supporting the demolition of the dangerous buildings, but she had noticed that one that should have been on some of the lists had not appeared yet and had been pending for approximately two years and was on Oak Street and would like a report as to the status of the three houses that were on Oak Street within a block of Athen Elementary School, that she could not understand why they had not come up to be demolished.

A vote was called on Item No. 14, and Council Member Goldberg stated that he would tag Item No. 14.

15. **WILLIS DEMOLISHING/DISPOSAL** for Demolition Services for Planning & Development Department - \$37,700.00 and contingencies for an amount not to exceed \$39,585.00 Dangerous Building Consolidated Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0501 ADOPTED.
17. **LONE STAR TISSUE, INC** - \$1,404,652.30, **MORSE WHOLESALE PAPER CO., INC** \$196,255.65, **STARCO DISTRIBUTION** - \$32,078.78 and **UNISOURCE** - \$900,844.89 for Paper Products for Various Departments - \$2,533,831.62 - General and Enterprise Funds – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Wiseman.
19. **CENTERPOINT ENERGY ALTERNATIVE FUEL** for Purchase of Compressed Natural Gas (CNG) from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Department - \$47,500.00 - Central Service Revolving Fund – was presented, moved by Council Member

Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0502 ADOPTED.

## **ORDINANCES**

20. ORDINANCE amending Chapters 10 and 32 of the Code of Ordinance, Houston, Texas, relating to the maintenance or adoption of natural areas – was presented, and tagged by Council Member Wiseman.
21. ORDINANCE amending certain prior Ordinances relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series A; approving a substitute credit agreement; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such notes, including the approval of a seventh amended and restated issuing and paying agency agreement, a seventh amended and restated dealer agreement and an updated offering memorandum – was presented, and tagged by Council Member Tatro.
22. ORDINANCE amending certain prior Ordinances relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series D; approving a substitute credit agreement; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such notes, including the approval of a first amended and restated issuing and paying agency agreement, a first amended and restated dealer agreement and an updated offering memorandum – was presented, and tagged by Council Member Tatro.
23. ORDINANCE amending certain prior Ordinances relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series B; approving a substitute credit agreement; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such notes, including the approval of a second amended and restated issuing and paying agency agreement, a second amended and restated dealer agreement and an updated offering memorandum – was presented, and tagged by Council Member Tatro.
24. ORDINANCE amending certain prior Ordinances relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series C; approving a substitute credit agreement; making certain covenants and agreements in connection therewith; resolving other matters incident and related to the issuance, sale, delivery and security of such notes, including the approval of a third amended and restated issuing and paying agency agreement, a third amended and restated dealer agreement and an updated offering memorandum – was presented, and tagged by Council Member Tatro.
25. ORDINANCE consenting to the addition of 254.00 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 23**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0481 ADOPTED.
26. ORDINANCE approving and levying an assessment for and on behalf of **LAMAR TERRACE PUBLIC IMPROVEMENT DISTRICT NO. 2** – was presented, and tagged by Council Member Goldberg.
27. ORDINANCE approving and authorizing lease agreement between **BNC SOUTH LOOP ASSOCIATES, L.P., as Landlord**, and the City of Houston, Texas, as tenant, for space at 2636 South Loop West for use by Neighborhood Protection Division, Planning Department; containing findings and other provisions related to the subject - \$4,314,098.48 - General Fund **DISTRICT C – GOLDBERG** – was presented, and tagged by Council Member Tatro

and Keller.

28. ORDINANCE approving and authorizing an Emissions Reduction Incentive Grant Agreement between the City of Houston and **TEXAS COMMISSION ON ENVIRONMENT QUALITY (“TCEQ”)** and an Emissions Reduction Incentive Grant Agreement between the City of Houston and **HOUSTON-GALVESTON AREA COUNCIL (“H-G AC”)** for Purchase and Installation of Emission Reduction Technology on City Vehicles; making various finding and provisions relating to the subject - \$1,107,000.00 - Grant Funds – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0482 ADOPTED.
29. ORDINANCE approving and authorizing acceptance of a proposal from **FIDELITY & DEPOSIT COMPANY OF MARYLAND** for a three year Crime Policy for Public Employee Dishonesty Insurance - \$85,917.00 – was presented, and tagged by Council Member Goldberg.
31. ORDINANCE awarding contract to **ELEVATOR MAINTENANCE CO., INC** for Elevators, Escalators, Booklifts & Manlifts Maintenance Services for Various Departments; providing maximum contract amount; making various findings and provisions relating to the subject 3 years with 2 one year options - 2,379,177.87 - General, Enterprise and Fleet Management Funds – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Mayor Brown absent. ORDINANCE 2003-0483 ADOPTED.
33. ORDINANCE appropriating \$370,735.00 out of General Improvement Consolidated Construction Fund and approving and authorizing professional consulting services contract between the City of Houston and **M. ARTHUR GENSLER, JR. & ASSOCIATES, INC. d/b/a GENSLER** for Design of the Municipal Courts Master Plan, GFS D-0105-01-2; providing funding for contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund – was presented, and tagged by Council Member Keller. Mayor Brown absent.
34. ORDINANCE appropriating \$495,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Design of Kirby Drive Improvements for IH-610 to Brays Bayou under a professional engineering services contract with **TURNER COLLIE & BRADEN, INC** (approved by Ordinance No. 02-0013) CIP N-0775-01-2 (SB9081); providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund; containing provisions relating to the subject - **DISTRICTS C - GOLDBERG and D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Mayor Brown absent. ORDINANCE 2003-0484 ADOPTED.
35. ORDINANCE appropriating \$1,700,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation to Professional Program Management Services contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for Street & Bridge Program Management (as approved by Ordinance No. 01-0863) GFS N-0668-06-2 (SB9061); containing provisions relating to the subject – was presented, and tagged by Council Member Wiseman.
36. ORDINANCE approving and authorizing contract amendment between the City of Houston and **KINSEL INDUSTRIES** for Repair and Replacement of Concrete Pavement, Sidewalks, Driveways, Wheelchair Ramps and Mudjacking Pavement, authorizing the Director to approve an assignment of the contract to **MAIN LANE INDUSTRIES, LTD**, CIP N-0655-02-3 - \$1,459,410.00 General and Stormwater Utility Funds – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Mayor Brown absent. ORDINANCE 2003-0485 ADOPTED.

38. ORDINANCE appropriating \$1,319,024.13 out the Street & Bridge Consolidated Construction Fund and \$222,024.11 from Water and Sewer System Consolidated Construction Fund, awarding contract to **REYTEC CONSTRUCTION RESOURCES, INC** for Bertner Bridge and Paving from Holcombe to South Braeswood, Package 1, Holcombe to Brays Bayou, GFS N-0722-01-03 (SB9089); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund; containing provisions relating to the subject **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Mayor Brown absent. ORDINANCE 2003-0486 ADOPTED.

**MATTERS HELD** - NUMBERS 42 through 54

42. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$2,456,240.69 and acceptance of work on contract with **C. E. BARKER, INC** for Construction of Water Main Replacement in Langwood Subdivision Section 1, GFS S-0036-L1-3 (10493) - 04.07% over the original contract amount - **DISTRICT A – TATRO – (This was Item 4 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. Mayor Brown absent. MOTION 2003-0503 ADOPTED.
43. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **HOUSTON G&G DEMOLITION SERVICE, INC** for Securing of Dangerous Buildings and Site Clean-up Services for Planning & Development Department - \$35,712.00 and contingencies for a total amount not to exceed \$37,497.60 - General Fund – **(This was Item 7 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBERS SEKULA-GIBBS and GOLDBERG)** – was presented.

Council Member Sekula-Gibbs stated that she would like to refer Item No. 43 back to the administration for consideration of the next lowest bidder, seconded by Council Member Goldberg.

Council Member Edwards asked if they had any idea how long that process would take because they were getting quite a number of calls from citizens because it was tagged last week, and Mr. Hall stated that they advised that the bid was still alive and they could still go to the next one so it would not take very long, and Council Member Edwards asked if there was a problem and Council Member Sekula-Gibbs stated that it was unpaid taxes, and Council Member Quan stated that they would try to get it back on the agenda within the next two weeks.

Council Member Sekula-Gibbs offered a substitute motion to refer Item No. 43 back to the administration, seconded by Council Member Vasquez. Council Member Edwards voting no, balance voting aye. Council Member Ellis absent due to being ill. MOTION 2003-0504 ADOPTED.

44. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **AAA DEMOLISHING COMPANY** for Demolition Services for Planning & Development Department - \$33,600.00 and contingencies for an amount not to exceed \$35,280.00 - Dangerous Building Consolidated Fund – **(This was Item 8 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER GOLDBERG)** All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0505 ADOPTED.



45. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **TRAILER WHEEL & FRAME** for Trailers for Department of Public Works & Engineering \$33,370.00 - Enterprise Fund – **(This was Item 9 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER SEKULA-GIBBS)** – was presented.

Council Member Sekula-Gibbs moved to postpone Item No. 4 for one week, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0506 ADOPTED.

46. ORDINANCE authorizing the issuance of City of Houston, Texas Tax and Revenue Anticipation Notes, Series 2003 to provide for the payment of the current expenses of the City for the Fiscal Year beginning July 1, 2003, and ending June 30, 2004; prescribing the terms and form thereof; providing for the payment of the principal thereof and interest thereon; approving and authorizing the distribution of the Preliminary Official Statement to provide for the competitive sale of the Notes; authorizing Paying Agent/Registrar Agreement and other agreements relating thereto; approving Co-bond Counsel, and Paying Agent/Registrar for such Notes; making other provisions relating to such Notes including use of the proceeds thereof, and matters incident thereto; and declaring an emergency – **(This was Item 15 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER TATRO)** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0487 ADOPTED.

- 46a. ORDINANCE approving a supplemental borrowing evidenced by City of Houston, Texas, Tax and Revenue Anticipation Note, Series 2003A to provide for payment of current expenses of the City for a portion of Fiscal Year 2004; authorizing repayment of the principal of and interest on such Note; authorizing the procedure for determining the terms and conditions of such Note as evidenced by Note Purchase Agreement; authorizing execution of a Co-bond Counsel Agreement; making other findings and provisions related to the subject; and declaring an emergency – **(This was Item 15a on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER TATRO)** – was presented. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0488 ADOPTED.

49. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from David Meredith of Pinnell Survey Co. on behalf of F. W. Gartner Thermal Spraying Co. (Michele Falzon, president) for abandonment and sale of Lamar Street, from Milby Street to St. Joseph Street, in exchange for the conveyance to the City of a 10-by 10-foot fire hydrant easement, between Blocks 2 and 3, Woodleigh Addition, Parcels SY3-043 and KY3-126 - **APPRAISERS - DISTRICT I - ALVARADO** – **(This was Item 30 on Agenda of May 14, 2003, TAGGED BY COUNCIL MEMBER ALVARADO)** – was presented.

Council Member Alvarado named Mr. Cecil Bringham and Ms. Roberta Connerly as appraisers and moved approval of the recommendation, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0507 ADOPTED.

50. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department, to award to **FOCUS CAMERA, INC** \$481,699.85, **HPI INTERNATIONAL, INC** - \$54,866.70, **THE TAPE COMPANY (Bid No. 3)** \$33,440.00 and **THE TAPE COMPANY (Bid No. 2)** - \$99,615.50 for Photography Supplies for Various Departments except Fire and Police Departments - \$669,622.05 - General, Enterprise, Cable Television and Building Inspection Funds – **(This was Item 31 on Agenda of May 14, 2003, POSTPONED BY MOTION #2003-458)** –

was presented.

Council Member Wiseman stated that she wanted to thank Mayor Brown and his staff and the departments that were involved in Item 50 for the work they had done with her in trying to amend the item, that she had been working in trying to adjust the spending authority to better reflect the budgeted line items from the departments for this area of spending, that what was brought before them was extremely inflated, as far as the spending authority went, the fact that Mayor Brown was working with her to bring that level down to where it appropriately reflected what had been budgeted, she appreciated that, however there were still a couple of departments that they needed to bring the level down on and they were working with them and it should take another couple of days.

Council Member Wiseman moved to refer Item No. 50 back to the administration, seconded by Council Member Keller. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0508 ADOPTED.

53. ORDINANCE awarding contract to **JOHN WARNER HORSESHOEING** for Farrier Services for Houston Police Department; providing a maximum contract amount - 3 Years with two one-year options - \$606,750.00 - General Fund – **(This was Item 37 on Agenda of May 14, 2003, POSTPONED BY MOTION #2003-475)** – was presented.

Council Member Keller moved to amend Item No. 53 to reduce the total contract amount from \$606,750 to \$475,000, and stated that it was a reduction of \$131,750, seconded by Council Member Tatro.

Council Member Parker asked if the intent was to limit the term of the contract and Council Member Keller stated that was the only amendment to the contract, which was to amend the amount, everything else in the contract would stay the same, that what they did was the numbers, there was a different chart for large horses versus small horses and they took the exact amount of large horses and small horses and calculated upon that and left a contingency in place and the Police Department had worked with them on it and had agreed to the change, and Council Member Parker stated that it was still a three year contract with two five year options, with a limited amount of funding in the contract and Council Member Keller stated yes.

A vote was called on Council Member Keller's motion to amend Item No. 53. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0509 ADOPTED.\

A vote was called on Item No. 53 as amended. All voting aye. Nays none. Council Member Ellis absent due to being ill. ORDINANCE 2003-0489 ADOPTED.

2. RECOMMENDATION from Director Library Department to Change the Library Fee Schedule – was presented.

Mayor Brown stated that the Librarian was present and requested a motion to hear from her.

Council Member Robinson moved to suspend the rules to hear from Ms. Barbara Gubbin, Director, Houston Public Library, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Ellis absent due to being ill. MOTION 2003-0510 ADOPTED.

Council Member Alvarado stated that she had an amendment for Item No. 2a and did not have any questions for Ms. Gubbin and was passing out a written amendment. Council Members Tatro and Robinson absent.

Council Member Vasquez stated that he would tag Item No. 2 and stated that he would like

to hear the discussion on Item No. 2a and might release his tag. Council Members Tatro and Robinson absent.

- 2a. ORDINANCE approving and authorizing contract between the City of Houston and **UNIQUE MANAGEMENT SERVICES, INC** for Library Collection and Recovery Services for the Library Department; making various findings and provisions relating to the subject – was presented. Council Members Tatro and Robinson absent.

Council Member Goldberg stated that the amendment was for directing all of the funds or revenue collected by the Library or collection agent to the Library and asked if the Library's budget was dependent on the revenue and they would assign their budget inclusive the revenue what was the effect if the revenue was going up or down, one year it would be high, maybe the first year they collect everything they could and the next year they figure out the budget with that same amount of revenue in place and they do not collect that amount of revenue, what would happen then. Council Members Tatro and Robinson absent.

Mayor Brown asked Mr. Haines to address that because the amendment did have an impact on how they put the budget together. Council Members Tatro and Robinson absent.

Mr. Haines stated that the question was whether or not it could be applied in a contract because as he understood it the amendment related to the budget and that was something that the City Attorney had to answer, however they had built into the FY04 Budget both the \$700,000 and about \$500,000 revenue to the General Fund so that any amendment that would accrue above or any amount, the FY04 Budget would have to be reconstructed relative to the revenues that had been identified for Council that went in last week, that was something certainly that they could visit about when they went through the Fiscal Affairs Committee and the meetings, but it would pull the budget out of balance. Council Member Tatro absent.

Council Member Goldberg asked legally how would the Library accept the revenue, and Mayor Brown asked Mr. Hall to address the legal issue. Council Member Tatro absent.

Mr. Hall stated that was what he was struggling with, that he would really like a little time to deal with it, first it was technically flawed because there was no such thing as an agent of the Library, if Council retains them they would be agents of the City itself, they needed to change that all around, but part of the concern they had was that he assumed the intent was to appropriate the money and he was not sure the amendment did that so they had some technical issues they needed to address and unfortunately Ms. Taylor, who was the expert on it, was in Austin testifying and he would like for her to at least comment on it mechanically to see whether they could do it that way, that he did not think they could and not have it do any good.

Council Member Alvarado stated that the amendment had not been offered yet, but everyone had a copy and she was going to tag it as well as tag Item No. 2a.

Amendment to Item No. 2a:

All revenue collected by the library or agent of the library will be directed to the library budget. Council Members Tatro and Robinson absent.

Council Member Vasquez stated that Mr. Hall had identified some technical issues, but would like for Mr. Haines to further examine the policy issues because he thought it was a significant shift in policy as it related for example to Municipal Courts in terms of the money they collected, why were they not giving that back to Municipal Courts, that it was also an issue for TIRZ's, in terms of the affordable housing dollars, why were they not giving it back directly to the TIRZ's, in fact instead they were pulling those dollars and using them for best resources and the best places available, so he thought that it began to open some other policy discussions that he would like for them to consider in the tag week, so to speak, that they could look at.

Mayor Brown stated that he thought Council Member Vasquez was on target, a number of departments generated revenue and it was the policy of the City that the revenue go into the General Fund and in this instance when they put the Library 's budget together they anticipated that revenue would be generated so that was already built into the budget, and Council Member Vasquez stated that he wanted to add his tag to the amendment.

Council Member Galloway stated that the way she saw it they would have to do it for all of the departments if they set a precedent on the Library because it was the same thing with Neighborhood Protection, that she thought they really needed to look at it and consider the amendment, she did not think it was advantageous for the budget.

Council Member Quan stated that Mr. Haines had given some projections on numbers so he had already predicted how much more income they would be receiving as a result of the contract in putting together the budget, and Mr. Haines stated that when he talked to Dr. Scheps about the question he told him that he had put in about half a million dollars into the General Fund Revenue as a forecast in anticipation of the contract being approved and moving forward for the next fiscal year, that \$700,000 was essentially the baseline for the agreement itself and about \$500,000 that would be over and above that would accrue to the City, in the case that they had projected to the City in the General Fund, and Council Member Quan asked if an additional allocation made to the Library's budget in anticipation of the additional revenues coming in, and Mr. Haines stated no, that they did not budget General Fund Departments what they generated in revenue, they always budget to a target and that target was what the Library Department had been doing, that they assumed the departments did the right thing.

Council Member Robinson stated that he would just remind Council that they voted on the same idea during the last budget.

Council Member Wiseman stated that she wanted to tag the items also, that she had some concerns and would like to visit with the department, that she had a real concern when they heard reports about someone having 250 books checked out and would like to visit with the department on the policy that they had in place and how it could happen that they would allow one person who was able to accrue that high volume of overdue books.

Council Member Alvarado stated that she knew the Item had been tagged and obviously everyone had a great concern about the Library's budget and if it was not the way to address it perhaps there was something that they could address during the budget process, but she would very much like to visit with Mr. Haines and Ms. Gubbin on the amendment and how they would get there.

Mayor Brown asked Ms. Gubbin what she was attempting to accomplish with the item, and Ms. Gubbin stated that they had both library materials and fines due to the City outstanding and so the Library was attempting to accomplish two objectives with the contract, the first objective was to have the customers return library materials to the Library that they had checked out and had not returned and the second objective was to have people pay the overdue fines that they owed to the Library and the City, when a customer got a library card they may checkout library books and they did not limit how many items they may checkout, but if they generate fines and owed for overdue materials that reached a total of \$10 then they were blocked and could no longer use the library to checkout materials, so they had a mechanism in place to manage the overdue materials and fines, but clearly their own efforts, which had returned to the City approximately \$700,000 in revenue and another \$1.4 million in terms of the value of materials was not working to the extent that they would like it to work, so they were hoping to move to a collection agency who would be assigned accounts to more aggressively go after customers who did not return materials and pay fines so they could get a better return rate.

Upon questions by Council Members, Ms. Gubbin stated that they had two performance guarantees in the contract, that first of all it would be revenue neutral, so they would not look to the library or the City to pay the contractor for the service and they also had a four to one return on investment guaranteed in the contract, so that for every dollar spent on collection and recovery they

should get a return of four times that amount in terms of cash and the value of the materials waived, so there were performance guarantees, that they did extensive reference checks on the company and they only worked with libraries and had more than 500 accounts, that they were confident that the company had experience in working with diverse populations, that they would consider a limit on the number of books.

Mayor Brown stated that the matter had been tagged.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Keller stated that he noticed they cut out the red ink in their City newspaper and thought that was good and showed that they were finding every way possible to save money, but he thought it was ironic that there were other groups of leaders like the Fire Fighters Pension Board that were using red to bleed the taxpayers dry, that it was horrible leadership and led a bad example, that it was an attitude problem, that there was an attitude amongst some members of the pension board that the taxpayers dollar was a real dollar and once it got into the fund that it was not a taxpayers dollar anymore, that it was an abuse to the taxpayers, that they had an obligation to protect the taxpayers safety and also to protect them from the abuse of their tax dollars, that for people to travel around the world on City time, getting City money, charging per diems, charging enormous, luxurious expenses and trying to justify it, was it their inherent obligation to try and implement some safeguards and whether they had to have the Mayor do an oversight of them, where it got approved by the Mayor's office or the finance committee, he did not have that answer, but he did know they had an obligation to protect them against it, but they must stop that kind of abuse, especially at this time where they had the shortfall and were all looking to try and set a good example to the taxpayers. Council Members Tatro and Vasquez absent.

Council Member Quan stated that he wanted to be clear that while he certainly supported the citizens in the Clear Lake area on the Bayport Rail Line he thought it was a business matter that should be best handled by the two companies who operated the rail lines, that he thought the City had been put in a very difficult position and the taxpayers were having to pay for it and did not think it was right, but he respected the decision of the Council and would certainly support it all the way. Council Members Tatro, Vasquez and Berry absent.

Council Member Quan stated that he wanted to thank the Council for their kind comments during their budget hearing regarding the Pro Tem's Office and wanted to mention Regina Dixon, F&A, who prepared a lot of the reports and Vanda Guillory who had been working very hard on the minutes. Council Members Tatro, Vasquez and Berry absent.

Council Member Quan stated that he wanted to wish everyone a happy Memorial Day. Council Members Tatro, Vasquez and Berry absent.

Council Member Parker stated that they had on the agenda the imposition of fees for the Summer Parks Program and she did not know whose responsibility it was for when it was brought forward to Council, but she had to express a great deal of frustration on behalf of a lot of her constituents, that school was out in a week and a half and responsible parents had already made the decision on where their kids were going to be over the summer and they were a week and a half out adding a fee to their summer plans, that she thought the fees were appropriate and there were a lot of mechanisms for those who could not pay, but it was extremely poor planning on the part of whoever was administering the program. Council Members Tatro, Keller, Vasquez and Sekula-Gibbs absent.

Council Member Parker stated that she received notification yesterday from State Representative Jessica Farrar about her deed restriction bill and she expressed a great deal of frustration about the fact that in her opinion the City of Houston lobby team was trying to impede the progress of the deed restriction bill, that she called the lobby team and talked to Mr. Hall about it yesterday and apparently the Legal Department wanted to change some of the language in the bill, there were many Council Members who were interested in seeing Representative Farrar's deed

restriction legislation pass, it was permissive legislation and expanded the range of items that could be enforced under deed restrictions, but did not require that the City chose to enforce those items, that once the bill was passed they could pick and chose whether or not the City wanted to proceed and she would strongly encourage the City's lobby team and the Legal Department to work with the representative as closely as possible, but in no way to impede the passage of the legislation. Council Members Tatro, Galloway, Vasquez and Sekula-Gibbs absent.

Council Member Alvarado stated that she wanted to echo the sentiments of Council Member Parker, that they received a call from Representative Farrar yesterday and she too was concerned about the legislation, that many of the Council Members had been outspoken on the deed restriction issue and they had several pieces of legislation pending and would hope that the administration would support Representative Farrar's bill. Council Members Tatro, Galloway, Vasquez and Sekula-Gibbs absent.

Council Member Alvarado stated that their community lost a gentleman by the name of Pete Tijerina, who was the founder of MALDEF, that he traveled around the State fighting for civil rights in the Mexican American Community, that he led the fight against racism, worked to end jury discrimination and segregation of Texas Schools, and led MALDEF to help Latinos in California, Arizona, Colorado and New Mexico, and asked for a moment of silence. Council Members Tatro, Galloway, Vasquez and Sekula-Gibbs absent.

Council Member Berry stated that he too had a issue with regard to their lobby team, that they found out yesterday that a bill that had made it out of the State House, Representative Bohac's bill, that limited tax growth from 10% annually to 5%, that the hardest lobbying efforts were being applied by the City of Houston lobbying team, which came as a bit of surprise to him and thought was against the interest of the Council, that he thought the Council should have the ability to vote on what their lobbying effort was going to be doing if in fact they were trying to force taxpayers to pay more money or limit a bill that the Council would be supportive of, so he would ask that Rob and Gordon Johnson be pulled off of that immediately. Council Members Galloway and Sekula-Gibbs absent.

Council Member Goldberg stated that it had not been a good week for SBC and he had another issue with them and he wanted to thank Jeremy Diesel, Channel 11, for bringing it to his attention, that they just overlayed West Alabama, it was six days old, and he thought SBC had violated their Street Cut Ordinance because they dug at least a 20 by 10 foot deep hole right where the overlay was at the intersection of West Alabama and Shepherd, that it was a serious problem, that SBC did not get permission from the City and said it was an emergency, that the City of Houston was investigating whether or not any pipes had been broken, that he would like the administration to get back to him on two issues, that one, if the Street Cut Ordinance allowed a street cut because of emergency purposes whose determination was that it was an emergency, and two, who now was responsible for filling in the huge hole. Council Members Galloway and Sekula-Gibbs absent.

Mayor Brown stated that the Street Cut Ordinance was working, that in this instance the contractor broke a line and therefore it was declared an emergency, the Public Works Department would investigate all of the declared emergencies, that if it was not a legitimate emergency then there were actions that could be taken, like barring the person from doing business in the City, so they were on top of that and would continue to investigate and make sure it was a true emergency. Council Members Galloway and Sekula-Gibbs absent.

Council Member Goldberg stated that he wanted to give a shout out to HSPVA, that he attended a concert last night at the University of Houston at Morris Hall, that they were all high school students, and this was the most outstanding group of students performing music that he had ever seen in his life, that the music was flawless and they had a couple of solo artists, that he wanted to recognize their award, that they were awarded a Grammy Award for their efforts, that it was the High School for Visual and Performing Arts. Council Members Galloway and Sekula-Gibbs absent.

Council Member Robinson stated that he knew they would coming to Fiscal Affairs in the not too

distant future on the CIP issue and hoped they would have some solutions on it so they would not have to get into the discussion about pushing projects back for a year or delaying them. Council Members Galloway and Sekula-Gibbs absent.

Council Member Robinson stated that he understood that the Legal Department and the Aviation Department had worked out an issue about scheduled shared rides and everybody that was involved in that issue would be receiving their permits to move forward on that, that the cab companies in the City had to have an understanding that it was not the City's job to keep them in business by making the airport the only place they do business and try to make a living, that he wished they would drive around the City and pick people up in different places. Council Members Galloway and Sekula-Gibbs absent.

Council Member Robinson stated that a couple of years back he had the stupid idea of asking the Legislature to lower the cap from 10% to 5% and the only official vote that the City Council had ever taken on the issue, to his amazement, they voted the idea down and they never went to the Legislature, that he would hope that the lobby team would leave that issue alone also, but he could not speak officially on behalf of Council because Council disagreed with him when he pushed for that idea. Council Members Galloway and Sekula-Gibbs absent.

Council Member Edwards stated that she wanted to thank Council Member Goldberg for bringing up the Shepherd/West Alabama situation and wanted to have Public Works come and explain it to her because it was not a pretty sight. Council Members Galloway and Sekula-Gibbs absent.

Council Member Edwards stated that she had some concerns about the Crime Lab, that she was told that the personnel that was currently being investigated was also part of the investigation and so she would like to speak with whoever was in charge of that to find out, and Mayor Brown stated that they would have someone come and talk to her about it. Council Members Galloway and Sekula-Gibbs absent.

Council Member Edwards stated that in District D and District I there was a big concern about Riverside Clinic and there were a lot of rumors being fueled, people were saying it was coming from City Council that Riverside Clinic was being closed and that it was going to be a federal clinic and they had a lot of people upset about it, that she thought Riverside Clinic was going to be re-opened, that she would like to know officially what was the word, and Mayor Brown stated that he did not know what Members of Council were saying, their plan was to open it as a federally qualified health clinic and they had spoken with the advisory people in that area and what that meant was that they would get the same service that the City would give plus more services, so it would be enhanced services and not less, and Council Member Edwards stated that she did not know where those meetings were held, but would like to be advised, and Mayor Brown stated that it was the advisory board for the Health Director, and Council Member Edwards stated that she would like to have her office brought up to speed, and Mayor Brown stated that they would have someone brief her on it. Council Members Galloway and Sekula-Gibbs absent.

Council Member Edwards stated that there was a lot of stuff going on in the Fourth Ward, but one of the things that she would like to recommend was that they really looked seriously at the preservation issue in that area, especially in Freedmans Town, that she was not convinced that there was a real sincere aggressive position to preserve. Council Members Galloway and Sekula-Gibbs absent.

Council Member Edwards stated that she just wanted to say "Go Comets". Council Members Galloway and Sekula-Gibbs absent.

Council Member Vasquez stated that he wanted to wish everyone a happy and safe Memorial Day. Council Members Galloway and Sekula-Gibbs absent.

There being no further business before Council, the City Council adjourned at 11:32 a.m.

upon MOTION by Council Member Robinson, seconded by Council Member Vasquez. Council Member Ellis absent due to being ill. Council Members Galloway and Sekula-Gibbs absent. INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

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Anna Russell, City Secretary