

City Council Chamber, City Hall, Tuesday, October 7, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 7, 2003, Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Gordon Quan, Shelley Sekula-Gibbs, M.D., Michael Berry, Carroll Robinson; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Ms. Debra Dillard, Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present.

At 2:11 p.m. Mayor Brown called the meeting to order and called on Council Member Vasquez who led all in the prayer and in the Pledge of Allegiance. Council Member Sekula-Gibbs absent.

At 2:12 p.m. the City Secretary called the roll. Council Member Sekula-Gibbs absent.

Council Members Galloway and Vasquez moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION ADOPTED.

Mayor Brown stated that the City Secretary would begin to call the speakers. Council Member Sekula-Gibbs absent.

Council Member Galloway moved that the rules be suspended for the purpose of hearing out of order Rev. C. Anderson Davis, Rev. John Gibbs, Minister Robert Muhammad, Rev. Fona, Pastor Manson B. Johnson, Rev. Melvin L. Lewis, Sr., Rev. Ernest McGowen and adding Rev. Robert Jefferson to the list, seconded by Council Member Parker. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION 2003-1170 ADOPTED.

Council Member Goldberg moved that the rules be suspended for the purpose of hearing Mr. Andy Icken after Mr. Robert Jefferson, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION 2003-1171 ADOPTED.

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Ms. Terrie Salumunek and Mr. Joe Padilla after Mr. Andy Icken, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION 2003-1172 ADOPTED.

Mayor Brown stated that the Speakers List exceeded 150 minutes; and called on the City Secretary to explain the rules when that occurred; the City Secretary stated that under the Council Rules if the total time was greater than 150 minutes each speaker was limited to one minute and when the provisions of that section was invoked the question time for Council Members was limited to a total of one minute collectively for each speaker. Council Member Wiseman absent.

Rev. C. Anderson Davis, 2314 Wheeler, Houston, Texas 77004 (713-529-4195) appeared and voiced opposition to Agenda Item 35, stating that he being chairman and Mr. C. C. Williams, president of the Counter Dates and Issues Committee of the Harris County Council of Organizations, the only political organization in the African American Community was against the tax rollback, it was a destructive idea as the city services were much more beneficial. Council Member Vasquez absent.

Upon questions by Mayor Brown, Mr. Davis stated their organization represented 62 organizations and he spoke on their behalf. Council Member Vasquez absent.

Rev. John Gibbs, 1403 W. Donovan, Houston, Texas 77091 (713-298-1772) appeared and voiced opposition to Agenda Item 35, stating that he was pastor of the Olive Branch Baptist

Church and the were against the tax rollback as it would cripple the city services. Council Member Vasquez absent.

Minister Robert Muhammad, 4443 O.S.T., Houston, Texas 77021 (713-298-1772) appeared and voiced opposition to Agenda Item 35, stating that the tax rollback was a lie on its face, it was really a city service and municipal job cut, a prelude to privatization and it would diminish the quality of life in this city. Council Member Vasquez absent.

Rev. Fona, 5709 Martin Luther King Blvd., Houston, Texas 77021 (713-641-5035) appeared and voiced his opposition to Agenda Item 35 and support for Item 33, stating that flooding was always a threat and this could keep them from being in a state of emergency. Council Member Vasquez absent.

Mayor Brown stated that the plan presented should be credited to Council Member Ellis as it was his plan. Council Members Wiseman and Vasquez absent.

Pastor Manson B. Johnson, P. O. Box 1420, Houston, Texas 77251 (713-741-8451) appeared and voiced his being in opposition to Agenda Item 35 and in favor of Item 33, stating that he was pastor of Hogan Street Baptist Church and wanted Council to act before the next Allison and pass the drainage fee for the future. Council Members Wiseman, Vasquez and Sekula-Gibbs absent.

Upon questions by Council Member Galloway, Pastor Johnson stated that he was in favor of the drainage fee as opposed to any tax rollback. Council Members Wiseman, Vasquez and Sekula-Gibbs absent.

Council Member Tatro stated that part of his concern was he mentioned the future and all three Mayoral candidates did not support the drainage fee; and upon questions, Pastor Johnson stated that he did not know how they came to their opinions, but would be glad to sit with them. Council Members Vasquez and Sekula-Gibbs absent.

Rev. Melvin L. Lewis, Sr., 12707 Cullen, Houston, Texas 77004 (713-734-2117) appeared and voiced his being in opposition to Agenda Item 35 and in favor of Item 33, stating that many in his district were affected by Allison; that he would also like Schnur Park looked at as there were five neighborhoods with 30 parking spaces. Council Members Vasquez and Sekula-Gibbs absent.

Council Member Ellis thanked Rev. Lewis for coming and stated in January Mayor Brown rolled out an \$85,000,000 new tax the Council looked at and said they would not burden property owners with that so they looked at the Water and Sewer Enterprise Fund and realized they were in a negative arbitrage position, paying more in interest on the bonds than they were receiving on the \$400,000,000 trapped inside the fund so he agreed to work with financial advisors and investment bankers to find a solution where they would not have to impose the new tax and he did what he said; that he had said he would not vote for a storm drainage fee but find new CIP dollars within the Water and Sewer Enterprise Fund and they established something to afford \$50,000,000 more per year in CIP projects for storm drainage that it was the Mayor's position to tack on the extra \$2.00 per month to homeowners, etc., and he was opposed to that. Council Members Keller, Vasquez and Sekula-Gibbs absent.

Mayor Brown stated that without the fee they would not have the maintenance and they could not restructure the debt, it was all tied together. Council Members Keller, Vasquez and Sekula-Gibbs absent.

Rev. Ernest McGowen, 9010 Parkette, Houston, Texas 77078 (713-635-3191) appeared, presented information and voiced his opposition to Agenda Item 35 and his support of Agenda Item 33, stating that he was on a fixed income but was willing to pay because Allison wiped him

out and he was in a no flood district; and they were already seeing results of a previous tax rollback and did not want another. Council Members Keller, Vasquez and Sekula-Gibbs absent.

Council Member Galloway stated that between the county and city tax Houston was lower than Dallas, Ft. Worth, San Antonio, El Paso and Austin. Council Members Goldberg, Vasquez and Sekula-Gibbs absent.

Rev. Robert Jefferson, previously added to the Speakers List, appeared and voiced his opposition to Agenda Item 35 and his support of Agenda Item 33, stating that he was pastor of Cullen Missionary Baptist Church and thought the vote would be against poor and Black folks because it was the Black neighborhoods where the ditches, weeds and dilapidated houses were. Council Members Vasquez and Sekula-Gibbs absent.

Council Member Parker stated that she was absolutely opposed to the tax rollback and would vote for the drainage fee; that she hoped they would come back with a complete package of new development rules to keep from building in an unsafe manner in the flood plain. Council Members Vasquez and Sekula-Gibbs absent.

Mr. Andy Icken, 2151 W. Holcomb Blvd., Houston, Texas 77030 (713-791-6157) appeared and voiced his support of Item 33, stating that he was executive vice president of the Texas Medical Center and was a member of the commission established by Council to deal with the storm water system; that the Medical Center had a direct and painful experience with the impact of flooding; that they had good collaboration with the county, city and federal government but it would not work unless the storm water system also had a role and effectively got water through to Brays Bayou; that they reviewed expenses and maintenance requirements and believed the \$2.00 proposed fee would provide adequate funding for maintenance and capital improvements necessary. Council Members Vasquez and Sekula-Gibbs absent.

Upon questions by Council Member Goldberg, Mr. Icken stated that he represented all institutions at the Texas Medical Center and the South Main Association, which he was chairman of; the damages during the storm to the Medical Center alone was over \$1.5 million in a two day period; that the Medical Center alone would pay over \$500,000 a year for the drainage fees. Council Members Wiseman, Vasquez and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Mr. Icken stated that there was an ongoing \$80,000,000 project which covered Kirby, Herman Drive and McGregor and the city matching part was required for \$15,000,000 and the Medical Center institutions voluntarily put up \$5,000,000 and if they could not match that they could lose the \$60,000,000 from the federal government. Council Members Wiseman, Vasquez and Sekula-Gibbs absent.

Ms. Terrie Salumunek, 171 Woodvale, Houston, Texas 77012 (713-923-6483) appeared and voiced her support for Agenda Item 33, stating that she was representing the Magnolia Park Pineview Civic Club and during Tropical Storm Allison their neighborhood was on the CIP list for street resurfacing, but after the storm the money was diverted to flooded areas so they were penalized and they were supporting any efforts to solve the drainage problems so neighborhood problems could be solved also; and she was also against the tax rollback. Council Members Wiseman, Vasquez, Sekula-Gibbs and Berry absent.

Council Member Robinson stated that they put this fee before any update in the development ordinance and were told by the Administration it was too complicated to do, but give us \$85,000,000, now \$41,000,000, everyone had talked about Tropical Storm Allison, but no one said was if you implemented the full extent of the current plan and if there was another Allison this city would still flood; that he thought it unfair to make the representation the \$2.00 fee would stop the flooding. Council Members Wiseman, Keller, Vasquez, Sekula-Gibbs and Berry absent.

Mr. Joe Padilla, 7418 Alderson, Houston, Texas 77020 (713-674-8317) appeared and voiced opposition to Agenda Item 35, stating that he was a community leader and activist in Denver Harbor and his community was against the tax rollback; that clinics may be closed and others may not be opened; that they needed police, security, libraries, etc., not less. Council Members Wiseman, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent.

Bishop Rufus Kyles, 11603 Martin Luther King, Houston, Texas 77048 (713-530-1689) was called and Mr. John Ogren appeared and stated that Bishop Kyles was called out of town; Council Member Parker moved that the rules be suspended for the purpose of hearing Mr. Ogren in place of Bishop Kyles, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Wiseman, Keller, Vasquez, Sekula-Gibbs and Robinson absent. MOTION 2003-1173 ADOPTED.

Mr. John Ogren, 12568 Memorial Drive, Houston, Texas 77080 (713-467-3068) appeared and voiced opposition to Agenda Item 35, stating that he was the TMO (The Metropolitan Organization) leader for Chapelwood United Methodist Church; that TMO represented about 30 churches in the Houston area and a number of schools; that their primary concern on the tax rollback was they did not want city services further reduced as they had already had significant cuts over the last couple of years and felt the tax cut would be totally irresponsible. Council Members Wiseman, Keller, Vasquez and Sekula-Gibbs absent.

Upon questions by Mayor Brown, Mr. Ogren stated that he was speaking on behalf of all TMO members generally; that there were four of them on the list from various parts of the city, all TMO leaders in the City of Houston. Council Members Wiseman, Keller, Vasquez and Sekula-Gibbs absent.

Upon questions by Council Member Tatro, Mr. Ogren stated that he represented about 30 churches who were members of the TMO; that they had no position on the drainage fee, but did have a concern in making sure there would be improvements in the drainage in the City of Houston and what ever it took that was what Council was elected to solve and they did support them in trying to improve flood control. Council Members Edwards, Wiseman, Keller, Vasquez and Sekula-Gibbs absent.

Upon questions by Council Member Alvarado, Mr. Ogren stated that they had up to 2,000 people at accountability sessions, but the number of people who participated in any event varied from a few to many, many. Council Members Edwards, Wiseman, Keller, Vasquez and Sekula-Gibbs absent.

Ms. Michelle Britton, 210 E. 10th, Houston, Texas 77008 (713-780-1795) appeared and voiced opposition to Agenda Item 35, stating that she was a teacher and worked with the TMO; that as she understood it the City did not have enough money to meet the adopted budget and the estimated gap was nearly \$10,000,000-\$26,000,000 and a tax cut would further add another \$10,000,000-\$20,000,000 to the gap; that drainage, After School Programs and healthcare were needed; and asked Council Members to remember their vision and vote no on tax rollback. Council Members Edwards, Wiseman, Keller, Vasquez and Sekula-Gibbs absent.

Upon questions by Council Member Robinson, Ms. Britton stated that she would be willing to look at getting rid of the expenses at City golf courses if it could save millions and spend some of it buying up tax delinquent properties so they could be placed back on the tax roll. Council Members Edwards, Wiseman, Keller, Vasquez and Sekula-Gibbs absent.

Rev. Rhanel Johnson, 7312 N. Main, Houston, Texas 77002 (713-864-1796) appeared and voiced opposition to Agenda Item 35, stating that she was pastor of Ebenezer United Methodist Church and a leader with TMO; that their organization represented between 30,000-40,000 people and they were definitely against any tax cut. Council Members Edwards, Wiseman, Keller, Vasquez and Sekula-Gibbs absent.

Ms. Elizabeth Frost, 2110 River Oaks Blvd., Houston, Texas 77019 (713-623-8291) appeared and spoke in favor of Agenda Item 33, stating that Houston had a multitude of floods and in 1989 the Katy Freeway was a river and since then had flooded in 1992 and during Tropical Storm Allison and now there was even less green space with streets becoming impassable to cars in heavy rainfalls and storm sewers were needed. Council Members Edwards, Wiseman, Vasquez and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Ms. Frost stated that her area did flood often and she was in favor of the storm sewer fee. Council Members Wiseman, Vasquez and Sekula-Gibbs absent.

Ms. Mary Davis, 3015 Richmond #200, Houston, Texas 77098 (713-524-8000) appeared and spoke in favor of Agenda Item 33, stating that she was director of capital projects for the Upper Kirby Management District and was urging passage of the drainage fee; that they were at risk of losing the benefit they would have from both drainage projects at each end of Kirby if the money went away and it was critical to maintain a fee for drainage so desperately needed. Council Members Vasquez, Parker and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Ms. Davis stated that a number of commercial developers were on their board and also felt the fee was needed as it was better than the damages they could face; that they did have apartments in the area, but she did not know their opinion specifically because theirs was mostly business related. Council Members Tatro, Vasquez, Parker and Sekula-Gibbs absent.

Upon questions by Council Member Robinson, Ms. Davis stated that they were into green space ideas and would love to see the development plan come hand in hand with this; that their master plan was in effect now and those were the kind of plans they were trying to pass. Council Members Tatro and Sekula-Gibbs absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and voiced opposition to Agenda Item 35, stating that he was representing the Harris County AFL-CIO Council which represented 74 affiliated unions and they were opposed to any tax rollback, tax rollback and revenue shortfall did not go together and would result in lost services and jobs; that it would be insane to pass and urged a no vote. Council Members Tatro and Sekula-Gibbs absent.

Upon questions by Council Member Quan, Mr. Shaw stated that the County had so much money they were putting in playground equipment in parks. Council Member Quan stated that when Mr. Bettencourt spoke last week he said the City had reduced taxes more than any other jurisdiction in Harris County. Council Members Tatro, Ellis and Sekula-Gibbs absent.

Mr. Dale Wortham, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and voiced opposition to Agenda Item 35 and support for Agenda Item 33, stating that he was for the drainage fee and the plumbers could use the work and was against the tax rollback, if clinics were closed where would people go but to a tax supported entities so the problem would not go away it only put the burden somewhere else; that it made no sense to cut your income when you were in a bind. Council Members Tatro, Ellis and Sekula-Gibbs absent.

Upon questions by Council Member Galloway, Mr. Wortham stated that the AFL-CIO was an entity of 74 unions and they had never endorsed a rollback on taxes or reduction of city services or benefits to city employees. Council Members Tatro, Ellis and Sekula-Gibbs absent.

Mr. Charles Ingram, 5503 Southwood, Houston, Texas 77091 (713-681-4206) appeared and voiced opposition to Agenda Item 35, stating that he was representing the Acres Homes Citizen Council of 48,000 people and 16 civic clubs and it made no sense to cut taxes and want

to maintain services at their highest. Council Members Tatro, Ellis, Vasquez and Sekula-Gibbs absent.

Council Member Robinson stated that everyone said there was a \$10,000,000-\$26,000,000 deficit even with no tax rollback; and upon questions, Mr. Ingram stated that cutting fire and police was not an option and he wondered why they gave all the money to Meacom Fountain when people were more important. Council Members Tatro, Ellis, Vasquez and Sekula-Gibbs absent.

Council Member Goldberg moved that the rules be suspended for the purpose of hearing Rabbi Roy Walter, Larry Norton, Wayne Eberly, Ms. Jacqueline Bostick and Ms. Ruby Mosley after Mr. Andres Ortiz, seconded by Council Member Berry. All voting aye. Nays none. Council Members Tatro, Ellis, Vasquez, Sekula-Gibbs and Robinson absent. MOTION 2003-1174 ADOPTED.

Mr. Andres Ortiz, 6909 Bohnam, Houston, Texas 77020 (713-672-2931) appeared and voiced opposition to Agenda Item 34, stating that the rollback would adversely affect the safety of his family and community members. Council Members Tatro, Ellis, Vasquez, Sekula-Gibbs and Robinson absent.

Council Member Wiseman stated that Council stood up and went against what had been implemented against Council's wishes last summer and that was the implementation of the Quint Task Force concept, they changed that and the Council body had the power to set priorities on where cuts would be made and they made a commitment to not jeopardize safety. Council Members Tatro, Ellis, Vasquez, Sekula-Gibbs and Robinson absent.

Mayor Brown stated that to set the record straight the proposal was to have three firefighters to each truck and three on each ladder and run six to a fire rather than four, an improvement in service. Council Members Tatro, Ellis, Vasquez, Sekula-Gibbs and Robinson absent.

Rabbi Roy Walter, 1500 Sunset Blvd., Houston, Texas 77005 (713-529-5771) appeared and stated that he would like to add Ms. Wright to the list and allow her to speak first; and Council Member Parker moved that the rules be suspended for the purpose of adding Ms. Jessie May Wright to the speakers list, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Tatro, Ellis, Vasquez, Sekula-Gibbs and Robinson absent. MOTION 2003-1175 ADOPTED.

Ms. Jessie Mae Wright, 1102 Sydner, Houston, Texas 77020 (713-227-5450) appeared and stated that she was present to speak about Meals On Wheels and Interfaith Ministries; that after being in the hospital she was serviced with Interfaith Ministries and Meals On Wheels and after more than a year she was able to go to work for them and help others; and urged a vote in their favor. Council Members Tatro, Wiseman, Ellis, Sekula-Gibbs and Robinson absent.

Mr. Larry Norton, 3217 Montrose Blvd., Houston, Texas 77006 (713-562-7538) appeared, presented information and stated that he was president and CEO of Interfaith Ministries for Greater Houston and was present asking for Council's support for the expansion of the Meals On Wheels Program into three additional areas; that they were now the largest provider of homebound meals and their packet would demonstrate their level of service. Council Members Tatro, Wiseman, Ellis, Sekula-Gibbs and Robinson absent.

Upon questions by Council Member Quan, Mr. Norton stated that they serviced areas 1, 4, 8 and 9 and under the new proposal areas 2, 3 and 7 would be added; that between congregate meal sites and Meals On Wheels the congregate was more costly to run. Council Members Wiseman, Ellis, Sekula-Gibbs and Robinson absent.

Rabbi Roy Walter, 1500 Sunset Blvd., Houston, Texas 77005 (713-529-5771) appeared and stated that he was senior rabbi at Congregation Emanu El and a life board member and past president of Interfaith Ministries and they had a long and deep commitment to Meals On Wheels and had the structure to guarantee delivery; that they were so committed they raised matching funds and he was requesting the program be expanded. Council Members Wiseman, Ellis, Sekula-Gibbs and Robinson absent.

Council Member Goldberg stated that he knew it was a vital service and for some it was the only meal they would have that day; that they leveraged their money with the City's portion and combined it with fund raising efforts and used hours of volunteer efforts to get the food out and if they could leverage every program three to one they would be in good shape. Council Members Tatro, Wiseman, Ellis, Sekula-Gibbs and Robinson absent.

Mr. Wayne Eberly, 12751 Kimberly, Houston, Texas 77024 (713-467-2234) appeared and stated that h was pastor at Pines Presbyterian Church and currently serving as the board chair at Interfaith Ministries; that they were a known entity in the community and recognized by United Way as a leader in home meals delivery; and as an organization they had complete confidence they could service the needs of seniors. Council Members Tatro, Wiseman, Ellis, Sekula-Gibbs and Robinson absent.

Ms. Jacqueline Bostick, 500 Clay, Houston, Texas 77002 (713-652-0738) appeared and voiced opposition to Agenda Item 35, stating that taxes were a necessary part of being a responsible citizen; that services were needed and to receive those services you paid taxes; that Council was elected as the people felt they were responsible and did not expect them to play games with their taxes or with their safety; and they needed to be responsible in the fiscal matters of this City. Council Members Ellis, Keller, Quan, Sekula-Gibbs and Robinson absent.

Upon questions by Council Member Edwards, Ms. Bostick stated that services was the product to citizens by the City and Council needed to make sure it was done collectively for them. Council Members Ellis, Keller, Alvarado, Quan, Sekula-Gibbs and Robinson absent.

Ms. Ruby Mosley, 862 South victory, Houston, Texas 77088 (281-447-6095) appeared and voiced opposition to Agenda Item 35, stating that she wanted the status of research any Council Member had done to check federal, state or local dollars to help amend or fix the problems being faced; that they knew the budget was short and were talking about something to make them even shorter and she was glad this was happening before election day. Council Members Ellis, Keller, Alvarado, Quan, Sekula-Gibbs and Robinson absent.

Mr. Robert Williams, 61 Reisner, Houston, Texas 77002 (713-247-5877) appeared, presented information and stated that he was senior jail attendant at the Southeast Jail and a member of the Police Union for 10 years; that he was present to discuss the current budget and the proposed Houston Police Department's solutions to the problem which contained three reduction levels, with 348 civilian employees within the department losing their jobs, having the 2003 and 2004 cadet classes eliminated; that the union opposed any furloughs, but everyone taking four unpaid days off was much preferable than laying off the employees and cutting the cadet classes; that less police on the street by placing officers back in jails as correctional officers while others were laid off must not be the goal. Council Members Tatro, Ellis, Alvarado, Quan, Sekula-Gibbs and Robinson absent.

Mayor Brown stated that Mr. Williams was speaking on behalf of the civilian employees and he would take it he preferred to not see the taxes rolled back; and Mr. Williams stated that was correct. Mayor Brown asked that those present with Mr. Williams stand to be recognized. Council Members Tatro, Ellis, Alvarado, Quan, Sekula-Gibbs and Robinson absent.

Ms. Margaret Dower, 1112 Highland, Houston, Texas 77009 (713-426-0299) appeared and voiced support for Agenda Item 33, stating that she was president of the Woodland Heights

Civic Association and they had an enormous storm sewer project which would replace pipes so old the city records did not reflect their age so the funds were more than necessary and she also felt they needed a standing committee or any number of things the Houston Voters Against Flooding made to increase awareness and deal with flooding. Council Members Tatro, Ellis, Alvarado, Quan, Sekula-Gibbs and Robinson absent.

Council Member Vasquez stated that the drainage and storm water were major issues and he appreciated her coming and speaking on it. Council Members Tatro, Galloway, Ellis, Alvarado, Quan, Sekula-Gibbs and Robinson absent.

Council Member Parker stated that her colleague Council Member Robinson talked about how he would be opposed to the drainage fee because it did not come with a package of improvements on how they did development and while she too was concerned about that she did not want to make the possible disappear because they were waiting for the perfect solution; and upon questions, Ms. Dower stated that she totally agreed. Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Robinson absent.

Mr. David Heaney, 3260 Chevy Chase, Houston, Texas 77019 (713-332-2752) appeared and voiced support for Agenda Item 33, stating that he was present asking Council Members to support the drainage fee; that the original systems were clearly inadequate for the city Houston had become and combining water, sanitary sewer and storm drainage responsibilities under one umbrella with a dedicated revenue stream was a sensible and responsible start. Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Robinson absent.

Council Member Parker stated that earlier they had cut off the use of ALP funds they had been using for drainage and other things and she had worked hard to end that practice, but she did not think she could cut that and then refuse to vote for other funding. Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Robinson absent.

Upon questions by Council Member Quan, Mr. Heaney stated that he would approach the tax rollback from the standpoint that if he was going to be the next chief executive for the City of Houston he would not want the hole dug bigger; that he felt he was pretty heavily taxed and did not want them raised every time the City wanted money and thought there were other ways to run the City, but did not think it prudent to roll it back right before election. Council Members Tatro, Galloway, Wiseman, Ellis, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Keller stated that there were huge political and drainage issues with the Kirby Project and Mr. Heaney was a large part of its success and should be commended for walking door to door in River Oaks. Council Members Tatro, Galloway, Wiseman, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Kelly Frels, 711 Louisiana #2900, Houston, Texas 77002 (713-221-1203) appeared and voiced support for Agenda Item 33, stating that he was present on behalf of the Greater Houston Partnership representing them and the chair of the Flood Task Force and they were still supporting establishing and setting aside an enterprise fund for storm water, but they understood they were at a different place now and were supporting the drainage fee; that they were working with the Flood Control District, City of Houston, Core of Engineers and many others to develop a report on how to approach on a comprehensive basis the flooding problem. Council Members Tatro, Galloway, Wiseman, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Frels stated that they had looked at the consolidated utility and would like an enterprise fund set aside for drainage. Council Member Quan thanked Mr. Frels for his leadership and all he did. Council Members Tatro, Galloway, Wiseman, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent.

(NO QUORUM PRESENT)

Council Member Parker stated that she was concerned they had not come up with the changes to the development ordinance regarding the flood plain; and upon questions, Mr. Frels stated to rephrase the questions and get to the answer they thought things would have to change, they could not continue the way they had; and at the end of the year they should have suggestions to make sure they did not keep with the same poor situation. Council Members Tatro, Galloway, Wiseman, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Theresa Komoski, 955 Campbell Road, Houston, Texas 77024 (713-464-1511 ext. 2223) had reserved time to speak but was not present when her name was called. Council Members Tatro, Galloway, Wiseman, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Marie Wise, 1129 E. 16th, Houston, Texas 77009 (713-426-3170) appeared and voiced opposition to Agenda Item 35, stating that she was an active member of the Friends of the Houston Public Library and absolutely opposed to any cuts or rollbacks which would affect the library; that the library was essential to the quality of life and was the first line of defense to illiteracy. Council Members Galloway, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Council Member Parker stated that one library which would be effected was the brand new Stella Link Library which had yet opened its doors. Council Members Galloway, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent.

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

Ms. Dorita Hacett, 3621 Willia, Houston, Texas 77007 (713-868-9922) appeared and stated that a couple of citizens were having to leave and she would ask that they be allowed to speak before her; and Council Member Tatro moved that the rules be suspended for the purpose of allowing Ms. Kim Nix and Ms. Kim Nguyen to speak out of order, seconded by Council Member Vasquez. No vote was recorded as a quorum was not present. Council Members Galloway, Wiseman, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Kim Nguyen, 800 Gessner, Houston, Texas 77024 (281-236-5127) appeared and stated that she was speaking on behalf of the Vietnamese Senior Citizens; that Interfaith Ministries had quit serving the center and they received no hot meals from March to November, then the YWCA stepped in with assistance from the Mayor's Office and Council Member Quan they had been serving since December 2002 and they were asking that they be allowed to keep their current contract. Council Members Galloway, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Upon questions by Council Member Quan, Ms. Nguyen stated that the center was in Area 9 and it was not the YWCA's area, but they stepped in because there was a need. Council Members Galloway, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Ms. Kim Nix, 3621 Willia, Houston, Texas 77007 (281-334-7422) had reserved time to speak but was not present when her name was called. Council Members Galloway, Ellis, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent.

Ms. Dorita Hacett, 3621 Willia, Houston, Texas 77007 (713-868-9922) appeared and stated that she was the new chief programs officer for the YWCA Houston and they had a 28

year history with the City of Houston to provide Meals On Wheels and congregate meals to senior citizens and currently delivered to about 1,500 homebound clients and 444 at 14 congregate sites daily. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Ms. Hacett stated in the proposed contract the YWCA would be given only Area 5; that she did not know why the other areas were being taken away. Council Member Quan stated that in looking at evaluations they received consistently higher scores in program and delivery than Interfaith Ministries and were only short in presentation; and upon questions, Ms. Hacett stated that she was told they could find out about that from Council after the vote; and Council Member Quan stated after the vote was too late. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Arachie Bailey, 8215 Morley, Houston, Texas 77061 (713-641-4876) appeared and stated that she was manager of Meals On Wheels Homebound for the YWCA and some were present today to read personal letters from their homebound clients who wanted to show support; and read two letters asking that Council allow them to continue with their deliveries. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Ms. Bailey stated that she had received no notice from the City of Houston that there were any problems. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Rhonda Thornton, 1201 Wilcrest Blvd. #64, Houston, Texas 77042 (713-868-9922) appeared and stated that she was the program manager for the YWCA congregate meals; and read a letter from someone supporting the YWCA and encouraging Council to continue with their contract. Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Hazel Thompson, 8639 Guinevere, Houston, Texas 77029 (713-676-0579) appeared and stated that she also was present to read a letter; and continued by reading a letter from an individual asking Council to keep the YWCA as their provider. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Mary Mayfield, 4418 Girl Scout Lane, Friendswood, Texas 77546 (281-808-9703) appeared, presented a stack of letters to Citizens Assistance and stated that she was director of Senior Services for the YWCA of Houston and stated that their clients were like family; that they had been doing this 28 years and she wanted to make it clear Interfaith Ministries had not applied for all congregate areas, Area 9 was not applied for at all; that the YWCA was the lowest bid and they did provide a deeper service using individual drivers for clients and not a meal truck. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Ms. Mayfield stated that when writing grants for money the funders would donate quicker for homebound clients, but there was also more to it; that they applied for one site in Area 9 and did not receive it, it was reported no one applied for Area 9; and Council Member Quan stated that he would check into it. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Parker stated that she would like to know if there was an issue of timeliness, if they could get this into committee for discussions; and Mayor Brown stated he

would get an answer. Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Charles Reynolds, 8015 Howton, Houston, Texas 77028 (713-672-5651) appeared and stated that he was a driver for the YWCA Meals on Wheels; and continued by reading letters supporting the YWCA and asking Council Members to vote keeping them as their provider. Council Members Galloway, Goldberg, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Leona Carroll, 13921 Forest Knoll, Houston, Texas 77049 (713-868-9922) appeared and stated that she delivered in Area 3 to homebound seniors and asked the other drivers present with her to stand to be recognized. Ms. Carroll continued by reading letters of support and asking Council Members to keep the YWCA as their provider. Council Members Galloway, Goldberg, Keller, Vasquez, Alvarado, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Linda Northop, 3621 Wilila, Houston, Texas 77007 (713-868-9922) appeared and stated that she was the onsite coordinator for Area 3; and continued by reading letters from their clients asking that the YWCA be kept as their provider. Council Members Galloway, Goldberg, Keller, Vasquez, Sekula-Gibbs, Berry and Robinson absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and expressed his personal opinions until his time expired. Council Members Tatro, Galloway, Goldberg, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Rev. Ray A. Riley, 6110 Shady Timbers Dr., Houston, Texas 77016 (713-631-6221) had reserved time to speak but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 had reserved time to speak but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Jinfia Wei, 4454 S. MacGregor #1, Houston, Texas 77021 (713-383-8144) appeared and stated that she was asking the Mayor and Council to join in the celebration on the seventh anniversary of Falun Gong into the USA. Council Members Tatro, Galloway, Goldberg, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Olevia Randle, 6023 Beldart, Houston, Texas 77033 (713-733-2348) appeared and stated that she was asking if all stadium owners had been present supporting Mayor Brown and the communities on the drainage fee and tax rollback; that the Sunnyside Southpark Super Neighborhood received a letter from the Mayor stating he was coming to train them on how to run a community and she wondered if he was aware of it. Mayor Brown asked who had signed that letter; and Ms. Randle stated his name was on it, but they wondered when he was coming; and Mayor Brown asked that she send him a copy of that letter so he could follow-up. Ms. Randle stated that she would like something in writing saying the drainage fee would be for what it was supposed to be for and also where they would start with it and everyone was very supportive of the stadiums and she wondered if they had been in Council taking a stand. Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she agreed and thought those people the community supported should be present supporting them as well; and asked if she too could get a copy of

the letter she had received from Mayor Brown as maybe she could help them also; and Ms. Randle stated that would be fine. Council Member Edwards stated that they were fighting hard to make sure if the item passed the drainage areas in District D would be first in line and they did need her support. Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. John W. Johnson, 7102 Wenedmere, Houston, Texas 77088 (832-453-1900) had reserved time to speak but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Ms. Sara Herrera, 402 Grimes, Houston, Texas 77087 (713-640-3749) had reserved time to speak but was not present when her name was called. Council Members Tatro, Galloway, Goldberg, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (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, Goldberg, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Michael Mason, 4739 Arvilla Lane, Houston, Texas 77021 (713-748-0771) had reserved time to speak but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Bruce Johnson, 2043 University Blvd., Houston, Texas 77030 (713-739-7007) appeared and stated that he was a resident of the Southgate neighborhood and was against the closure of certain streets in their neighborhood which were Southgate, McClendon, Swift and Dryden; that he was opposed because it would not solve the problem of medical traffic being directed toward and through their area; that the street most impacted was University Blvd., his street, and closing those streets would only move more traffic onto his street. Council Members Tatro, Galloway, Goldberg, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Robert Fiederlein with Public Works was present and would speak with him at this time. Council Members Tatro, Galloway, Goldberg, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Stephen Folzenlogen, 2117 University Blvd., Houston, Texas 77030 (713-825-9175) appeared and stated that he attended a number of meetings attempting to close streets in Southgate and he did not know the answer, but he was opposed to closing streets without the due process the city had in place to do so. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Fiederlein would work with him also and answer any questions explaining procedures. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. George Hawkins, 2039 University Blvd., Houston, Texas 77030 (713-522-0577) appeared and stated that he also represented the folks living on University Blvd. and it was a small group of citizens making a consorted effort to close a short list of streets without following procedure and many wanted input; that the Medical Center was a great part of the City and the Rice University area was a phenomenal neighborhood and they would like something which would help improve traffic for the entire neighborhood. Council Members Tatro, Galloway,

Goldberg, Wiseman, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Parker stated that there was a formal process and there would be public hearings; that it was appropriate to try and get ahead of what would be a huge traffic problem from the new parking garage going in and those to follow; that it would be foolish to wait for gridlock, but nothing would spring up over night and she was sure residents would be involved. Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that the process would be followed, nothing would be done without public hearings. Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mrs. Judy Hollinger, 2124 Watts, Houston, Texas 77030 (713-665-4458) appeared and stated that in August their civic club came and presented their feeling for street closures and those present today were voicing their opposition; that she had lived there 30 plus years and they too were concerned about gridlock, but their feeling was the feeling would be on University and Holcombe and those interior streets served as a safety valve. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Parker stated this was about carrier capacity of streets and many were designed just for neighborhood traffic and could not accommodate a lot of through traffic; that there were a number of alternatives to closing streets with one being street humps, putting in turning circles, but again they could not wait until the problem came. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Dr. Blaine Hollinger, 2124 Watts, Houston, Texas 77030 (713-665-4458) appeared and stated that he was a resident of Southgate and as a physician researcher he had spent over 35 years gathering data and designing studies and was a former chairman of the Advisory Committee for the FDA so he understood about designing studies and looking at issues and was opposed to street closures unless he could be assured mobility and safety issues were not being compromised; that he felt there was a lack of data and established standards and they relied on Council Members to look at the big picture, not the small picture. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) had reserved time to speak but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and expressed his personal opinions until his time expired. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mr. Charles George, 13704 Garber, Houston, Texas 77015 (281-639-2723) appeared and stated that he was present last week about an officer refusing to do a perimeter check and him being robbed at gunpoint and being forced into a cargo trailer; that he spoke to the Assistant Chief of Police Geraldine Stewart and she said to call her Monday but then she was not available and he was given to Officer Franklin; that he knew nothing about it so he called Cop Watch who called and spoke with Officer Brinkman and was told an officer only did a perimeter check if he felt it necessary; that he would conclude when 12 to 15 loaded cargo trailers had

seals torn off and burglarized there was no reason to do a perimeter check. Council Members Tatro, Galloway, Goldberg, Wiseman, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Council Member Parker stated that from him being present last week she understood he was robbed at gunpoint, locked in a trailer and the officer did not do a full search and he was locked for hours at a time; that he was asked to meet with Chief Stewart to see what actually happened; and upon questions, Mr. George stated that she met with him in the hall and she did not call him back; that he called yesterday but she was not available. Council Member Parker stated that the short answer was he was probably owed an apology because he suffered unnecessarily, but he did file in Internal Affairs and he needed an answer; and Mr. George stated that he was told by Internal Affairs they could not determine that he violated HPD policy; that they only taped off homicides, not burglary; and he felt a review of the policy should be made. Council Member Parker stated that was fair and she would ask that there be follow-up. Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that Chief Thaler who was present would speak with him at this time. Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

President Joseph Charles, P.O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) appeared and expressed his personal opinions until his time expired. Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

At 4:39 p.m. City Council recessed until 9:00 a.m., Wednesday, October 8, 2003. Council Members Tatro, Galloway, Goldberg, Edwards, Wiseman, Ellis, Keller, Vasquez, Quan, Sekula-Gibbs, Berry and Robinson absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, October 8, 2003

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, October 8, 2003, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Gordon Quan, Shelley Sekula-Gibbs, M.D., Michael Berry and Carroll Robinson; Ms. Sarah Culbreth, Acting Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney and Ms. Marty Stein, Agenda Director, present.

At 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:28 Mayor Brown reconvened the meeting of the City Council. Council Member Goldberg absent.

MAYOR'S REPORT

Council Member Parker moved to suspend the rules to consider Item Numbers 33, 33a, 33b, 33c, 33d, 34, 35, 35b and 35a out of order, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. MOTION 2003-1176 ADOPTED.

Council Member Vasquez asked for a point of order and stated that he knew there were some amendments coming to the table regarding the drainage items and wanted to know how they wanted to proceed in terms of the additional amendments, and Mayor Brown stated that when they got to Item No. 33d they would take them up at that time.

33. WRITTEN MOTION by Council Member Vasquez to amend Item 33D as follows:

The City of Houston shall coordinate the scope of service for drainage projects with the Harris County Flood Control District. Said coordination shall make recommendations to reduce the scope of projects as appropriate – **(TAGGED BY COUNCIL MEMBER VASQUEZ)** – was presented. All voting aye. Nays none. MOTION 2003-1177 ADOPTED.

- 33a. WRITTEN Motion presented by Council Member Robinson to amend Item 33D as follows:
- (1) Amend Sec. 47-762 (a) to set the “charge” at 1¢ per ERU per month.
 - (2) Amend Sec. 47-762 (c) to make it clear that the “report evaluating the appropriateness of the rate for drainage services” can recommend a reduction in the drainage charge (fee).
 - (3) Amend Sec. 47-763 (c) to require proof of compliance with Sec. 47-763 (a) (1) for the prior two years before a refund can be granted.
 - (4) Amend Attachment A Drainage Charges (a) (2) to read as follows: The number of ERUs for each multifamily residential properties is the acreage of the parcel times 14.2 ERUs per acre – **(TAGGED BY COUNCIL MEMBERS ROBINSON and GALLOWAY)** – was presented.

Council Member Robinson stated that on Item No. 33a he wanted to take a separate vote on each item, (1), (2), (3) and on (4) he had distributed to Council Members an amendment that he worked out with the administration on a new Attachment A that would accomplish what he and Council Member Goldberg were trying to achieve on (4).

Council Member Ellis stated that he intended to vote on (1), (2) and (4) and asked Council Member Robinson if he could explain what (3) was, and Council Member Robinson stated that in the ordinance it said that if somebody applied for an exemption and was granted it for having implemented detention facilities they were entitled to a reimbursement for the prior two years, but nothing in the ordinance said they had to show proof that they did in fact have some kind of detention capacity during those two prior years, so they could have somebody that just put it in January, gets the exemption in June or July and was entitled, on the face of the ordinance now, to a reimbursement of the fee paid for the prior two years, that he just wanted to make sure they produced proof.

Mayor Brown asked Ms. Sara Culbreth to address the administration’s position on (1).

Ms. Culbreth stated that she wanted to make sure, referring to Council Member Robinson’s amendment (3), making sure they had credits in the prior two years, that there was proof of that, and Council Member Robinson stated that on (3) he wanted to make sure there was proof, if they were going to give a reimbursement for the prior two years, that they did in fact have detentions on the facility and were not just giving it to them because they got an exemption this year, and Ms. Culbreth stated that they did not have a problem with that in making sure that the language was clear in the final draft of the ordinance.

Mayor Brown asked Ms. Culbreth to address Item 33a(1), and Ms. Culbreth stated that the item dealt with the amendment to roll the drainage fee back to one penny, she believed, it would not generate sufficient revenue to support the maintenance and operation program of the drainage program and they would not be in support of the amendment.

A roll call vote was called on Item 33a(1).

ROLL CALL VOTE:

| | |
|-----------------------------------|---------------------------------------|
| Mayor Brown voting no | Council Member Vasquez voting no |
| Council Member Tatro voting aye | Council Member Alvarado voting no |
| Council Member Galloway voting no | Council Member Parker voting no |
| Council Member Goldberg voting no | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting no |

Council Member Wiseman voting aye
Council Member Ellis voting aye
Council Member Keller voting aye

Council Member Berry voting aye
Council Member Robinson voting aye
MOTION 2003-1178 FAILED

Mayor Brown requested Ms. Culbreth to give an analysis and the administration's position on Item No. 33a(2).

Ms. Culbreth stated they would be in support of that amendment and would be glad to add some language to the ordinance to make sure it was clear that they would provide a report to the Council.

Council Member Vasquez asked if his amendment was similar in nature or conceot to Council Member Sekula-Gibbs amendment or was there any difference between them, and Council Member Robinson stated that even though they did not have Council Member Sekula-Gibbs amendment on the table it spoke to the same language that was there, that his just wanted to make sure that the report could give them the recommendation to keep the fee the same, that he wanted to make sure that the report could also make a recommendation that the fee be lowered given resources on hand.

Council Member Sekula-Gibbs stated that it was her understanding that her amendment would be more appropriately placed at 33d, however it seemed to be germane to the discussion at this time so she would like to ask Legal if it was the right time to submit her amendment or if it should be attached to 33d and if it would be accepted by Council Member Robinson as a friendly amendment, and Council Member Robinson stated that he would not have any problem if Legal said it was the appropriate place and Ms. Anne Day stated that she was not sure whether it mattered at this point, that she thought it could be brought forward now if Council wanted to create one ordinance addressing what needed to go into the report in its entirety.

Mayor Brown stated that there was nothing that would prohibit them from passing both so they should wait until they got to Item 33d and they would take it them, and Council Member Sekula-Gibbs stated that she would accept that.

A vote was called on Item 33a(2). All voting aye. Nays none. MOTION 2003-1179 ADOPTED.

Mayor Brown requested Ms. Culbreth to give an analysis and the administration's position on Item No. 33a(3).

Ms. Culbreth stated that she believed they had addressed that motion earlier with Council Member Robinson's amendment.

A vote was called on Item No. 33b(3). All voting aye. Nays none. MOTION 2003-1180 ADOPTED.

Mayor Brown requested Ms. Culbreth to give an analysis and the administration's position on Item No. 33a(4).

Ms. Culbreth stated that on amendment number 4 they would not be in support of given the fact that it did have a revenue impact.

Council Member Robinson stated that there was a substitute document on the table that he worked with Public Works to prepare that accomplished the ends that he and Council Member Goldberg were trying to achieve that redefined multi family to bring them down to the 14 ERU's, he believed.

Council Member Keller asked if it was the Apartment Association amendment, and Council

Member Robinson stated yes, that it was a new definition for Attachment A, Definitions and Rate Schedule, that Public Works worked with him to prepare and he and Council Member Goldberg had a chance to visit with them on it.

Mayor Brown asked Council Member Robinson if his motion was to substitute the Definitions and Rate Schedule Attachment A.

Council Member Robinson moved that he be allowed to substitute the new Definitions and Rate Schedule Attachment A for Item No. 33a(4), seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-1181 ADOPTED.

Mayor Brown stated that what the Council Member had handed out was what was before them now.

Council Member Robinson distributed the following written motion as a substitute for Item No. 33a(4):

Definitions and Rate Schedule

Definitions:

Agricultural Property means property that is primarily operated as agricultural as defined by Chapter 23.42(d)(1) of the Texas Tax Code.

Commercial or industrial activity means profit or not-for-profit activity involved in the manufacture, storage, transportation, distribution, exchange or sale of goods or commodities, or the sale or lease of real property, or in the provision of professional or nonprofessional services.

Commercial/Industrial Property means property that is primarily operated for commercial or industrial activity, including multifamily residential property, that is not an agricultural property, institutional property, ~~multifamily residential property~~, religious property, single family residential property, transportation or utility property, or undeveloped, park or open space property.

Dwelling Unit means a structure, or portion of a structure, that has independent living facilities including provisions for non-transient sleeping, cooking and sanitation.

Footprint means the total square footage of a structure divided by the number of stories.

Governmental Property means property operated by the United States government, the State of Texas, or any political subdivision of the State of Texas, or by any foreign government.

Institutional Property means property primarily operated for institutional purposes such as schools, school related activities, medical activities such as hospitals, and cultural facilities.

Multifamily Residential Property means residential property other than single family ~~detached~~ residential property.

Parcel means a contiguous piece of land that is under common ownership or control, including total area of any condominium or town house development where the owners or individual units hold all or part of the land in common.

Residence means any structure or group of structure within which more than 50 percent of the floor space is occupied or intended for occupancy as living quarters. The term "residence" does not include hotels, motels, inns, lodging houses or any similar establishment in which lodging is furnished for consideration and in which less than 75 percent of the accommodations are occupied by permanent residents. The term "residence" does not include group quarters which are living arrangements for other than ordinary household life, such as dormitories, military barracks, hospitals, home for the aged and prisons.

Residential property means property primarily used as a residence.

Religious Property means property operated by a religious organization as defined by Section 11.20(c) of the Texas Tax Code.

Single Family ~~Detached~~ Residential Property means ~~a residence~~ a residential property with a single dwelling unit.

Transportation or Utility Property means property operated for transportation or utility infrastructure purposes such as electric generation stations, oil or natural gas distribution systems and pipelines, telephone lines, railroad tracks, and radio and television communication facilities. The term does not include office buildings, parking garages or other facilities operated by transportation or utility entities that are identical in nature to facilities operated by other commercial entities.

Undeveloped, Parks or Open Space Property means property that is primarily (1) in its natural state or undeveloped or (2) operated as a cemetery, park, or open space or for recreational activities.

Drainages Charges:

(a) The number of ERU5 for a customer will be calculated as follows:

(1) ~~Single Family Detached Residential Properties.~~ The number of ERUs for each single family detached residential property is based on the value of the Footprint as follows:

| <u>Footprint (sq ft)</u> | <u>ERU</u> |
|--------------------------|------------|
| 0 to 900 | 0.6 |
| 901 to 2300 | 1.0 |
| 2301 and larger | 1.7 |

~~(2) Multifamily Residential Properties. The number of ERUs for each multifamily residential property is equal to the number of dwelling units on the property.~~

~~(3) Commercial/ Industrial Properties: The number of ERUs for each commercial/industrial property is the acreage of the parcel times 14.2 ERUs per acre.~~

~~(4)(3) Governmental Properties: The number of ERUs for each governmental property is the acreage of the parcel times 8.1 ERUs per acre.~~

~~(5)(4) Institutional or Religious Properties: The number of ERUs for each institutional or religious property is the acreage of the parcel times 9.6 ERUs per acre.~~

~~(6)(5) Transportation or Utility Properties: The number of ERUs for each transportation or utility property is the acreage of the parcel times 7.2 ERUs per acre.~~

~~(7)(6) Undeveloped, Parks, Open Space or Agricultural Properties: The number of ERUs for each undeveloped, park, open space or agricultural property is the acreage of the parcel times 2.0 ERUs per acre.~~

The numbers expressed in the Drainage Charges Section of this attachment are based on "City of Houston Parcel Assessment and Rate Study" (CDM, September 23, 2003) and the letter from Scott McClelland of CDM to David Peters of the COH Public Works and Engineering Department regarding multifamily residential parcels, dated September 30, 2003, except for the "Footprint" values that are provided by the COH Public Works and Engineering Department.

Ms. Culbreth stated that as she understood the amendment it still would have the same impact they basically were just redefining a type of category and charging them a different rate, it would still have a revenue impact of between \$3 million and \$4 million to the drainage fund, in the event the amendment passed there would have to be some service cut made to the level of services provided on the maintenance program.

A roll call vote was called on the substitute motion for Item 33a(4)

ROLL CALL VOTE:

| | |
|------------------------------------|--|
| Mayor Brown voting no | Council Member Vasquez voting aye |
| Council Member Tatro voting aye | Council Member Alvarado voting aye |
| Council Member Galloway voting no | Council Member Parker voting aye |
| Council Member Goldberg voting aye | Council Member Quan voting aye |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting aye |
| Council Member Wiseman voting aye | Council Member Berry voting aye |
| Council Member Ellis voting aye | Council Member Robinson voting aye |
| Council Member Keller voting aye | MOTION 2003-1182 ADOPTED. |

33b. WRITTEN Motion presented by Council Member Goldberg to amend Item 33D below as follows:

Remove the exemption for City owned and operated facilities.

The drainage fee shall be applicable to all City of Houston property whether or not the City of Houston operates it – **(This was Item 36 on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented.

Mayor Brown requested Ms. Culbreth to give an analysis and the administration's position on Item No. 33b.

Ms. Culbreth stated that they opposed the amendment, that they should be able to eliminate the City facilities and opposed the amendment.

Council Member Tatro moved to divide the question in Item 33d, seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2003-1183 ADOPTED.

33b(1) Remove the exemption for City owned and operated facilities.

33b(2) The drainage fee shall be applicable to all City of Houston property whether or not the City of Houston operates it

Council Member Goldberg stated that he made the amendments on both issues out of fairness, that they were about to set a fee on properties that were normally tax exempt like the County and HISD and thought it was only fair that the storm drainage fee apply to all, if they were going to start a new drainage fee he thought it ought to be a fair one.

After further discussion by Council Members, Ms. Culbreth stated that it was their expectation that they would exempt City owned property from the fee, it would not be included in any of the departments budgets at this point relative to paying the fee, that by law they had the ability to exempt City owned and operated facilities from basically paying themselves for the drainage fee, that exemption was granted to the City by law from the basic premise of why would they charge themselves and that was how they were moving forward, that they did not collect any property taxes from the Aviation Department, that the only reason they charged themselves for rent at 611 Walker was because of bond ordinance problems, that building was owned by Public Works and paid for with bond funds.

A roll call vote was called on Item 33b(1)

ROLL CALL VOTE:

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|------------------------------------|---------------------------------------|
| Mayor Brown voting no | Council Member Vasquez voting no |
| Council Member Tatro voting no | Council Member Alvarado voting no |
| Council Member Galloway voting no | Council Member Parker voting no |
| Council Member Goldberg voting aye | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting no |
| Council Member Wiseman voting no | Council Member Berry voting no |

Council Member Ellis voting no
Council Member Keller voting aye

Council Member Robinson voting aye
MOTION 2003-1184 FAILED.

A roll call vote was called on Item 33b(1)

ROLL CALL VOTE:

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|------------------------------------|---------------------------------------|
| Mayor Brown voting no | Council Member Vasquez voting no |
| Council Member Tatro voting no | Council Member Alvarado voting no |
| Council Member Galloway voting no | Council Member Parker voting no |
| Council Member Goldberg voting aye | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting no |
| Council Member Wiseman voting no | Council Member Berry voting no |
| Council Member Ellis voting no | Council Member Robinson voting aye |
| Council Member Keller voting aye | MOTION 2003-1185 FAILED. |

- 33c. MOTION by Council Member Keller/Seconded by Council Member Ellis to amend Item 33D below, to provide a fee equal to the estimated amount of one cent of property tax – **(This was Item 36A on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented.

Council Member Keller moved to table Item No. 33c, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2003-1186 ADOPTED.

- 33d. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Charges and Terms of Service for Drainage Service; containing findings and other provisions relating to the foregoing subject; declaring certain conduct to be unlawful and providing a penalty therefore; containing a repealer; providing for severability – **(This was Item 36B on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented.

Council Member Robinson offered the following written motion to amend Item No. 33d:

“Amend Item 33d to require the creation of a citywide development plan and an annual report to City Council on the City’s development ordinance and plan, including recommended amendments focused on helping to mitigate flooding on a citywide basis.”

Council Member Sekula-Gibbs offered the following written motion to amend Item No. 33d:

“(1) Amend Agenda Item 33d, the proposed drainage fee ordinance, by amending Section 47-762(c) to read as follows:

- (c) Each year, the utility official shall present to City Council at a regularly-scheduled City Council meeting a report on the status of the operations, maintenance and capital improvement projects of the city’s drainage program. The report shall include the following data for the previous fiscal year and the current fiscal year to date:
- (1) Revenues generated by the drainage fee;
 - (2) Drainage operation and maintenance expenditures, including which operation and maintenance item each expenditure was for;
 - (3) Completed drainage capital improvement projects and the costs expended for each of those projects;
 - (4) An estimate of the amount of potential flood reduction resulting from each completed drainage capital improvement project; and
 - (5) Ongoing drainage capital improvement projects and the costs expended for each of those projects.

In addition, the department shall develop and provide to City Council a list of drainage system objectives to measure and demonstrate how revenues spent and completed drainage capital improvement projects further the city’s drainage

program goals. The intent of the objectives is to provide City Council with the ability to measure the progress of the drainage program. Finally, in the report, the utility official shall recommend (i) whether it is prudent to continue to operate the water and sewer system and the drainage utility system as a combined system; and (ii) whether the rates for drainage services established by this section are still appropriate, including the method by which ERUs are calculated.”

“(2) Amendment 2

Within 45 days of the passage of this ordinance, the department shall report to the City Council on the feasibility of granting drainage fee credits for low impact development. At a minimum, the department shall consider granting a credit for acreage within a residential subdivision that is reserved as green or open space and that maintains the predominantly pervious condition of the dedicated property prior to development.”

Council Member Vasquez offered the following written motion to amend Item No. 33d:

“(1) Amend Agenda Item 33d Amend the definitions of governmental property and institutional property in Attachment A to Agenda Item 33d to read as follows:

Governmental Property means property operated by the United States government, the State of Texas, an independent school district, or any political subdivision of the State of Texas, or by any foreign government.

Institutional Property means property primarily operated for institutional purposes, such as schools, school related activities, medical activities such as hospitals, and cultural facilities, that is not a governmental property.”

“(2) Amend the last paragraph of Attachment A to Agenda Item 33(d) to read as follows:

The numbers expressed in the Drainage Charges Section of this attachment are based on “City of Houston Parcel Assessment and Rate Study” (CDM, September 23, 2003) and the letter from Scott McClelland of CDM to David Peters of the COH Public Works and Engineering Department regarding Houston Independent School District, dated September 30, 2003, except for the “Footprint” values that are provided by the COH Public Works and Engineering Department.”

Council Member Vasquez asked Ms. Day if she had any additional comments on his amendment, and Ms. Day stated that there should have been handed out to the Council Members a letter from CDM, two letters, one regarding multi family and one regarding Houston Independent Districts, and it appeared that the engineering report supporting the rate study would support moving public schools from institutional to governmental.

Council Member Keller asked Council Member Robinson if on his amendment, for a citywide development plan, did he define it as the development plan of the expansion and improvement of the drainage system or development of the entire City, and Council Member Robinson stated that he was speaking to some kind of citywide modeling of what flooding or runoff impact new projects would have, that it was basically just for infrastructure, that he would assume that the Planning Department in combination with Public Works would do the plan.

Council Member Ellis asked whether or not they incorporated a sunset provision for the storm drainage fee, and Ms. Day stated they did not.

Council Member Ellis moved to put in a 15 year sunset provision, seconded by Council

Member Goldberg.

Ms. Day stated that there was a lot of discussion on it and it was her understanding that the bond counsel thought it was an extremely problematic amendment, they were issuing bonds and they had to insure that they would pay off those bonds, there were going to be bonds for the combined utility and they could not have the drainage fee portion of that sunset without jeopardizing the water and waste water portion of those bonds as well, that the only way to do it was to pull back and completely refinance the bonds that had been outstanding and they had been strongly urged by bond counsel not to include it and she believed that Council Member Sekula-Gibbs's amendment was an attempt to provide accountability and information to future City Council's so should they decide that it was not a prudent way to go that Council at that point could act and look at was it necessary to refinance the bonds or what would be entailed to dissolve the combined utility.

Council Member Ellis asked what was the length they could issue bonds, what was the maturity, and Ms. Culbreth stated they were 30 year bonds, that predominately yes, that historically they had issued at least 30 year bonds, they had some 20 year, that she could not say exactly the length of those bonds but thought on the average they would be 30 year bonds.

Council Member Sekula-Gibbs stated that if they could not use the word sunset then what could they do that would not make the bond providers skittish, so the best substitute that she could come up with short of using the term sunset would be that on the annual review that City Council had the opportunity to reduce the rate, assuming that they no longer needed the amount of money that was coming in for operation and maintenance or discontinue the program completely and at that time reassemble a water sewer utility and eliminate the drainage portion of it. Council Member Tatro absent.

Council Member Ellis stated that he would withdraw his motion for a sunset provision. Council Member Tatro absent.

Council Member Galloway stated that if they were going to have a reduction they could have all the drainage improvements in the City but if the water was not going into the bayous, which the County maintained, it would still not do them any justice, as well as on Council Member Robinson's plan, they had to include the County in the issues so she thought they needed to expand that and incorporate it in some kind of way. Council Members Tatro and Wiseman absent.

After further discussion by Council Members, Mayor Brown stated that he wanted to address Council Member Robinson's amendment because there was a posting issue, that he was talking about a citywide development plan and a development ordinance and what was before them now was the drainage issue, that he would rule that Council Member Robinson's amendment was out of order but would ask that the Regional Planning Committee, chaired by Council Member Vasquez, address it, that he thought everyone agreed that it was a good idea but they did have a posting problem on the issue.

Council Member Robinson asked when was it going to be taken up in committee and how soon could they have it back on the regular Council agenda, and Council Member Vasquez stated that they would be happy to schedule a meeting and would make the commitment that they would take care of it next week if they could get a quorum.

A vote was called on Council Member Sekula-Gibbs's written motion number (1) to amend Item No. 33d. All voting aye. Nays none. MOTION 2003-1187 ADOPTED.

A vote was called on Council Member Sekula-Gibbs's written motion number (2) to amend Item No. 33d. All voting aye. Nays none. MOTION 2003-1188 ADOPTED.

A vote was called on Council Member Vasquez written motion number (1) to amend Item No. 33d. All voting aye. Nays none. MOTION 2003-1189 ADOPTED.

A vote was called on Council Member Vasquez written motion number (2) to amend Item No. 33d. All voting aye. Nays none. MOTION 2003-1190 ADOPTED.

A roll call vote was called on Item No. 33d as amended.

ROLL CALL VOTE:

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| Mayor Brown voting aye | Council Member Vasquez voting aye |
| Council Member Tatro voting no | Council Member Alvarado voting aye |
| Council Member Galloway voting aye | Council Member Parker voting aye |
| Council Member Goldberg voting aye | Council Member Quan voting aye |
| Council Member Edwards voting aye | Council Member Sekula-Gibbs voting aye |
| Council Member Wiseman voting no | Council Member Berry voting no |
| Council Member Ellis voting no | Council Member Robinson voting no |
| Council Member Keller voting no | ORDINANCE 2003-0925 ADOPTED. |

Council Member Vasquez stated that he wanted to thank his colleagues and Mayor Brown, that he wanted to thank Ms. Culbreth for her involvement and Mr. Haines for all his hard work in terms of getting it done, that he wanted to thank all his colleagues for being civil about the discussion and trying to minimize the politics, that it was a tremendous victory, he thought, in terms of a solution to flooding and a solution for the future of the City of Houston.

Council Member Sekula-Gibbs stated that she wanted to thank Council Member Vasquez for his leadership on the issue, that the issue was not going away, that Houston was not going to develop a topography that would eliminate the fear of flooding and the threat and they had to do something, doing nothing was simply not an option, that it was something that she hoped they would be able to justify with proper improvements and that the drainage situation would be improved in the future and that that people would come to see that benefits would certainly outweigh the burden of the small fee. Council Members Wiseman and Keller absent.

Council Member Robinson stated that though he disagreed with the fee he wanted to compliment Council because he always said it was about dealing with issues on the merit and talking about the facts and wanted to commend Council Member Vasquez for taking the leadership role to make sure they had that kind of discussion, that it was not about doing nothing, it was about doing more. Council Member Wiseman absent.

Council Member Galloway stated that she was against the storm drainage fee because of the condition that her community was in, however she spoke with many of her constituents and when they really looked at the benefit from the storm drainage fee and the plan, after she met with Mr. Vanden Bosch, that she wanted to compliment him for bringing her and sharing with her the plan that was laid out for District B, so after her constituents came down and stated that it was what they wanted and because they were heavily affected by Allison she came to the conclusion that they must move forward and must eliminate flooding in District B. Council Members Wiseman and Robinson absent.

Council Member Goldberg stated the fee was closed off and was an enterprise fund and would only go to pay for the water, sewer and storm drainage, that with that money now in the account they could get a handle on not only the storm drainage problems but all the problems that were associated with the crumbling infrastructure.

Council Member Parker stated that she guessed there were certain Districts, B, C, D, H and I who really wanted the projects to start in their districts first, but she wanted to address Council Member Robinson's point, they had to change the way they did development in Houston, they had to have new restrictions on building in the flood plain and she definitely

wanted the opportunity to vote on something before she leaves, that she wanted to thank Council Member Vasquez for agreeing to take it up in committee, that she wanted to challenge the Greater Houston Partnership, who were present yesterday saying they were going to have a package of recommendations, that they could not wait until December to bring them to Council they needed to bring them to Council as soon as possible. Council Member Vasquez absent.

Council Member Edwards stated that in District D there had been active discussion about the drainage fee and they would actively be participating in the developmental process and concurred with her colleagues that they needed to build and fly the airplane at the same time, that the thing that she wanted to congratulate the administration on was including the community in the discussions on the area, she thought it was very good because it helped to develop a sense of participation and trustworthiness in the project, that people had the feeling that they wanted to pay for what they needed to pay for but did not want to feel like they had been hoodwinked, and thought that the opportunity that the administration gave them to include community stakeholders in the discussion would help develop a better perception of what City Council and elected officials were all about. Council Member Vasquez absent.

Council Member Tatro stated that he thought it was unfortunately a nail to the coffin of the taxpayer of the City of Houston, that the public simply did not want a new tax, that they had done nothing today to solve the budget problems, but took more money from them to do more on storm drainage, that he thought it was a dark day for taxpayers.

Mayor Brown stated that he strongly wanted to disagree with Council Member Tatro, but in doing so wanted to express his thanks and appreciation to those Council Members who supported the drainage fee, that it was something that they worked on and Council Members had worked extremely hard and gone to their constituents and heard from the people that they represented and thought they had done a favor for the City, that he wanted to commend Council Members for taking, what he thought, was the right step in helping address the problem of flooding.

ITEMS RELATED TO BUDGET AND PROPERTY TAX

34. **NOTE: Item 34 below is being presented for the first time but cannot be tagged** ORDINANCE amending Ordinance No. 2003-629, which approved the annual General Fund Budget of the City of Houston for Fiscal Year 2004, in order to allow for compliance by the City with the Texas Property Tax Code – was presented.

Upon questions by Council Member Robinson, Mr. Hall stated that as many of them knew it was a fairly unusual process in that there was a budget process that assumed a tax rate for those purposes earlier, and normally the requirement contemplated that they set the tax rate in conformance with the budget that had been adopted, that was the normal State Law budget process, here they had a little difficulty because now the assumption that was stated in that budget was one that was pending before Council with some amendments because the tax roll was now in and they knew what the tax roll was and Council Members had all put amendments to the rate that was assumed in the budget which put the thing kind of backwards, that their view was that the State Budget Law contemplated normally setting the budget and then the Law says they set the tax rate to support that budget, they had difficulty now because if they take the budget again they had to make some assumptions like they did in that normal process and that was rather difficult because they had to decide what that was going to be and his view was that the law did not contemplate that process and he thought frankly they needed to know what revenue they were going to assume when they set the budget so it would be wise to take the other item first.

Council Member Robinson moved to postpone Item No. 34 until the end of the agenda, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2003-1191 ADOPTED.

35. MOTION by Council Member Berry/Seconded by Council Member Tatro to amend Item 35B below, to reduce the 2003 property tax for Maintenance and Operation to \$.485/\$100 assessed value – **(This was Item 37 on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented.

Mayor Brown stated that he thought all of them clearly recognized that the Country had gone through some difficult economic times and they had in the City of Houston as well and as a result of that had been forced to streamline City government and might add dramatically in the last two years and that process had resulted in over 1,400 civilian employee positions being taken off the roll, it represented about 16% reduction in their civilian staffing and indeed had taken some toll on service delivery, they had laid off 130 people who had lost their jobs, some of the branch libraries were open shorter hours, only one was open on Sunday, their community Solid Waste depository was closed, so there were some consequences that they already had to undergo, that to remember they had last fiscal year's budget predicated upon a certain revenue that did not come through, their tax revenue was lower than projected, that in June Council approved a budget that was based upon a tax rate of 65.5 cents per \$100 assessed valuation and to that proposed budget the Council added some expenses and took away some revenue generating expenses so the item they were addressing today was much more severe than one would think on first taking a look at it, that they also had to realize that as a body they had to be concerned because they send a negative message to the agencies that rate the City's long term debt, not only do they rate the City on its financial capacity, they also evaluated them on their consistent management and ability and willingness to make hard decisions that the body had to make, that they handed out a number of things for them to take a look at, that he thought one that was extremely important was if they talked about a penny rollback they had to understand that about 60% of that came from business, so Reliant Energy would save \$137,000 and the average citizen about \$9 and a disabled senior about \$5, so who were they helping, that businesses had not asked the City to rollback their tax rates, that in addition to that they should not lose sight that they already had a \$10 million deficit that they had to make up, that he was going to put before Council next week a proposal for approval to cover that deficit with a furlough program, if the Council rolled back the tax rate he had attached for them the things that would have to be done to accomplish that, that his hope was that the Council would do the right thing, that they had approved the budget that was predicated upon the tax rate of 65.5 cents, let them leave it there and deal with the problem they already had, the Controller tells them it could be as much as \$26 million, they say \$10 million, that it was between \$10 million and \$26 million, there was nothing logical that suggested they should be cutting back the tax rate at this time, that he would urge the Council Members to do what was in the best interest of their City and that was to not address a rollback on the tax rate and help them address the problem they already had, and asked Ms. Culbreth to address the issue for them on the budget prospective.

Ms. Culbreth stated that the Mayor was absolutely correct in reminding Council that they did have an issue before them relative to Fiscal Year 2004, absent any property tax rollback, that revenue impact, based on F&A numbers, was \$10 million and could be as high as \$26 million if they took the Controller's numbers, in the event that the property tax rate was rolled back an additional penny it was going to cost the General Fund an additional \$10 million and would have to be addressed, that what they had provided to Council was an attachment to the Mayor's letter were proposed budget reductions to identify places where they could cut the budget in order to accommodate a rollback, they had attempted to identify those budget cuts that would have the least impact on direct services, they had further reduced the support service departments and were recommending that they further reduce those service support departments such as F&A, IT, the Mayor's office, City Secretary, etc., they had also suggested that they delay opening a fire station and delay putting some equipment in a fire station as well as delaying the December 2003 cadet class for the Police Department by 6 months, those totaled approximately \$5 million, in addition to that they had also provided information that would reduce budgets in the respective departments as identified totaling an additional \$5.9 million, it was going to further reduce services in the departments as they had explained, for

example in the Library they would delay opening the Stella Link Library and in the Solid Waste they would have to close the depositories, they were going to have significant impact on City services, not to mention the impact it would have moving forward into 2005, they would urge Council to not rollback the property tax rate. Council Member Vasquez absent.

Council Member Ellis stated that he passed out a property tax worksheet provided to him yesterday by the Harris County Tax Assessor Collector's office and it did an evaluation of what they believed to be the estimated net advalorem property taxes that would be collected for this fiscal year and their number was \$665 million and F&A's projection had been reduced to \$658 million a difference to the good of about \$6.596 million to the good of the City's budget, that it was his intention to bring forward a half penny reduction, which would eat up \$5 million of that portion. Council Member Vasquez absent.

Dr. Scheps stated that there were three areas that he thought were exaggerated and wanted to say that it was all couched in an environment where he was constantly criticized for giving too aggressive revenue estimates and he hoped it was correct and hoped they got more revenue because they had a \$10 million problem that they had not solved as of today, but they had never seen collection rates at 97.5% and did not know where that came from, that they put the 97.1% in their estimate and it may have been a little bit higher last year, but it was not 97.5%, they thought the prior payments going from 32 to 39, the 32 was not correct in their view because it was prior to fees being paid, and the increase, he had asked their property tax people and they did not see an increase that would support an increase from 32 to 39 and their refunds had been over \$11 million two years in a row, so that was three optimistic projections, again he certainly hoped they were right, they needed all the recurring revenue they could get, that as they knew they had actually reduced their property tax projection two months ago, that they originally put in the mid range HCAD tax base projection and it came in toward the low end of the range and that was why they had to reduce by about \$4 million and based on the handout he was fairly confident that it would be somewhat aggressive of them if they would justify a tax decrease based on that revenue estimate because he did not think they would get it. Council Member Vasquez absent.

Council Member Keller stated that he did not think that anybody could adequately argue that they did have the resources to accomplish it, it was whether they could do it in a timely manner and guarantee that they could do it without cutting services, that he could not play Russian Roulette with those services, that he handed out to everybody, also in real estate, where they could come up with a lot of money, which showed that the money was there, that on the first page Strategic Sourcing for Houston's Communications Facilities, since March they had been talking about it and it was a savings of \$3 million if they consolidated their data centers, but in addition to the \$3 million of savings they could sell those properties which was an additional amount of money of downtown properties, that in June 2002 the Building Services Director was handing out to them, so they would save that department, a bunch of Strategic Portfolio properties, they made no effort to sell any of those, that on the third page of his handout two of the properties were in the Texas Medical Center that the Health and Human Services Department of the City owned and they were really not doing anything with them and those were higher dollar properties that they should dispose of, that the fact of the matter was that they could not argue that it was not there, but they could argue that it was not responsible at that time, if that was what they had before them, as far as the cuts, even if they could do it without cuts, if they were going to have cuts he could not be directly responsible or indirectly responsible for that so he was not going to vote to roll the tax rate down and he was going to still hold everyone accountable that the 60% of dismissed tickets was unacceptable, that the fact that they had \$120 million in unpaid warrants was unacceptable, that they did have money out there. Council Member Sekula-Gibbs absent.

Council Member Quan moved to suspend the rules to hear from Ms. Judy Gray Johnson, Controller, at this time, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Sekula-Gibbs absent. MOTION 2003-1192 ADOPTED.

Ms. Johnson stated that as to the worksheet handed out, in terms of 2004 in comparison with the budgeted amount and in comparison with last year's figures, which were not in front of them, there were some concerns, one of them being that the collection rate assumed of 97.5% was greater than the collection rate last year, that when they did their projection, their estimate, which was \$657 million they used a 6 year running average on current collections which was at 97.11%, very close to the amount that was included in the budget, so the current collection percentage appeared to be a little bit higher than what they had been receiving, the prior year payments delinquent collections of \$39.5 million, as they could see, was quite a bit more than budgeted but was also quite a bit more than they received last year, that it had been very encouraging, they had a lot of inquiries in delinquent tax payments over the past year, they ran about \$30 million including penalties and interest, but to increase that and assume \$39 million would certainly be a much more aggressive an estimate that she would recommend using, that refunds had also been trending up for the last couple of years, \$11.7 million was interestingly very close to the amount that they finally had for last year for 2003, that was about \$11.2 million, that to assume refunds of only \$9.8 million, was again, probably overly optimistic, that she would be happy to get them the details of the backup into the estimate that their office made of \$657 million, that she wished she could agree with it because \$665 million would be very nice but she really could not support it and thought it was a little overly aggressive. Council Members Tatro, Goldberg and Sekula-Gibbs absent.

After a lengthy discussion by Council Members, Council Member Galloway moved to call the question, seconded by Council Member Parker. All voting aye. Nays none. Council Members Tatro, Quan and Robinson absent. MOTION 2003-1193 ADOPTED.

A roll call vote was called on Item No. 35.

ROLL CALL VOTE:

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| Mayor Brown voting no | Council Member Vasquez voting no |
| Council Member Tatro voting aye | Council Member Alvarado voting no |
| Council Member Galloway voting no | Council Member Parker voting no |
| Council Member Goldberg voting aye | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting aye |
| Council Member Wiseman voting aye | Council Member Berry voting aye |
| Council Member Ellis voting aye | Council Member Robinson voting aye |
| Council Member Keller voting no | MOTION 2003-1194 FAILED. |

Council Member Ellis moved to decrease the advalorem property tax by a half cent and decrease the M&O by a half cent, seconded by Council Member Wiseman.

Mayor Brown asked that Council Member Ellis state again what his amendment was and Council Member Ellis stated that the net effect was that they would decrease the property tax rate by a half cent and it would all come out of M&O, none out of the I&S Fund.

A roll call vote was called on Council Member Ellis's motion to amend Item No. 35b.

ROLL CALL VOTE:

| | |
|------------------------------------|--|
| Mayor Brown voting no | Council Member Vasquez voting no |
| Council Member Tatro voting aye | Council Member Alvarado voting no |
| Council Member Galloway voting no | Council Member Parker voting no |
| Council Member Goldberg voting aye | Council Member Quan voting no |
| Council Member Edwards voting no | Council Member Sekula-Gibbs voting aye |
| Council Member Wiseman voting aye | Council Member Berry voting aye |
| Council Member Ellis voting aye | Council Member Robinson voting aye |
| Council Member Keller voting no | MOTION 2003-1195 FAILED. |

35b. ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2003 – **(This was Item 37b on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented. Council Members Tatro and Berry voting no, balance voting aye. ORDINANCE 2003-0926 ADOPTED.

35a. MOTION by Council Member Keller/Seconded by Council Member Ellis to amend Item 35B below, to provide a tax rate of \$.635/\$100 of assessed value to be apportioned at a rate of \$.48452/\$100 for Maintenance and Operations and a rate of \$.15048/\$100 for Interest and Sinking Fund – **(This was Item 37a on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented.

Mayor Brown requested that Mr. Hall address Item 35a, and Mr. Hall stated that on Item No. 35a they prepared and posted, in order to try as best they could, to allow for compliance with the State law so that if the budget were reduced, if they would notice in the caption it said to allow for compliance by the City with the law, so they would adjust the budget, what they had now adopted was in the budget, so they did comply, that he was talking about Item No. 34.

Mayor Brown stated that Item No. 35a was moot because they had already set the tax rate.

Council Member Wiseman moved to suspend the rules to consider Item Numbers 32, 4 and 34 out of order, seconded by Council Member Robinson.

Council Member Alvarado stated that she just wanted to regress back to something that Council Member Keller brought up and she applauded his effort on trying to bring some savings and some revenues to their budget and would like someone to visit with her on the proposal brought by Council Member Keller on the consolidation on the radios, and Mayor Brown stated that was an active proposition that they were looking at now and would have someone brief her on it, and Council Member Alvarado stated that she wanted to thank Council Member Keller for bringing that and then also the other initiative dealing with the Strategic Real Estate Portfolio.

Council Member Keller stated that he would also like to point out that he represented the City, as they knew, in the Homeland Security on Houston Galveston Area Council and that was a Homeland Security issue and was also qualified to get reimbursed by the federal government, so not only did it save but then the expense that they would have with it could be reimbursed by the federal government for Homeland Security.

A vote was called on the motion to consider Item Numbers 32, 4 and 34 out of order. All voting aye. Nays none. MOTION 2003-1196 ADOPTED.

32. ORDINANCE awarding contract to **DIGITAL CONSULTING & SOFTWARE SERVICES, INC** for Support and Maintenance of the 3-1-1 Houston Helpline Services Call Center for the Information Technology Department; providing a maximum contract amount - 3 Years - \$3,339,000.00 Central Service Revolving Fund – **(This was Item 18 on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBERS WISEMAN, TATRO and SEKULA-GIBBS)** – was presented.

Council Member Wiseman stated that she tagged the item because she had a real issue with 311, that since she had been on Council she had not seen 311 working the way it should, she did not think it justified their expense on it, that she knew the Mayor differed in his view on it, but respectfully she had her own and could not support any additional funds for the service so she would be voting no. Council Member Robinson absent.

Council Member Sekula-Gibbs stated that on Item 32 she tagged the item as well but it was not for that particular reason, that she was concerned that an initiative that was discussed

during the budget was going to go forward with the allotment of \$3 million, she was concerned about requiring the Health Department patients to make their appointments and follow up information calls through 311, that she was very concerned that it was a departure from standard procedure that people were accustomed to in dealing with medical issues, that they really did not want to share their private medical matters with 311 operators, and Mayor Brown stated they did not have to, and Council Member Sekula-Gibbs stated that actually the plan to do that had been discontinued and Mayor Brown stated that was correct and they were not going to do it. Council Member Robinson absent.

A vote was called on Item No. 32. Council Members Tatro and Wiseman voting no, balance voting aye. Council Member Robinson absent. ORDINANCE 2003-0927 ADOPTED.

4. **AMERICAN PLANT PRODUCTS & SERVICES** to Furnish and Deliver One Greenhouse for Houston Airport System - \$53,460.00 - Enterprise Fund – was presented, moved by Council Member Tatro, seconded by Council Member Keller, and tagged by Council Members Wiseman, Sekula-Gibbs and Parker. Council Member Robinson absent.
34. **NOTE: Item 34 below is being presented for the first time but cannot be tagged** ORDINANCE amending Ordinance No. 2003-629, which approved the annual General Fund Budget of the City of Houston for Fiscal Year 2004, in order to allow for compliance by the City with the Texas Property Tax Code – was again before Council. Council Member Robinson absent.

Mr. Hall stated that it was part of the continuation of the discussion they had earlier, that they were requested to draft the item to try and make certain that Council would be in compliance with the State Budget Law if the tax rate that was adopted or presented with the budget were not adopted, that tax rate had now been adopted, the posting specifically said to be in compliance with that law so it was now both moot because there was nothing they could do to make it compliance, it was already in compliance. Council Member Robinson absent.

Mayor Brown stated that he would rule that Item No. 34 was moot. Council Member Robinson absent.

CONSENT AGENDA NUMBERS 1 through 24

ACCEPT WORK - NUMBER 2

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$365,780.00 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for Hollister Lift Station Rehabilitation; GFS R-0267-75-3 (4276-35) - 01.97% over the original contract amount - **DISTRICT A – TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Wiseman and Robinson absent. MOTION 2003-1197 ADOPTED.

PURCHASING AND TABULATION OF BIDS – NUMBER 5

5. **TEXAS COMMISSION ON FIRE PROTECTION** for payment of Annual Certification/ Re-certification of Firefighters for Fire Department - \$76,827.00 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Wiseman and Robinson absent. MOTION 2003-1198 ADOPTED.

ORDINANCES - NUMBERS 7 through 24

7. ORDINANCE establishing City of Houston Election Precincts and designating Polling

Places for the City of Houston General and Special Elections to be held on November 4, 2003 – was presented. All voting aye. Nays none. Council Members Wiseman and Robinson absent. ORDINANCE 2003-0928 ADOPTED.

10. ORDINANCE ordering and setting a public hearing, pursuant to the provisions of Chapter 26, Texas Parks & Wildlife Code, regarding the alignment of a proposed 144-inch diameter relief storm sewer system and associated temporary construction easements through Hermann Park by the Public Works Department; authorizing and directing that notice of such hearing be given, stating in substance the form of such notice; finding and stating other matters generally relating thereto - **DISTRICT E – EDWARDS - HEARING DATE - 9:00 A.M. - WEDNESDAY - NOVEMBER 19, 2003** – was presented. All voting aye. Nays none. Council Members Wiseman and Robinson absent. ORDINANCE 2003-0929 ADOPTED.
22. ORDINANCE No. 2003-898, passed second reading October 1, 2003
ORDINANCE granting to **WASTE TRANSPORTATION, INC D/B/A UNIVERSAL WASTE, A Texas Corporation**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Members Wiseman and Robinson absent. ORDINANCE 2003-0898 ADOPTED THIRD READING IN FULL.
23. ORDINANCE No. 2003-924, passed first reading October 1, 2003
ORDINANCE granting to **EARTHAMERICA OF TEXAS L.P., A Texas Limited Partnership**, the right, privilege and franchise to collect, haul and transport Solid Waste and Industrial Waste from Commercial Properties located within the City of Houston, Texas, pursuant to Chapter 39, Code of Ordinances, Houston, Texas; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. Council Members Wiseman and Robinson absent. ORDINANCE 2003-0924 PASSED SECOND READING IN FULL.
24. Omitted

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION from Director Department of Public Works & Engineering for establishment of a connection charge in the amount of \$0.6302 per square foot for properties connecting to the 8-inch sanitary sewer line constructed by **STONEWOOD BUILDERS, LTD** located along Reinicke Street east of Rose Street - **DISTRICT G - KELLER** – was presented, moved by Council Member Quan, seconded by Council Member Galloway. All voting aye. Nays none. Council Members Wiseman and Robinson absent. MOTION 2003-1199 ADOPTED.

ACCEPT WORK

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,893,707.64 and acceptance of work on contract with **INDUSTRIAL TX CORPORATION** for Southwest Wastewater Treatment Plant Improvements; GFS R-0097-02-3 (4758) - 04.63% over the original contract amount - **DISTRICT C - GOLDBERG** – was presented, moved by Council Member Galloway, seconded by Council Member Quan. All voting aye. Nays none. Council Members Wiseman and Robinson absent. MOTION 2003-1200 ADOPTED.

PURCHASING AND TABULATION OF BIDS

6. **CENTRAL TURF FARMS, INC** for St. Augustine Sod Blocks Contract for Department of Public Works & Engineering - \$439,508.70 - General, Enterprise and Storm Water Utilities Funds – was presented, moved by Council Member Quan, seconded by Council Member Parker, and tagged by Council Member Sekula-Gibbs. Council Members Wiseman and Robinson absent.

ORDINANCES

8. ORDINANCE providing for Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston General and Special Elections to be held on November 4, 2003, and any required Runoff Election – was presented. All voting aye. Nays none. Council Members Wiseman and Robinson absent. ORDINANCE 2003-0930 ADOPTED.
9. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two 10-foot-wide utility easements, four 5-foot-wide aerial easements and a prescriptive sanitary sewer easement containing an aggregate of 51,370 square feet of land, more or less, Parcels SY1-033A through SY1-033G; all seven easements being located in the Jacob Thomas Survey, A-762, Harris County, Texas, vacating and abandoning Parcels SY1-033A, SY1-033B, SY1-033C, SY1-033D, SY1-033E, SY1-033F and SY1-033G to Concord Gulfgate, Ltd., abutting owner, in consideration of the owner's dedication of a storm sewer easement, a waterline easement, seven fire hydrant easements, and two water meter easements containing an aggregate of 22,869 square feet of land, more or less, and payment of \$9,218.00 and other consideration to the City - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Wiseman and Robinson absent. ORDINANCE 2003-0931 ADOPTED.
11. ORDINANCE appropriating \$258,790.56 out of Reinvestment Zone Number One, City of Houston, Texas (Lamar Terrace Zone) Tax Increment Fund (Fund 228); \$1,521,884.91 out of Reinvestment Zone Number Two, City of Houston, Texas (Midtown Zone) Tax Increment Fund (Fund 910); \$421,190.92 out of Reinvestment Zone Number Three, City of Houston, Texas (Market Square Zone) Tax Increment Fund (Fund 906); \$11,664.84 out of Reinvestment Zone Number Four, City of Houston, Texas (Village Enclaves Zone) Tax Increment Fund (Fund 908); \$443,794.50 out of Tax Increment Reinvestment Zone Number Five, City of Houston, Texas (Memorial Heights Zone) Tax Increment Fund (Fund 911); \$541,420.64 out of Reinvestment Zone Number Seven, City of Houston, Texas (Old Spanish Trail/Almeda Corridors Zone) Tax Increment Fund (Fund 915); \$405,183.21 out of Reinvestment Zone Number Eight, City of Houston, Texas (Gulfgate Zone) Tax Increment Fund (Fund 907); \$59,232.44 out of Reinvestment Zone Number Nine, City of Houston, Texas (South Post Oak Zone) Tax Increment Fund (Fund 913); \$305,967.92 out of Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone) Tax Increment Fund (Fund 912); \$429,991.00 out of Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Zone) Tax Increment Fund (Fund 916); \$558.78 out of Reinvestment Zone Number Twelve (City Park Zone) Tax Increment Fund (Fund 917); \$85,450.04 out of Reinvestment Zone Number Thirteen, City of Houston, Texas (Old Sixth Ward Zone) Tax Increment Fund (Fund 918); \$5,767.78 out of Reinvestment Zone Number Fourteen, City of Houston, Texas (Fourth Ward Zone) Tax Increment Fund (Fund 920); \$756.34 out of Reinvestment Zone Number Fifteen, City of Houston, Texas (East Downtown Zone) Tax Increment Fund (Fund 921); \$15,182.89 out of Reinvestment Zone Number Sixteen, City of Houston, Texas (Uptown Zone) Tax Increment Fund (Fund 922); \$5,507.29 out of Reinvestment Zone Number Seventeen, City of Houston, Texas (Memorial City Zone) Tax Increment Fund (Fund 923); \$1,389.77 out of Reinvestment

Zone Number Eighteen, City of Houston, Texas (Fifth Ward Zone) Tax Increment Fund (924); and \$10,141.08 out of Reinvestment Zone Number Nineteen, City of Houston, Texas (Upper Kirby Zone) Tax Increment Fund (925); and \$3,842.12 out of Reinvestment Zone Number Twenty, City of Houston, Texas (Sharpstown Zone) Tax Increment Fund (927) for Administrative Expenses, payment of project Costs, payments to the Harris County and certain redevelopment authorities as provided herein – was presented. All voting aye. Nays none. Council Members Wiseman and Robinson absent. ORDINANCE 2003-0932 ADOPTED.

12. ORDINANCE appropriating \$200,000.00 out of Houston Airport System Consolidated Construction 2000 AMT Construction Fund, and approving and authorizing amendment No. 1 to construction contract No. 53613 between the City of Houston and **R. H. TONETTI CONSTRUCTION COMPANY** for Central Concourse Interiors at William P. Hobby Airport; Project 417J, CIP A-0141 - **DISTRICT I – ALVARADO** – was presented, and tagged by Council Member Sekula-Gibbs. Council Members Wiseman and Robinson absent.
13. ORDINANCE appropriating \$500,000.00 out of Houston Airport System Special Facilities Tax Revenue Bond Fund, and approving and authorizing amendment No. 1 to construction contract No. 52691 between the City of Houston and **THE MORGANTI GROUP, INC** for Consolidated Rental Car Facility at George Bush Intercontinental Airport/Houston; Project 444B, CIP A-0026 **DISTRICT B – GALLOWAY** – was presented, and tagged by Council Members Sekula-Gibbs and Keller. Council Members Wiseman and Robinson absent.
14. ORDINANCE appropriating \$1,100,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, and approving and authorizing amendment No. 1 to construction contract No. 53347 between the City of Houston and **J. D. ABRAMS, L.P.** for APM Guideway Extension, Roadway and Site Utilities at George Bush Intercontinental Airport/Houston; Proj. 536A, CIP A-0203 - **DISTRICT B – GALLOWAY** – was presented, and tagged by Council Member Sekula-Gibbs. Council Members Wiseman and Robinson absent. (Note: Council Member Sekula-Gibbs released her tag later in meeting.)
15. ORDINANCE appropriating \$240,000.00 out of Houston Airport System Subordinate Lien Revenue Bond Series 2000B NON-AMT Construction Fund, and approving and authorizing amendment No. 1 to construction contract No. 53571 between the City of Houston and **STEWART-MATL, LTD.** for HAS Administration Building Renovation and Addition at George Bush Intercontinental Airport/Houston; Proj. 562B, CIP A-0390 - **DISTRICT B – GALLOWAY** – was presented, and tagged by Council Member Sekula-Gibbs. Council Members Wiseman and Robinson absent.
16. ORDINANCE appropriating \$264,323.00 out of Airports Improvement Fund and approving and authorizing amendment No. 2 to agreement for Professional Architectural/Engineering Services between the City of Houston and **STOA INTERNATIONAL ARCHITECTS, INC d/b/a STOA/GOLEMON/BOLULLO ARCHITECTS** at George Bush Intercontinental Airport/Houston, Project No. 562, CIP A-0390 and A-0425 - **DISTRICT B – GALLOWAY** – was presented, and tagged by Council Member Sekula-Gibbs. Council Members Wiseman, Berry and Robinson absent.

Council Member Goldberg stated that he wanted to add his tag to the item and wanted a meeting with the Legal Department so they would let him know what they were going to do with the first bidder not fulfilling their obligations, and Mayor Brown asked that they add Council Member Goldberg's name to the tag and asked Mr. Hall to follow up on Council Member Goldberg's request. Council Members Wiseman, Berry and Robinson absent.

17. ORDINANCE approving and authorizing contracts between the City and **ALZHEIMER'S DISEASE AND RELATED DISORDERS ASSOCIATION, INC - GREATER HOUSTON,**

HARRIS COUNTY HOSPITAL DISTRICT and **THE SHELTERING ARMS HOUSTON, TEXAS** for Support Services for the elderly; providing a maximum contract amount - \$2,118,460.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. ORDINANCE 2003-0933 ADOPTED.

18. ORDINANCE approving and authorizing contracts between the City and **PATRICIA ELAINE LITTLETON D/B/A OCCUPATIONAL THERAPY SERVICES OF HOUSTON, EYE CARE EXPRESS LAB, INC** and **THE SHELTERING ARMS HOUSTON, TEXAS** for various Vendor Services for the elderly; providing a maximum contract amount - \$2,637,140.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. ORDINANCE 2003-0934 ADOPTED.
19. ORDINANCE approving and authorizing contracts between the City and the **FIRST PRESBYTERIAN CHURCH OF GOOSE CREEK TEXAS, CITY OF SAN JACINTO, CITY OF LAPORTE, INTERFAITH MINISTRIES FOR GREATER HOUSTON** and **YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF HOUSTON** for the provision of Nutrition and Transportation Services for the elderly; providing a maximum contract amount - \$18,537,300.00 - Grant Fund – was presented, and tagged by Council Members Ellis, Sekula-Gibbs, Quan, Keller, Vasquez, Tatro and Edwards. Council Members Wiseman, Berry and Robinson absent.
20. ORDINANCE approving and authorizing professional materials engineering laboratory contracts between the City and **A & R ENGINEERING AND TESTING, INC** for Laboratory Testing Services for the Department of Public Works & Engineering and the Houston Airport System – was presented. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. ORDINANCE 2003-0935 ADOPTED.
21. ORDINANCE awarding contract to **INTEX UNITED, INC** for Construction of 611 Walker Graphics, GFS W-Q103-01-3 - \$75,200.00 - Enterprise Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. ORDINANCE 2003-0936 ADOPTED.

NON CONSENT AGENDA - NUMBERS 25 through 29

MISCELLANEOUS

25. RECEIVE nominations for Positions 19 and 22 of **HOUSTON READ COMMISSION**, with three year terms to expire January 1, 2006 – was presented.

Council Member Keller stated that he wanted to nominate Alamdar Hamdani for Position 19 and Katherine Young McGhee for Position 22 of the Houston Read Commission.

Council Member Sekula-Gibbs stated that she wanted to nominate Cassandra Hill for Position 22 of the Houston Read Commission.

Council Member Tatro moved to close the nominations for Positions 19 and 22 of the Houston Read Commission, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. MOTION 2003-1201 ADOPTED.

26. MOTION to set a date not less than seven (7) days from October 8, 2003 to receive nominations for Positions 4 and 5 of **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for terms to expire March 1, 2004 and March 1, 2005, respectively – was presented.

Council Member Tatro moved to set Wednesday, October 15, 2003 to receive

nominations for Positions 4 and 5 of the Wastewater Capacity Reservation Review Board, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. MOTION 2003-1202 ADOPTED.

27. MOTION to set a date not less than seven (7) days from October 8, 2003 to receive nominations for Positions 4, 5 and 8 to the board of **REINVESTMENT ZONE NUMBER ONE (ST. GEORGE PLACE)**, and to name the Chair, for a term to expire December 31, 2003 – was presented.

Council Member Quan moved to set Wednesday, October 15, 2003 to receive nominations for Positions 4, 5 and 8 to the board of Reinvestment Zone Number One (St. George Place), seconded by Council Member Tatro. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. MOTION 2003-1203 ADOPTED.

28. MOTION to set a date not less than seven (7) days from October 8, 2003 to receive nominations for Positions One, Two and Three of the **HOUSTON AREA LIBRARY AUTOMATED NETWORK BOARD OF DIRECTORS**, with two year terms expiring August 21, 2005 – was presented.

Council Member Quan moved to set Wednesday, October 15, 2003 to receive nominations for Positions One, Two and Three of the Houston Area Library Automated Network Board of Directors, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. MOTION 2003-1204 ADOPTED.

29. MOTION to set a date not less than seven (7) days from October 8, 2003 to receive nominations for Positions 12 and 14, for terms to expire December 31, 2003 and Positions 11, 13 and 15 for terms to expire December 31, 2004 to the **CITY HALL PRESERVATION COMMITTEE** – was presented.

Council Member Quan moved to set Wednesday, October 15, 2003 to receive nominations for Positions 12 and 14, for terms to expire December 31, 2003 and Positions 11, 13 and 15 for terms to expire December 31, 2004 to the City Hall Preservation Committee, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. MOTION 2003-1205 ADOPTED.

MATTERS HELD - NUMBERS 30 through 31

30. ORDINANCE amending amended and restated ordinance relating to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series D; 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 amendment to substitute Credit Agreement, a second amended and restated Dealer Agreement, a second amended and restated Issuing and Paying Agency Agreement and an updated Offering Memorandum; and declaring an emergency – **(This was Item 4 on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER ROBINSON)** – was presented. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. ORDINANCE 2003-0937 ADOPTED.
31. ORDINANCE appropriating \$165,000.00 out of Parks Consolidated Construction Fund as an additional appropriation for Consulting Services, CIP F-0509-02-5, under professional consulting services contract with **ENVIRONMENTAL CONSULTING SERVICES, INC** (approved by Ordinance No. 99-1036); providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund – **(This was Item 16 on Agenda of October 1, 2003, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. All voting aye. Nays none. Council Members Wiseman, Berry and Robinson absent. ORDINANCE 2003-0938 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Goldberg stated that Monday was the official opening of the Toyota Center, the new arena, that it really was a magnificent facility and congratulated the Sports Authority and City of Houston for working together, that he though the facility was outstanding and wanted to congratulate Mr. Les Alexander and the Rockets, that he though the food was outstanding, that they really did an outstanding job.

Council Member Goldberg stated that he knew the Rockets had not played there yet and one of the big things that happened before the game was that they sang the National Anthem and when it ended with the "rockets red glare" it really pumped up the team and the team did stand out there for the National Anthem for a Rockets game or hoped they did, but there was an article in the Chronicle by one of the columnists, Ken Hoffman, October 2, 2003, and it talked about the fact that Oliver Luck, who used to be quarterback for the Houston Oilers and was not Executive Director of the Houston Sports Authority, noticed something at the football games that he called shocking and disturbing, that he said he went to the game on Sunday and they played the National Anthem and the football players were not out there standing for the National Anthem, that he stated "for decades teams stood respectfully on the sideline facing the flag with their helmets at their side, the players tried to sing as much of the National Anthem as they could remember, it really bothers me that they don't do it now", that it bothered him to, that Reliant Stadium was a public facility and they barely paid what they should, all of the facilities were public facilities and he thought that the players should stand out there for the National Anthem, it was the least they could do and he thought it was an issue that needed to be addressed by all three of the teams and make sure when the public came there that they knew that the players were also respecting the Country and the flag and the people who actually paid for the building, that he thought they should stay out there on the sidelines and hoped that the teams would come forth with a plan to make sure the players were out there for that time. Council Members Wiseman, Berry and Robinson absent.

Council Member Galloway stated that as they knew the Council approved some apartments going into the Scenic Woods area at Tidwell and Wayside, which was North Forest Trails Apartments, that they had a meeting on Monday, the community did, because it was the first notification that they had received about the apartments being built over there, so she did hear from some of the people in the community because nothing was posted to let them that the apartments were going to be built over there so they felt that the Council some how did a back door thing with the community so she wanted them in the future to make sure that the Super Neighborhood Council's were notified, that Planning had that information and knew when they went before the State to try to get approval for the bond money, that she would recommend to the Planning Department to make sure that the community in District B, that those Super Neighborhood Council's be notified prior to the public hearing to be held in Austin, that they be notified so the community would be apprised what was coming into their community. Council Members Tatro, Wiseman, Alvarado, Parker, Berry and Robinson absent.

Council Member Galloway stated that she had some concerns about the Houston Chronicle Newspaper, that she did take many of the minority newspapers in her community, that somehow the Houston Chronicle and its writer misquoted what she said, that she was very appalled by that, that she wanted to go on record publicly to say that it was just like her colleagues on the minority newspapers say that the Chronicle does not always print the truth, that she just wanted to let her community know it, that she was tired of getting misquoted in the Chronicle newspaper and wanted them to know it as well, that the particular reporter, Ms. Christy Mack, she was going to call her name because she explained to her that she was very upset and appalled by what she wrote and was going to make note of it publicly so that in the future when anybody in the Chronicle quotes her to make sure and quote her correctly because she would expose them if they misquoted her. Council Members Tatro, Wiseman, Alvarado, Parker, Sekula-Gibbs, Berry and Robinson absent.

Council Member Edwards stated that her son-in-law was home from Bagdad after two years and they were very excited about that. Council Members Wiseman, Alvarado, Parker, Sekula-Gibbs, Berry and Robinson absent.

Council Member Edwards stated that they had an opportunity to deal with a health issue, that Harris County Hospital District was trying to purchase the property at MLK and Griggs Road, 5 acres, at Palm Center and there seemed to be some confusion as to its availability or whatever and she thought they were going to miss an opportunity, that they were looking to take the Quinton Meese Clinic and place it there in a very elaborate medical situation that would be beneficial to both the community and the district and the City as a whole, that they were talking about closing clinics and so forth, they had the opportunity, that she needed for Mr. Hall's office to help her move it, she had been told it was housing or Palm Center and everyone kept coming back to Legal, so she needed to have that assistance from his office to make sure that they could move it so they would not lose the opportunity, that the land had been vacant for a long time and with the medical disparities in that area she thought it would be obscene for them to lose the opportunity, and Mayor Brown stated that they would address it right away. Council Members Wiseman, Alvarado, Parker, Sekula-Gibbs, Berry and Robinson absent.

Council Member Edwards stated that she still had a concern around the HEC center, that she knew Mr. Bales and everyone was working hard and fast and furious, but she would still like to have some information regarding any additional training that was being done, if it was being done and what was being done and what were they looking at as far as timelines, that she was still getting a lot calls from individual dispatchers and Fire Department members and so forth so she would really like to make sure that they did not drop the ball on it, that she understood it was a large system and was going to be problematic but thought they needed to be vigilant to make sure that the community was aware that they were mindful of their concerns and were not trivializing the issue, so if Mr. Bales or whoever appropriately could come to her and let her know exactly what was going on as far as the revisiting the training aspect that she kept hearing popping up on television and make sure they took care of that. Council Members Wiseman, Alvarado, Parker, Sekula-Gibbs, Berry and Robinson absent.

Council Member Edwards stated that regarding the property tax rollback, she did not want to join in during the discussion because she thought it was a moot discussion, but she would say to them that people who were elected to represent the community, to say to someone that they might get \$14 back in their pocket, but at the same time they were not going to cut services, was at best disingenuous, and at being honest it was a lie, that everything they did in the City was based on services, from the training of the employees to the supplies that they bought, everything was connected to that, if they could show her what was not connected to being service related then she was willing to cut that or to marginalize it, that she thought they could be more efficient in how they managed it and was suggesting once again that everyone could not have their own separate turf and in these hard times they had to look at maybe how did they mix managements and so forth, that she wanted to congratulate the Council understanding that they had a role to play to be better managers but they had an even higher responsibility not to lie and try to fool the public with charades and games. Council Members Wiseman, Parker, Berry and Robinson absent.

Council Member Sekula-Gibbs stated that she wanted to remove her tag on Item No. 14.

14. ORDINANCE appropriating \$1,100,000.00 out of Houston Airport System Consolidated 2001 AMT Construction Fund, and approving and authorizing amendment No. 1 to construction contract No. 53347 between the City of Houston and **J. D. ABRAMS, L.P.** for APM Guideway Extension, Roadway and Site Utilities at George Bush Intercontinental Airport/Houston; Proj. 536A, CIP A-0203 - **DISTRICT B – GALLOWAY** – was again before Council. All voting aye. Nays none. Council Members Wiseman, Parker, Berry and Robinson absent. ORDINANCE 2003-0939 ADOPTED.

Council Member Tatro stated that back in July 2003 he had brought up the City's health care contract and just being good business people trying to get some information about their current contract because he thought it would apply heavily into their future contract that they negotiate and give them a better position and that he had asked for the payouts per employee, and had received that information from the administration, but also one of the things they had asked for and had been trying to get since July was what they called the capitation rate from HMO Blue to the network providers, that the capitation was the amount that HMO Blue paid the network providers under the terms of the contract, that why it was important was because they had escalating premiums each year and as they went into negotiating a new contract his concern was if they had escalating premiums with HMO Blue what was the structure between HMO and the individual physician networks, what was the cost between HMO and the actual providers, was it escalating at the same rate as the premiums, theoretically it should be, if they were going to pay higher premiums then the service provider should also be getting that increase because that was a cost to the City and the premiums were just offsetting their cost, but he had not been able to determine that, that he knew that the HR Department had been trying to get that information from HMO Blue but they had stated that it was proprietary and not part of the contract and that was just in statements, that he would like to ask HMO Blue in writing to tell them that they were not going to provide the City the capitation rate they were paying to their individual providers, if they did not get that information then he thought they needed to incorporate something like that in their next contract, that they needed to craft a contract that was friendly to the City. Council Members Galloway, Wiseman, Alvarado, Parker, Berry and Robinson absent.

Council Member Tatro stated that he wanted to call attention that Council approved about a \$5 million authorization to purchase a whole block of downtown property for the downtown Fire Super Station, that there had been indications that the property may have some contamination issues, which adds another chink to the armor and another cost factor to the property, that he would urge the administration to give it to Dr. Scheps to assess their risk assessment because if they had the property and an environmental cleanup cost their total exposure could be significantly higher than the \$5 million that they had already allocated. Council Members Galloway, Edwards, Wiseman, Alvarado, Parker, Berry and Robinson absent.

Council Member Vasquez stated that regarding the North Forest Trail Apartment Complex that they approved, there was just a mad outcry from citizens in the area that were opposed to it and he would ask that Ms. Daisy Stiner would visit with him regarding that particular apartment complex to see if they could do something to make sure the concerns of the residents were addressed and that she be aware of those concerns and work to bridge or cancel the apartment complex, but it was a significant issue and the citizens were complaining vehemently against it and he hoped they could take some action to address their concerns. Council Members Tatro, Galloway, Edwards, Wiseman, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

Council Member Vasquez stated that he knew they had been working on the Water Sewer Debt refinancing and viewed it as an important fiscal component to that particular year so he hoped that the administration would work on getting it to them, he knew that Ms. Culbreth had been working on it and would like an update from Ms. Culbreth on where that might be in the process. Council Members Tatro, Galloway, Edwards, Wiseman, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

Council Member Vasquez stated that he wanted to remind Council Members about his commitment to Council Member Robinson regarding the Regional Planning Committee meeting that would be on Tuesday and hoped they could have Council Members present to address Council Member Robinson's concerns about the development ordinance. Council Members Tatro, Galloway, Edwards, Wiseman, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

Council Member Keller stated that in reference to the Regional Communication Center that he was speaking about, he wanted to give kudos to Mr. Bales and Ms. Sheryl Murray, that Ms. Murray was a great worker and Mr. Bales was doing a great job of getting nearly \$5 million from the federal government as far as the Homeland Security for their interoperability between their system and the Harris County System, that Mr. Bales had been relentless in going after the funds. Council Members Tatro, Galloway, Edwards, Wiseman, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

Council Member Quan stated that he was proud that the Council did take the action regarding the drainage fee, but at this time they needed to get down to the specifics, that he knew there was a lot of concern by citizens as to whether the process would be politicized and what he looked forward to receiving from the administration was a clear and thorough map that looked at the greatest needs first and foremost that would be un-manipulated, that would address what they needed to be doing, that he thought there was an issue of credibility among their citizens as to how serious they were and so he just wanted to put that on the table, that some areas might not be reached initially but at least the people would know that they were not playing politics anymore they were just looking at where the needs were. Council Members Tatro, Galloway, Edwards, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

Council Member Quan stated that as to the budget he knew that was certainly a contentious issue that they had to decide on but also wanted to say there were a number of good ideas that were placed on the table and their discussions that he wanted to follow up on, that Council Member Keller's discussion regarding the strategic portfolio, that he would be looking at buildings also to follow up, that there was no reason why they could not address some of those, that on the LARA Program he knew that was close to completion and wanted to get that in place, that the privatization of the golf courses that Council Member Robinson talked about, they should look at everything, if the Controller had some ideas they should look at those ideas, they had not stopped, just because they adopted the budget did not mean they sit on their laurels, they still had a deficit that they needed to be addressing and he wanted to make sure that every idea that had been brought forth was at least given a hearing, that he was glad they decided not to rollback at this time but they still had a big mountain to climb, it was \$10 million or \$26 million and before they had to furlough employees or in any way endanger public safety look at every measure that had been brought by Council Members. Council Members Tatro, Galloway, Edwards, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

Council Member Sekula-Gibbs stated that there was an accident on Interstate 45 involving an SUV and a tractor trailer, that she believed, was pulling another trailer behind it that was carrying hydrochloric acid as well as other toxic materials, that it shut down I-45 north and southbound for a while, that she would like to ask if it were appropriate for TTI to bring up for all the Council Members review what were the rules of carrying hazardous materials through the City and was there an opportunity for them to make any recommendations to TXDOT to divert those toxic chemicals around the City, and Mayor Brown stated that they could get a briefing for the committee. Council Members Tatro, Galloway, Edwards, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

There being no further business before Council, the City Council adjourned at 11:50 a.m. upon MOTION by Council Member Quan, seconded by Council Member Goldberg. Council Members Tatro, Galloway, Edwards, Wiseman, Vasquez, Alvarado, Parker, Berry and Robinson absent. NO QUORUM PRESENT

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary