

City Council Chamber, City Hall, Tuesday, December 9, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 9, 2003, Mayor Pro Tem Gordon Quan presiding and with Council Members Bruce Tatro, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Shelley Sekula-Gibbs, M.D.; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Mayor Lee P. Brown and Council Member Carol M. Galloway absent on city business. Council Members Michael Berry and Carroll Robinson absent on personal business.

At 1:59 p.m. Mayor Pro Tem Quan stated that Council would begin with their presentations starting with Council Member Edwards. Council Member Edwards stated that she had Bravo Awards to present to city employees; and invited Ms. Margaret Baptiste of the Human Resources Department, Mr. Jay Evans of the Houston Fire Department and Ms. Mary Stanton of the Houston Public Library to the podium and presented them awards for their outstanding service to the city and community. Council Members Vasquez, Alvarado and Parker absent.

Mayor Pro Tem Quan stated that he had a proclamation to present and invited the two participants of the Ms. Senior Houston 2003 Contest to the podium, first runner-up Ms. Audrey Carroll and the new and reigning Ms. Senior Houston, Ms. Francis Christian, who would be representing Houston in 2004 in Dallas at the Ms. Senior Texas Contest and presented her a certificate for being a winner in every way. Council Members Vasquez and Parker absent.

At 2:16 p.m. Mayor Pro Tem Quan called the meeting to order and called on Council Member Goldberg who led all in prayer and in the Pledge of Allegiance. Council Members Vasquez and Parker absent.

At 2:16 p.m. the City Secretary called the roll. Mayor Brown and Council Member Galloway absent on city business. Council Members Berry and Robinson absent on personal business. Council Members Vasquez and Parker absent.

Council Members Keller and Edwards moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Mayor Brown and Council Member Galloway absent on city business. Council Members Berry and Robinson absent on personal business. Council Members Vasquez and Parker absent. MOTION ADOPTED.

Council Member Ellis stated that today about 40 students from the Sam Houston Student Council were present with their teacher and asked that they stand to be recognized. Mayor Pro Tem Quan welcomed everyone and encouraged them to participate in regular affairs of the City of Houston. Council Members Vasquez and Parker absent.

At 2:18 the City Secretary began calling the speakers. Council Members Vasquez and Parker absent.

Ms. Mary Okabayashi, 8766 Kuldell, Houston, Texas 77096 (281-788-9415) appeared, presented information and spoke in favor of Item 25, stating that she was present representing the support of a large group of citizens; that Blueprint Houston was a new group with goals for the City of Houston to make it the best city it could be and was an inclusive process reaching out to the abundant diverse communities. Council Members Goldberg and Vasquez absent.

Mayor Pro Tem Quan stated that he and Council Members Sekula-Gibbs, Parker and Alvarado were present and they could attest it was a great turnout with a diverse group of people. Council Members Goldberg and Vasquez absent.

Ms. Connie Barnaba, 5060 FM 1960, PMB #130, Houston, Texas 77069 (281-381-3250) appeared and spoke in favor of Item 25, stating that she was the chair person of the Blueprint

Houston subcommittee bringing the resolution to Council's attention and they felt this would take increased communication and collaboration and access to basic information along with efficiency and a shared vision of where Houston would be. Council Members Goldberg and Vasquez absent.

Mayor Pro Tem Quan stated that they had the resolution coming before them tomorrow; and upon questions, Ms. Barnaba stated that the resolution was not binding on the Administration, but they did urge support of it, as it was important to an ongoing and futuristic way of planning for the City of Houston and they would like to be involved. Council Members Goldberg and Vasquez absent.

Mr. Robert Page, 522 Ramblewood Road, Houston, Texas 77079 (281-497-4713) appeared and spoke in favor of Item 25, stating that he was one of the volunteer facilitators at the meetings of Blueprint Houston and they had very inclusive discussions with goals expressed and sharing of a vision and expressing belief that comprehensive planning was necessary if they were to meet goals; and urged Council to help them with their vision and support their resolution. Council Member Goldberg absent.

Upon questions by Mayor Pro Tem Quan, Mr. Page stated that their vision was a work in progress and supporting the resolution did not limit them to one course of action, but committed them to working with citizens and furthering the comprehensive planning process. Council Member Goldberg absent.

Ms. Patti Knudson-Joiner, 4 Pine Creek Lane, Houston, Texas 77055 (713-463-8200 ext. 27) appeared and spoke in favor of Item 25, stating that she was a planner and passionate about planning and was a volunteer for Blueprint Houston since the beginning; that she wanted to thank everyone who participated and could not understand why others were afraid of the group; that they had a list of priorities and were only asking to be included; that Mr. Box had said it had code for zoning in the plan but planning was not zoning and they were talking about good policy and spending decisions and was important to single family housing. Council Member Goldberg absent.

Council Member Parker stated that the information presented seemed to be general and generic and believed a coordinated and organized thought process of soliciting citizen input made sense and believed Council should be supportive of that process. Council Member Goldberg absent.

Council Member Edwards stated that it was good when citizens stepped up to the plate, applauded Ms. Joiner's work; and upon questions, Ms. Joiner stated that she felt they needed better partnerships and collaboration between the county, METRO and other agencies which planned in Houston. Council Member Goldberg absent.

Council Member Alvarado stated that she did support the concept and was glad it was not too specific as it gave room to grow; that she saw it was 11% Hispanic participation and she did hope the group would be more diverse. Council Member Goldberg absent.

Upon questions by Council Member Ellis, Ms. Joiner stated that they could not affect outside the City limits but thought the partnership went outside the city limits and planning for Houston's future had to be a regional effort and she felt it started with the traction of the Houston City Council. Council Member Ellis stated that if the resolution was not binding and did not cost taxpayers money he had no problem with it but would encourage them to come back with specific ideas they would be pushing forward. Council Members Goldberg, Vasquez and Alvarado absent.

Upon questions by Council Member Tatro, Ms. Joiner stated that she was saying money would be saved as better planning decisions were made and Planning Commission members

were invited to all their meetings. Council Members Goldberg, Ellis, Keller and Alvarado absent. (NO QUORUM PRESENT)

Council Member Wiseman stated that a concern for her was whether there would have to be something in place where Council would be bound as a body by something their group brought forward and the Super Neighborhoods and civic associations worked with Council on their concerns which were some of the same issues and she felt there was a process in place for people to take part in their government and voice their views and she did not want groups to feel the Blueprint group would take precedence; and Ms. Joiner stated that they did not want to replace any group and were only asking that a planning process be started and all business leaders, neighborhoods, etc., could be a part of that process; that they were just talking about institutionalizing the planning process. Council Members Goldberg, Ellis and Keller absent.

Council Member Edwards moved that the rules be suspended for the purpose of adding Mr. Richard Cron to the speakers list after Mr. Christian Vandaele, seconded by Council Member Wiseman. All voting aye. Nays none. Mayor Brown and Council Member Galloway absent on city business. Council Members Berry and Robinson absent on personal business. Council Members Goldberg, Ellis and Keller absent. Mayor Pro Tem Quan presiding. MOTION 2003-1460 ADOPTED.

Mr. Bob Eury, 2306 Beckham, Houston, Texas 77019 (713-650-1470) appeared and stated that members and volunteers of Blueprint who were not speaking were present and asked them to stand to be recognized and spoke in favor of Item 25, stating that they were at a point now where they were looking on how to bring citizens involvement together and begin to develop and improve planning processes collaboratively and that allowed any other group to be involved; that he wanted to publicly recognize the Houston Endowment for its leadership support on their second year and other groups and companies helped contribute money, however, the Endowment had really led as they moved forward; and adopting their resolution would simply say the Council recognized their visions and goals and that they applauded Blueprint's efforts to support and develop a coordinating planning process. Council Members Tatro, Goldberg, Wiseman, Keller and Vasquez absent. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Eury stated that they brought to Houston Ms. Karen Wallace who was the director of the Dallas plan and it did look somewhat like what they were talking about here, but you could only learn from other cities and not copy what they did; and now in their second year they would like to have others from other cities come in so they could also learn from their communities. Council Members Tatro, Goldberg, Wiseman, Keller and Vasquez absent. (NO QUORUM PRESENT)

Council Member Alvarado stated that she did not want anyone to think this was something Blueprint was trying to shove down their throats, it was merely a map, a guide, on how to plan for the future and she thought by approving this it would say Council welcomed citizens involvement and they did want them to be a part of future planning for the City of Houston; and thanked all those who participated. Council Members Tatro, Goldberg, Wiseman, Keller and Vasquez absent. (NO QUORUM PRESENT)

Mr. Richard Farias, 2927 Dover, Houston, Texas 77017 (713-644-2340) appeared and spoke in favor of Item 25, stating that Blueprint Houston, in his mind, was the most dynamic initiative ever held in Houston and the most inclusive effort in the last 20 years; that affordable housing was one of the most important things the Tejano Center for Community Concerns had going in the east end and education was another one of the most important things with a high priority; that if Blueprint Houston was doing anything that would be detrimental to the minority groups and inner city groups he would not be a part of it and would not be encouraging Council to adopt the resolution; that as far as institutionalizing, they were asking it to be long-term and allow the community to have a voice. Council Members Goldberg, Wiseman, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Edwards stated that she was encouraged constituents wanted to be a part of the process and were willing to help develop and implement and she would be voting for the resolution as it was good government. Council Members Goldberg, Wiseman, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. David Crossley, 1524 Harold, Houston, Texas 77006 (713-523-5757) appeared and stated that he was a member of the board of Blueprint Houston and spoke in favor of Item 25, stating that mobility, streets, drainage and leadership were top concerns and they wanted to be assured those of low income would not be forced out by taxes, etc., and their whole survey was on line at BlueprintHouston.org. Council Members Tatro, Goldberg, Edwards, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Ms. Johnnie Riley, no address given (713-569-8857) appeared and spoke against Items 44 and 45, stating that she was opposing the items as she felt it was a violation of taxpayers rights to award to nonprofits; that taxpayers were responsible for education and maintaining educational facilities but not for After School Programs, after school care was the responsibility of parents and guardians. Council Members Tatro, Keller, Vasquez, Alvarado, Parker and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Anthony Koosis, 7407 Grape Street, Houston, Texas 77074 (713-779-6941) appeared and stated that he was director of programs at Houston Center for Independent Living and spoke in favor of Item 29, the visitability ordinance, stating that they appreciated a common ground being developed and hoped Council would take the idea of being inclusive to the next limit which was people with disabilities would have the ability to visit friends, etc., and participate in all elements of the community; that this would allow basic access for new home buyers even if they could not afford a \$300,000 home; and urged a positive vote from Council. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he knew he had worked and participated on the item and thanked him for his participation. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Christian Vandaele, 5519 Gatewood, Houston, Texas 77053 (713-413-9788) appeared and stated that he represented Majestic Home Builders and spoke in favor of Item 29, stating that they strictly built affordable homes and they volunteered to build one visitability home which was strictly designed to be visited by people with disabilities and he wanted everyone to understand that a visitability home under the current ordinance might not be the right home for a person with a disability to live in, it was not sufficiently altered, however, it was usually very feasible; that their hope was after a few years there would be enough such homes built to have them reevaluated and see what improvements could be brought to the concept. Council Members Tatro, Wiseman, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Vandaele stated that in their case the home was below \$90,000 and the money in the ordinance would be sufficient in most cases. Mayor Pro Tem Quan stated that he toured their homes in Fourth Ward and was very impressed. Council Members Tatro, Wiseman, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Edwards stated that one concern expressed by the CDCs was the added cost; and upon questions, Mr. Vandaele stated two or three of the CDCs were involved in the Fourth Ward and that was an area where it was very difficult because they were small lots and it was more of a design problem than cost problem; that he was not sure it increased the value of the home as you did not increase the market for the homes because they were not accessible

enough to be sold to those with disabilities and to entice builders to build for the young disabled population they would need another ordinance encouraging them to design specifically for wheelchair bound individuals. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Richard Cron who was previously added to the speakers list appeared and stated that he was the new government affairs director for the Greater Houston Builders Association and was in favor of Item 29; that they had worked with Council Member Quan in helping to develop the ordinance and looked forward to working with Council Members in the future on such issues as they arose. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Upon questions by Council Member Ellis, Mr. Cron stated that he had been with the association about six weeks and did not know if they had been to meetings of Blueprint Houston. Council Member Ellis encouraged his and other such associations to be involved. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (832-428-2924) appeared and stated that he was present regarding Agenda Items 2, 3 and 4; that he was not comfortable with Mayor Brown trying to stack the deck a few weeks before he was to leave and felt Council should have the items suspended to allow another Mayor to appoint. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Parker moved that the rules be suspended for the purpose of hearing Ms. Donna Bing after Ms. Page Williams, seconded by Council Member Ellis. No vote was recorded as a quorum was not present. Mayor Brown and Council Member Galloway absent on city business. Council Members Berry and Robinson absent on personal business. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Page Williams, 4229 W. Alabama, Houston, Texas 77027 (713-622-8533) appeared and stated that she was present in support of the dog waste ordinance which she thought was to be on the Agenda and was discouraged it was delayed a week; and hoped it would be supported by Council Members. Council Members Tatro, Keller, Vasquez, Alvarado and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Council Member Parker stated that she too thought it was to be on the Agenda; that the Administration had assured her the item along with the dog park would be on the next Agenda. Council Members Tatro, Keller, Vasquez and Alvarado absent. (NO QUORUM PRESENT)

Ms. Donna Bing, 1009 Oxford, Houston, Texas 77008 (713-656-4830) appeared and stated that she was president of the Houston Dog Park Association and was present to speak in favor of the dog waste ordinance and the off leash ordinance for recreational areas for dogs; that her group was a 501C3 nonprofit educational organization dedicated to establishing and maintaining off leash dog parks in the Houston area. Council Members Tatro, Wiseman, Keller, Vasquez and Alvarado absent. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Ms. Bing stated that they were working with the Parks and Recreation Department who had developed a list of five underutilized parks and one would be a potential dog park site; that her association had worked with the Houston Parks Board and this ordinance would allow the creation. Council Members Tatro, Wiseman, Keller, Vasquez and Alvarado absent. (NO QUORUM PRESENT)

Council Member Parker stated that in reference to cost the biggest cost was land and they looked for a park with a lot of undeveloped space and one candidate was moving to the top of

the list; that proceeds from the City of Houston's birthday celebration this year were dedicated to dog park funding and that should be enough for fencing, etc., and they were interested in doing private sector fund raising to add embellishments. Council Members Tatro, Wiseman, Keller, Vasquez and Alvarado absent. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, 8630 Valley South Dr., Houston, Texas 77078 (281-458-8732) had reserved time to speak but was not present when her name was called. Council Members Tatro, Wiseman, Keller and Vasquez absent. (NO QUORUM PRESENT)

Mr. Frank Fanniel, 16223 Bunker Ridge, Houston, Texas 77053 (281-701-5889) appeared and stated that his concern was the police crime lab; that around 1999 his son was pawning some goods and they turned up as stolen property and he was charged with possession of stolen property, but later a stocking cap was found that was supposed to have been used by the robbers of those goods and it had saliva on it and was supposed to have matched his son, but they learned it was retested and there was no match to his son, but his son was still being held in TDC and they were needing help to get the matter resolved. Council Members Tatro, Wiseman, Keller and Vasquez absent. (NO QUORUM PRESENT)

Upon questions by Council Member Goldberg, Mr. Fanniel stated that his son was convicted based on DNA evidence; that the person at the pawnshop identified him as being the one with the stolen goods. Council Member Goldberg stated that he was interested in the case as he was interested in how many results came back different; that it was a serious indictment of the crime lab and the system; and upon further questions, Mr. Fanniel stated that it was appealed, but the Court of Appeals said no error was found and it was upheld with a sentence of 22 years. Council Members Tatro, Wiseman, Keller and Vasquez absent. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated to advise Council on what the situation was, in 1999 Frank Fanniel, Jr., was charged with aggravated robbery with a deadly weapon and home invasion; that apparently there was DNA taken at that time and in October Identigene tested the evidence and developed a DNA profile under which he could not be excluded as a suspect and that was why the case was not dropped. Council Members Tatro, Wiseman, Keller and Vasquez absent. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mayor Pro Tem Quan stated that the lab the City had contracted did the second test; and Mr. Fanniel stated that about two weeks ago the Houston Chronicle reported there had been another test, to his understanding there had been three test now. Mayor Pro Tem Quan stated that Assistant Chief Storemski was present and was willing to speak with Mr. Fanniel on where the City now stood. Council Member Edwards stated that if a third test was made with a no match he should have his attorney speak with them. Council Members Tatro, Keller and Vasquez absent. (NO QUORUM PRESENT)

Mr. Prettice Fanniel, 16223 Bunker Ridge, Houston, Texas 77053 (281-701-5889) appeared and stated that things had slipped out of place during the trial and it sounded like a cover-up; and Mayor Pro Tem Quan stated that unfortunately Council did not have the right to make such decisions, if there was an appeal before the Court of Appeals such issues could be raised. Council Members Tatro, Goldberg, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Cliff Harris, 3813 Cactus Street, Houston, Texas 77026 (no phone) had reserved time to speak but was not present when his name was called. Council Members Tatro, Goldberg, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

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

Ms. Agnes Johnson, 10700 Fondren, Houston, Texas 77096 (713-777-5464) had reserved time to speak but was not present when her name was called. Council Members Tatro, Goldberg, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) appeared and stated that he was hurt by a bus yesterday, the 84 TC Jester, it did not stop to let him on and he went and stood in front, but when the light turned green the bus pushed him and no one had done anything. Council Members Tatro, Goldberg, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that Mr. Williams was welcome to appear before the METRO Board and express his concerns. Council Members Tatro, Goldberg, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) appeared and expressed his personal opinions regarding his emergency protection, etc., until his time expired; and Mayor Pro Tem Quan stated that he would refer it to Citizens assistance. Council Members Tatro, Goldberg, Keller, Vasquez and Sekula-Gibbs 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, Goldberg, Wiseman, Keller, Vasquez and Sekula-Gibbs absent. (NO QUORUM PRESENT)

At 3:51 p.m. City Council recessed until 9:00 a.m., Wednesday, December 10, 2003. Mayor Brown and Council Member Galloway absent on city business. Council Members Berry and Robinson absent on personal business. Council Members Tatro, Goldberg, Keller, Vasquez and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, December 10, 2003

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, December 10, 2003, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Bert Keller, Gabriel Vasquez, Carol Alvarado, Annise Parker, Gordon Quan, 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. Council Member Carol M. Galloway absent on city business.

At 8:21 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:15 Mayor Brown reconvened the meeting of the City Council and stated that the first order of business was a public hearing. Council Members Goldberg, Wiseman, Parker, Sekula-Gibbs and Berry absent.

HEARINGS

1. **PUBLIC HEARING** regarding the proposed taking and use of a 3.3530 acre permanent easement out of Townwood Park by Harris County Flood Control District for Flood Control and Drainage purposes - **DISTRICT D - EDWARDS - 9:00 A.M.** – was presented.

The City Secretary stated that Ms. Katie Farley, Legal Department, Assistant City Attorney would make a statement concerning the hearing, that no one had reserved time to speak at the hearing.

Ms. Farley, stated that public hearing involved a request by the Harris Flood Control District to take about 3 1/3 acres of land out of Townwood Park for part of the Sims Bayou Flood Damage Reduction Project, that Townwood Park was one of the City's developed parks with swimming pools, playgrounds, hike and bike trails and lighted ball fields, that before the Flood Control District could take the property they had to have the hearing for the City Council to determine whether or not there was any feasible or prudent alternative to the taking of Townwood Park for the project and whether or not the project included all reasonable planning to minimize the harm to the park resulting from the taking, they would hear from Mr. Mike Talbott, Director, Harris County Flood Control District with a project summary and a description of the project impact, to be followed by Mr. Mike Ross, Acting Deputy Director, Parks and Recreation Department, to discuss the Parks Department view on the matter. Council Members Goldberg, Vasquez, Sekula-Gibbs and Berry absent.

Mr. Talbott stated that they were present to talk about Townwood Park and the easement that the district needed, but he needed to put it in the context of what they were doing in the overall project, that the exhibit he presented showed Sims Bayou Federal Flood Control Project which started at the Ship Channel, on the eastern end Interstate 45, Mykawa Road, Highway 288, Almeda and all the way up to South Post Oak, that the Sims Bayou Federal Project was a 19 mile long flood control project being built in partnership with the Corp of Engineers and the Flood Control District, the project consisted of channelizing the bayou, including straightening, deepening and widening the channel to provide increase flood carrying capacity and the district was adding storm water detention basins at three locations near Scott Street, Post Oak and at Hillcorft, that the total project cost was about \$344 million and it returned flood damage reduction benefits of \$6.50 for every \$1 that was being spent on the project, that the project would remove the one hundred year flood plain from over 35,000 homes and 2,000 commercial structures, all within the City of Houston, that the project was now over 50% complete, with final completion of the federal project features by 2008, that they were complete up to Cullen and were under construction up to Highway 288 and when Townwood Park was in the next reach up near Buffalo Speedway they were doing the Right of Way acquisition for the project, the Sims Bayou Project, the channel was designed as a grass lined channel with benched and articulated concrete blocks in the bottom of the channel, the blocks were allowed to grow over with grasses to provide a much greener appearance to the channel than the older designs using concrete, that part of the districts role in its partnership with the Corp of Engineers was to acquire the necessary right of way to construct the project and that was where their discussion turned to Townwood Park, that the exhibit was in their information brochures under Tab 3, Exhibit C, that showed the park, that the project through the park would impact the park, that the area in green was the area they were talking about for flood control purposes, it involved impacting the pool and pump house for the swimming pool area, the playground area and there were some trees in the portion of the right of way, that the park would also benefit from the flood control project in that the district through the project would be replacing the trails that were impacted due to the channel widening, the project would establish trees along the channel right of way through the park at a rate of 49 trees per acre at the top of the bank and 14 trees per acre on the flood benches and upper slopes, the recreation component of the federal project was also enabled and if the City continued to express its interest in the federal recreation portion of it there could be trails constructed all along Sims Bayou, and the district was acquiring the necessary right of way along the entire channel that would enable trails to exist in that area, that the Corp of Engineers had evaluated a number of alternatives for Sims Bayou that would provide the community with a project that maximized the benefits over cost, the project features that he mentioned met those required objectives, that the alternative in the area would be disrupting the neighborhood that was across the channel and relocating up to 33 families, purchasing the homes and demolishing them, that the cost of acquiring the homes and providing relocation would be well over four times of the park impact and the lands, that again it was an easement and was remaining as open space and would be accessible as public and open space and was not being used for other purposes other than providing flood damage reduction. Council Members Tatro, Keller, Berry and Robinson absent.

Council Member Parker stated that she wanted to congratulate the Flood Control District for going to the different construction where they were not simply making the v shaped concrete channels that were not particularly aesthetic and not conducive to people enjoying the bayou. Council Members Tatro, Alvarado, Berry and Robinson absent.

Upon questions by Council Member Quan, Mr. Talbott state that as part of the compensation package the pump house would be relocated and the timing was such that all that work could be done during the time when the pool was closed, that as far as the baseball and softball fields there was a fence. Council Members Alvarado and Berry absent.

Mr. Mark Ross, Parks and Recreation Department, stated that they had been working with Mr. Talbott and the Flood Control District and understood the need to take the easement and found no objection to that, that they were in support of it. Council Members Alvarado and Berry absent.

Council Member Edwards moved to suspend the rules to add Ms. Vivian Harris to the speakers list, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Members Alvarado and Berry absent. MOTION 2003-1461 ADOPTED.

Ms. Harris appeared and stated that she was for the project but had a few questions that she would like cleared up, that they did not want the trees demolished and replaced, they would like them moved to another area of the park, they worked really hard to plant all the trees, that the City did not plant those trees, they sweated to plant those trees so they meant a lot to them so if they would do that it would be okay with them, that they would like to see what the finished project was going to be like, and would the maintenance on it be on an ongoing basis versus how the County had treated their area in the past, the County maybe mowed once every six months if they felt like it, sometimes the grass was as tall as she was before they moved along the bayou along their area, it was nothing like Braeswood Bayou, that right now the Parks Department mowed the park area like every two weeks and they maintained and kept it up so who was going to be responsible for that if the project was finished. Council Members Alvarado and Berry absent.

Mayor Brown stated that Mr. Talbott would meet with her and respond to all her questions and Council Member Edwards requested to have her chief of staff meet with them as well. Council Members Vasquez and Berry absent.

Council Member Quan moved to close the public hearing, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent on city business. Council Members Vasquez and Berry absent. MOTION 2003-1462 ADOPTED.

Council Member Keller moved to suspend the rules to consider Item Numbers 87 and 25 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Berry absent. MOTION 2003-1463 ADOPTED.

MATTERS HELD – Special Called Meeting of December 2, 2003

87. ORDINANCE repealing Ordinance No. 2003-925, relating to charges and terms of service for Drainage Service; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency - **FIRST READING** – **(TAGGED BY COUNCIL MEMBERS VASQUEZ and EDWARDS)** – was presented.

A roll call vote was called on Item No. 87.

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 absent on city business.	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 aye	ORDINANCE 2003-1196 PASSED FIRST READING

Council Member Tatro stated that the item took three readings, that was what Mr. Hall had stated, and this was the first reading to expedite the matter to make sure that they did not delay it until December 21, 2003, that he would move to have Item No. 87 placed on the Special Council Meeting on December 15, 2003 and then additionally for Wednesday, December 17, 2003 for the third reading.

Mayor Brown asked Mr. Hall to advise them if that was consistent with the Charter and Mr. Hall stated that as he had advised Council Members earlier, there was a Charter requirement for two readings and a Council rule

Mr. Hall stated that as he advised Council Members earlier there was a Charter requirement for two readings and a Council rule requirement for three readings, that the rule was in plain English, that it said it was to be read at three regular meetings of City Council, so that it would require 10 votes to do it other than at three regular meetings of City Council, that they would have to suspend the rules to do it other than at three regular meetings.

Council Member Tatro moved to suspend the rules so they could adopt the two vote rule, and Mr. Hall stated that he wanted to be clear, that the Charter required two readings and the Council rules required three regular meetings, which meant they would have to suspend that rule to do it other than at three regular meetings.

Mayor Brown stated that the motion from Council Member Tatro was to suspend the Council rules, and Council Member Tatro asked Mr. Hall if they just had it fall on next Wednesday's agenda, just as a procedural issue, if they had 10 votes at that meeting would that ratify the final vote, and Mr. Hall stated that he thought probably procedurally they would probably need to do that before and not after, if they decided to suspend the rules to dispense with the three reading requirement, that he did not think it would be effective if they did it afterward, and Council Member Tatro asked if they should suspend the rules next Wednesday before the vote or now, and Mr. Hall stated that he would advise probably if they were going to do that they probably needed to do it at this meeting, because the purpose of that was notice. Council Member Goldberg absent.

Council Member Vasquez asked Mr. Hall if it was his suggestion that they make a motion this meeting to suspend the rules at the next meeting to repeal it, and Mr. Hall stated that what he would recommend, because it was kind of first impression stuff and to be real safe, was that they indicate their intentions this week, that they would have to pass the motion this week, similar to what he had ruled before, that they would have on the agenda next week a motion to dispense with essentially that third reading, if that was what they were intending to do, but that they do that this week so it could be posted next week, and Council Member Vasquez asked if the motion today would take 10 votes to pass and then next Wednesday it would take 8 votes to pass, and Mr. Hall stated that it was just the opposite, that all they were doing today was voting on the first reading, and that was a majority, and were giving notice of their intent to post next

week a suspension of the rules to pass it. Council Member Goldberg absent.

Council Member Vasquez moved to post an item to suspend the rules on the agenda for next week to give notice of the intent to dispense with the third reading and address it in two readings, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1464 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item Numbers 2, 3 and 35 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1465 ADOPTED.

Mayor Brown stated that he wanted to recognize some visitor, that he wanted to recognize the China Central Government State Council, who were visiting the City for a week to undertake a week long curriculum in professional development for government personnel, that it was a 20 person delegation and asked that they stand and be welcomed to the City, that they were very happy they were present and extended their best wishes for a very successful visit.

25. RESOLUTION congratulating the citizens of Houston who participated in Blueprint Houston and the Citizens' Congress to demonstrate Civic Awareness and exercise civic responsibility; urging the continuation of active civic involvement by the Citizens of Houston as modeled by Blueprint Houston; recognizing the vision, values, and goals of Blueprint Houston – was presented, and tagged by Council Members Tatro and Keller.

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (GREATER GREENSPPOINT AREA) BOARD OF DIRECTORS:**

MR. WILLIE COLEMAN, JR., reappointment to serve as Chair, for a term to expire 12/31/2003

Position 2 - **MR. SHELTON BADCY**, reappointment, for a term to expire 8/31/2005

Position 4 - **MS. ELLEN LAPOINTE**, appointment, for a term to expire 8/31/2005

Position 5 - **MS. CAROLINA WEITZMAN**, appointment, to complete an unexpired term ending 8/31/2004

- was presented.

Council Member Ellis stated that he wanted to tag Item No. 2 and Mayor Brown stated that the item was not taggable and Council Member Ellis stated that he would release his tag and moved to postpone Item No. 2 for one week, seconded by Council Member Keller. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1466 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **GREATER GREENSPPOINT REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS:**

MR. WILLIE COLEMAN, JR., reappointment as Chair, for a term to expire December 31, 2003

Position 6 - **MR. JOHN CORNETT**, appointment, representing Aldine Independent School District, for a term to expire August 31, 2005

Position 7 - **MR. ELVIN FRANKLIN, JR.**, appointment, representing Harris County, for a term to expire August 31, 2004

Position 8 - **MS. SANDRA MCMULLAN LIGGETT**, appointment, representing North Harris Montgomery Community College District, for a term to expire August 31, 2005

Position 9 - **MR. SETH L. SHARR**, appointment, representing Spring Independent School District, for a term to expire August 31, 2004

- was presented.

Council Member Keller moved to postpone Item No. 3 for one week, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1467 ADOPTED.

Council Member Edwards moved to suspend the rules to consider Item Number 4 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1468 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment of the following as **ASSOCIATE JUDGES OF THE MUNICIPAL COURTS**, for terms to expire two years from date of appointment:

MR. RONALD E. REYNOLDS
MS. ANGELA E. PHEA

- was presented.

Council Member Goldberg moved to divide the question to vote on the individuals separately, seconded by Council Member Keller. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1469 ADOPTED.

Council Member Goldberg moved to postpone confirmation of Mr. Ronald E. Reynolds for one week, seconded by Council Member Keller. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1470 ADOPTED.

Council Member Goldberg moved to confirm the appointment of Ms. Angela E. Phea, seconded by Council Member Keller. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1471 ADOPTED.

Mayor Brown stated that Ms. Phea was in the audience and asked that she stand and be congratulated on her appointment, that they were delighted that she would be serving with them.

Judge Mejia appeared and stated that she wanted to officially introduce the Honorable Angela Phea, that she was a graduate of Rice University, 1987, and graduated from the Thurgood Marshall School of Law in 1990 and had been in private practice up to today, that they were very happy to welcome her into their department.

Associate Judge Phea appeared and stated that she wanted to thank Mayor Brown and the Council Members for the appointment and looked forward to serving soon.

35. ORDINANCE designating a contiguous geographic area within the City of Houston generally bounded by Quitman Street on the North, U.S. Highway 59 on the east, Interstate Highway 10 on the South, and Interstate Highway 45 on the West (Hardy/Near Northside Area) as a Reinvestment Zone for Tax Increment Financing purposes pursuant to Chapter 311 of the Texas Tax Code; creating a Board of Directors for such zone; containing findings and provisions related to the foregoing subject; providing a severability clause – was presented, and tagged by Council Members Edwards and Sekula-Gibbs.

Council Member Sekula-Gibbs stated that in the first reading of the matter, when Mr. Litke was before them, the amount of the money for the cleanup was listed as \$7.5 million or \$7.2 million and it appeared to have been reduced in the letter dated December 5, 2003, that was written by Mr. Litke so there was some confusion about how much the cleanup would really cost the taxpayer, that she thought there were a lot of other questions about why the City should pick up the bill and let the polluters off the hook. Council Member Goldberg absent.

Mayor Brown stated that they would have someone come and meet with her and provide answers to her questions. Council Member Goldberg absent.

Council Member Sekula-Gibbs moved to suspend the rules to hear from Mr. Robert Litke, Director, Planning and Development, at this time, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Goldberg absent. MOTION 2003-1472 ADOPTED.

Council Member Robinson stated that all he needed from Mr. Litke was just a color coded map of the location of all of the TIRZ's in the City, and Mr. Litke stated that they would all get it. Council Members Goldberg and Wiseman absent.

Mr. Litke stated that in answer to Council Member Sekula-Gibbs question, he focused his report to Council only on the property within the Hardy Yards area, which they had originally estimated at \$4.5 million, that they included in the total budget \$7.2 million so that they had remediation money for areas outside the yards if they discovered there were problems, but the yards themselves were budgeted at \$4.2 million and that was the answer to her question, that the point about the City participating in remediation was basically to get the land developed to a higher and better use over the long term rather than not supporting it and seeing it be developed for a lesser intensity use, i.e. warehouse or commercial over an extended period of time.

Council Member Tatro requested that his tag be added to Item No. 35.

Mayor Brown stated that the item had been tagged and they would answer Council Member Tatro's name to the tag.

Council Member Vasquez stated that it was a major project for reinvestment in the Northside area and a project that they had been working on for the last four years, that it was entirely within District H and did not encompass any other districts, it was a project that the residents wanted themselves, that the precedent in terms of sharing the burden of cleanup was not being set by the particular project, that it had been set by other TIRZ's, Brownfields and any number of other type of activities and economic development activities that the City engages in, that the alternative of doing nothing for the area was unacceptable, that they had a contaminated area, school kids in the area and a very high population, they were also right on the edge of downtown so where he recognized there may be some philosophical issues a precedent had already been set in terms of the City sharing in the cost of cleanup because the City reaped the tax benefits long term for the future, that as he understood they were providing the highest level of cleanup available for the property, and Mr. Litke stated that was correct.

Council Member Alvarado stated that she understood that maybe it was not the best situation that everybody would have agreed upon but it was better than nothing and she could respect the District Council Members perspective, that she knew that he and many others had worked on it tirelessly, including the community.

Council Member Parker stated that she would echo Council Member Alvarado and would reiterate that the purchasers were paying all costs of meeting the legal standards of cleanup they assumed when they got the property and she understood that was not how it was originally presented to them but they had agreed to meet the obligations they took on when they got the property, that they were going to clean it up and the City was partnering up in order to cleanup it up to a higher standard for a higher and best use for the City in the long term and would ask her colleagues to consider that.

Mayor Brown stated that the item was tagged and they would move to the consent agenda.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 2 through 78

MISCELLANEOUS - NUMBER 9

9. RECOMMENDATION from Director Department of Public Works & Engineering for payment of \$152,676.80 to the **TEXAS COMMISSION ON ENVIRONMENTAL QUALITY** for 2004 Water System Fees - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1473 ADOPTED.

ACCEPT WORK - NUMBERS 10 through 14

10. RECOMMENDATION from Acting Director Building Services Department for approval of final contract amount of \$389,475.81 and acceptance of work on contract with **CARRERA CONSTRUCTION, INC** for Schnur Park, GFS F-0498-01-3 - 04.28% over the original contract amount - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1474 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$167,445.67 and acceptance of work on contract with **EL DORADO PAVING CO., INC** for Sidewalk and Wheelchair Ramp, Work Order Contract No. 1, GFS N-0610A-W1-3 (N-0610A-W1) - 06.52% under the original contract amount – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1475 ADOPTED.
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$178,021.45 and acceptance of work on contract with **EL DORADO PAVING CO., INC** for Sidewalk and Wheelchair Ramp, Work Order Contract No. 2, GFS N-0610A-W2-3 (N-0610A-W2) - 00.62% under the original contract amount – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1476 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,260,703.84 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** and **PM CONSTRUCTION & REHAB, L.P. - A Joint Venture** for Sanitary Sewer Rehabilitation by Sliplining and Pipe Bursting Methods, GFS R-0266-89-3 (4257-22) 02.25% over the original contract amount – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1477 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 15 through 23A

16. **AMEND MOTION #00-180, 2/9/00, 03-77, 1/29/03 and 03-973, 8/6/03, TO INCREASE** spending authority from \$653,724.93 to \$915,214.90, for Chemicals, Aqua Ammonia and Liquid Ammonium Sulfate for Department of Public Works & Engineering, awarded to **SOUTHERN IONICS, INCORPORATED (formerly SHRIEVE CHEMICAL COMPANY)** - \$261,489.97 Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION

2003-1478 ADOPTED.

20. **AMEND MOTION #2000-22, 1/5/00 and #2002-1480, 12/31/02, TO EXTEND** expiration date from January 5, 2004 to January 4, 2005, for Thermoplastic Materials Contract for Various Departments, awarded to **FLINT TRADING, INC** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1479 ADOPTED.
22. **AMEND MOTION #2000-1513, 12/13/00, TO EXTEND** expiration date from December 19, 2003 to December 18, 2004 and **TO INCREASE** spending authority from \$2,507,094.03 to \$3,510,405.64 for Paper and Supplies for Various Departments, awarded to **UNISOURCE WORLDWIDE, INC** - \$1,003,311.61 - General, Grant, Enterprise, Cable Television and Central Service Revolving Funds – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1480 ADOPTED.
23. REJECT bid of **TRIPLE BEAM E.P.C.** for Water Line Replacement in Lakewood Heights Subdivision and Sanitary Sewer in Sunnyglen – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1481 ADOPTED.
- 23a. ORDINANCE appropriating \$1,564,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT, INC** for Water Line Replacement in Lakewood Heights Subdivision, GFS S-0035-95-3 (WA10736) and Sanitary Sewer in Sunnyglen, GFS R-2011-38-3 (WW4809-03); providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – WISEMAN** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1197 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 26 through 77a

26. RESOLUTION approving the action of the City of Houston Industrial Development Corporation for its Adjustable Rate Air Cargo Revenue Bonds, Series 2003A (Aero Houston East, LP Project) and Subordinate Fixed Rate Air Cargo Revenue Bonds, Series 2003B (Aero Houston East, LP Project) - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. RESOLUTION 2003-0039 ADOPTED.
27. ORDINANCE **AMENDING SECTION 9-183 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, and reinstating the charges imposed therein at George Bush Intercontinental Airport/Houston - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1198 ADOPTED.
30. ORDINANCE consenting to the addition of 228.899 acres of land to **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1199 ADOPTED.
31. ORDINANCE consenting to the addition of 38.947 acres of land to **HARRIS COUNTY**

- MUNICIPAL UTILITY DISTRICT NO. 183**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1200 ADOPTED.
32. ORDINANCE consenting to the addition of 697.67 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 285**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1201 ADOPTED.
33. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 411** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1202 ADOPTED.
39. ORDINANCE approving and authorizing submission of an application for grant assistance to the **STATE OF TEXAS** through the Criminal Justice Division, Office of the Governor (“CJD”) for the Police Storefront Crisis Team Grant/12 Grant Program; declaring the City’s eligibility for such grant; authorizing the Mayor to act as the City’s representative in the application process; authorizing the Chief or the Acting Chief of the Houston Police Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1203 ADOPTED.
42. ORDINANCE appropriating \$11,808,200.00 out of Airports Improvement Fund, CIP A-0491 and \$192,220.00 out of Airports Improvement Fund, CIP A-0422, awarding construction contract to **TURNER CONSTRUCTION COMPANY** for Continental Airlines New Cargo Facility at George Bush Intercontinental Airport/Houston (IAH), Project No. 611; providing funding for the Civic Art Program financed by Airports Improvement Fund; providing funding for engineering testing services, and for contingencies relating to construction of facilities financed by such funds **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1204 ADOPTED.
46. ORDINANCE approving and authorizing contract between the City and **BLOOMBERG L.P.** for Financial Market System and Datafeed Addendum for the Controller’s Office; providing maximum contract amount \$164,000.00 - 6 Years - General Fund – had been pulled from the Agenda by the Administration, and was not considered.
47. ORDINANCE relating to the retail gas rates of **CENTERPOINT ENERGY ENTEX** within the City of Houston, Texas; approving a settlement agreement relating to an increase in CenterPoint Energy Entex’s Rates – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1205 ADOPTED.
48. ORDINANCE approving and authorizing Telecommunications License Agreement between **SPRINTCOM, INC**, as Licensee, and the City of Houston, Texas, as Licensor, for a Commercial Wireless Telecommunications Service Facility at the George R. Brown Convention Center **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1206 ADOPTED.
50. ORDINANCE approving and authorizing contract between the City and **ITRONIX CORPORATION** for Maintenance of Wireless Field Computer Systems for the Public Works & Engineering Department; providing a maximum contract amount - \$83,360.00 - Enterprise Fund – was presented. All voting aye. Nays none. Council Member Galloway

absent on city business. Council Member Robinson absent. ORDINANCE 2003-1207 ADOPTED.

51. ORDINANCE awarding contract to **US FILTER RECOVERY SERVICES** for Used Oil, Oily Water, Used Oil Filters, Used Antifreeze and Absorbents Disposal - 3 Years with two one-year options \$186,691.30 - General, Enterprise, Storm Water Utility and Fleet Management Fund – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1208 ADOPTED.
52. ORDINANCE amending Ordinance No. 99-536 to increase maximum contract amount to contract between the City of Houston and **SUPERIOR BUILDING SERVICES, INC** for Window Cleaning Services for Houston Airport System - \$251,382.73 - Enterprise Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1209 ADOPTED.
57. ORDINANCE appropriating \$752,000.00 out of Police Consolidated Construction Fund, awarding construction contract to **TEXAS LIQUA TECH SERVICES, INC** for Construction of the Central Admin. Building, Volker Building, and Property Room Roof Replacement, CIP G-0066-07-03; providing funding for contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT H- VASQUEZ** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1210 ADOPTED.
58. ORDINANCE awarding construction contract to **SOUTH TEXAS UTILITIES** for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Section Seven of the Greenpark Subdivision; approving and authorizing assignment of construction contract to **LENNAR HOMES OF TEXAS LAND & CONSTRUCTION, LTD.**, CIP S-0800-87 and R-0800-87 (DPC-27) - **DISTRICT D - EDWARDS** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1211 ADOPTED.
61. ORDINANCE appropriating \$2,515,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for construction of Lake Livingston Dam Rehabilitation and Improvements under interlocal agreement between the City of Houston and the **TRINITY RIVER AUTHORITY** (approved by Ordinance No. 99-1216), S-0019-03-3 – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1212 ADOPTED.
62. ORDINANCE approving and authorizing contract between the City and the **CYPRESS CREEK VOLUNTEER FIRE DEPARTMENT** for Supplemental Firefighting Services in the Willowbrook Mall Area; providing a maximum contract amount - \$400,000.00 - General Fund - **DISTRICT A – TATRO** – had been pulled from the Agenda by the Administration, and was not considered.
65. ORDINANCE consenting to the addition of 3.9664 acres of land to **MEMORIAL HILLS UTILITY DISTRICT**; approving and authorizing a First Amendment to the Strategic Partnership Agreement between the City of Houston and Memorial Hills Utility District approved by Ordinance No. 2003-0271; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1213 ADOPTED.
- 65a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory

located within **MEMORIAL HILLS UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the territory within Memorial Hills Utility District annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1214 ADOPTED.

66. ORDINANCE approving and authorizing a First Amendment to the Strategic Partnership Agreement between the City of Houston and **MALCOMSON ROAD UTILITY DISTRICT** approved by Ordinance No. 2003-0269; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1215 ADOPTED.
- 66a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **MALCOMSON ROAD UTILITY DISTRICT**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the territory within Malcomson Road Utility District annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1216 ADOPTED.
67. ORDINANCE approving and authorizing a First Amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 51** approved by Ordinance No. 2003-0281; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1217 ADOPTED.
- 67a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 51**, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the territory within Harris County Fresh Water Supply District No. 51 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1218 ADOPTED.
68. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1219 ADOPTED.
- 68a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 109** and certain territory located in the vicinity of Harris County Water Control and

Improvement District No. 109, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Harris County Water Control and Improvement District No. 109; imposing the sales and use tax of the City of Houston in the territory within Harris County Water Control and Improvement District No. 109 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1220 ADOPTED.

69. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CYPRESS HILL MUNICIPAL UTILITY DISTRICT NO. 1**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1221 ADOPTED.
- 69a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **CYPRESS HILL MUNICIPAL UTILITY DISTRICT NO. 1** and certain territory located in the vicinity of Cypress Hill Municipal Utility District No. 1, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Cypress Hill Municipal Utility District No. 1; imposing the sales and use tax of the City of Houston in the territory within Cypress Hill Municipal Utility District No. 1 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1222 ADOPTED.
70. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **FOUNTAINHEAD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1223 ADOPTED.
- 70a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **FOUNTAINHEAD MUNICIPAL UTILITY DISTRICT OF HARRIS COUNTY, TEXAS** and certain territory located in the vicinity of Fountainhead Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Fountainhead Municipal Utility District; imposing the sales and use tax of the City of Houston in the territory within Fountainhead Municipal Utility District annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1224 ADOPTED.
71. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **GREEN TRAILS MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1225 ADOPTED.

- 71a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **GREEN TRAILS MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of Green Trails Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Green Trails Municipal Utility District; imposing the sales and use tax of the City of Houston in the territory within Green Trails Municipal Utility District annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1226 ADOPTED.
72. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 8**; making various findings and provisions relating to the subject; and declaring an emergency – had been pulled from the Agenda by the Administration, and was not considered.
- 72a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 8** and certain territory located in the vicinity of Harris County Municipal Utility District No. 8, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Harris County Municipal Utility District No. 8; imposing the sales and use tax of the City of Houston in the territory within Harris County Municipal Utility District No. 8 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – had been pulled from the Agenda by the Administration, and was not considered.
73. ORDINANCE approving and authorizing a First Amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191** approved by Ordinance No. 2002-0356; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1227 ADOPTED.
- 73a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 191** and certain territory located in the vicinity of Harris County Municipal Utility District No. 191, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Harris County Municipal Utility District No. 191; imposing the sales and use tax of the City of Houston in the territory within Harris County Municipal Utility District No. 191 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1228 ADOPTED.
74. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 200**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1229 ADOPTED.

- 74a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 200** and certain territory located in the vicinity of Harris County Municipal Utility District No. 200, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Harris County Municipal Utility District No. 200; imposing the sales and use tax of the City of Houston in the territory within Harris County Municipal Utility District No. 200 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1230 ADOPTED.
75. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 257**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1231 ADOPTED.
- 75a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 257** and certain territory located in the vicinity of Harris County Municipal Utility District No. 257, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Harris County Municipal Utility District No. 257; imposing the sales and use tax of the City of Houston in the territory within Harris County Municipal Utility District No. 257 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1232 ADOPTED.
76. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 58**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1233 ADOPTED.
- 76a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 58** and certain territory located in the vicinity of Harris County Municipal Utility District No. 58, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of Harris County Municipal Utility District No. 58; imposing the sales and use tax of the City of Houston in the territory within Harris County Municipal Utility District No. 58 annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1234 ADOPTED.
77. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **NORTH FOREST MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1235 ADOPTED.

- 77a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **NORTH FOREST MUNICIPAL UTILITY DISTRICT** and certain territory located in the vicinity of North Forest Municipal Utility District, in Harris County, Texas; containing findings and other provisions relating to the foregoing subject; adopting a regulatory plan for certain territory in the vicinity of North Forest Municipal Utility District; imposing the sales and use tax of the City of Houston in the territory within North Forest Municipal Utility District annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1236 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2004 Operations and Maintenance Budget for the **COASTAL WATER AUTHORITY (CWA)** \$12,702,431.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1482 ADOPTED.
6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2004 Operations and Maintenance Budget for the **LAKE HOUSTON FACILITIES PROJECT** operated by the **COASTAL WATER AUTHORITY** - \$2,684,295.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1483 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2004 Operations and Maintenance Budget for the **SAN JACINTO RIVER AUTHORITY** \$996,475.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1484 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of the FY2004 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$2,731,360.00 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1485 ADOPTED.

ACCEPT WORK

13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,083,672.06 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Knollwood Village Storm Sewer Improvements, GFS M-0252-01-3 (SM5016) - 10.70% over the original contract amount - **DISTRICT C - GOLDBERG** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Goldberg.

PURCHASING AND TABULATION OF BIDS

15. ORDINANCE appropriating \$165,140.85 out of Fire Consolidated Construction Fund for Parking Lot Replacement at Fire Station No. 58 for the Building Services Department, CIP C-0089 – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1237 ADOPTED.
- 15a. **AAA ASPHALT PAVING, INC** for Parking Lot Replacement at Fire Station No. 58 for Building Services Department - \$157,277.00 and contingencies for a total amount not to exceed \$165,140.85 - Fire Consolidated Construction Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. MOTION 2003-1486 ADOPTED.
17. **SOUTH HOUSTON HYDRAULIC EQUIPMENT, CO., INC** for Hydraulic Hose and Couplings for Solid Waste Management Department - \$62,214.00 minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$1,866.42 for a net award amount not to exceed \$60,347.58 - General Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Tatro. Council Member Robinson absent.
18. **D. F. SALES (Bid #8)** for Automotive, Specialty Fasteners for Various Departments \$125,000.00 minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$3,750.00 for a net award not to exceed \$121,250.00 - General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Tatro. Council Member Robinson absent.
19. **DIXIE SALES COMPANY** for Photographic Film from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Various Departments - \$52,155.00 - General, Enterprise and Building Inspection Funds – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Wiseman. Council Member Robinson absent.
21. **HOUSTON-GALVESTON AREA COUNCIL** for Medium and Heavy-Duty Trucks through the Interlocal Agreement for Cooperative Purchasing for Various Departments - \$2,089,336.50 Enterprise, Storm Water Utility and Equipment Acquisition Funds – was presented, moved by Council Member Quan, seconded by Council Member Vasquez, and tagged by Council Member Wiseman. Council Member Robinson absent.

RESOLUTIONS AND ORDINANCES

24. RESOLUTION appointing **HELEN FLORES HOUGH** to serve as the representative of the City of Houston on the Board of Directors of the **HARRIS COUNTY APPRAISAL DISTRICT** – was presented, and tagged by Council Member Vasquez. Council Member Robinson absent.
28. ORDINANCE **AMENDING ARTICLE IX OF CHAPTER 10 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to filing and notification of certain documents generated by the hearing official or the Building and Standards Commission – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1238 ADOPTED.
29. ORDINANCE relating to visitability of residential structures for people with disabilities;

adopting additional local amendments to the International Residential Code for One- and Two-Family dwellings and containing other provisions relating to the foregoing subject – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1239 ADOPTED.

Council Member Sekula-Gibbs stated that she wanted to congratulate Council Member Quan and his staff and Ms. Toy Wood and the Members of the Greater Houston Builders Association for their hard work.

Council Member Robinson stated that he wanted to also thank Council Member Quan for picking up the ball on an issue that a lot of them worked on and talked about to get them to that stage and hoped that those who remained on Council would do the follow up part of it, that he looked forward to working with Council Member Quan and the rest of the Council to try and monitor what happens over time to prove that it was a good thing for the community and not an economic burden in the long run, that he also wanted to congratulate Ms. Kim King of the Mayor's office.

Council Member Edwards stated that she wanted to lift up Mr. Christian Vandaele with Majestic Builders who went on his own and built a model and put his own company and money at risk to show the viability, that she wanted to compliment the management and staff of the Center for Independent Living, that they appreciated the work that they did in the community.

Council Member Parker stated that she wanted to acknowledge the folks from the Center for Independent Living, that there were a number of them in the audience and kept coming in time after time.

Council Member Quan stated that he wanted to thank them for the kind remarks, but it was certainly a collaborative effort of all the participants and also his fellow Council Members who really brought a lot of insight and fire into the discussion to get it through.

Mayor Brown stated that he also wanted to express his thanks to Council Member Quan, that he did take it as an item and worked very hard on it.

34. ORDINANCE approving and authorizing lease agreement between **L. S. DECKER INVESTMENTS, INC**, as landlord, and the City of Houston, Texas, as tenant, for space at 1702 Seamist Drive, Houston, Texas, for use by the Public Works & Engineering Department **DISTRICT A - TATRO** – was presented.

Council Member Quan stated that they had three floors empty at 611 Walker and he was constantly looking to make sure that they utilized their space to the maximum as opposed to continuing to lease space from other sources, that he met with the department on the item and saw their basis, the accessibility of the inspectors to go out into the field the parking and all, but he would just like for the Building Services Department constantly look to maximize the space that they already had. Council Member Robinson absent.

A vote was called on Item No. 34. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1240 ADOPTED.

36. ORDINANCE providing for an ad valorem tax exemption on a Historical Site located at 2021 Binz Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability – was presented, and tagged by Council Members Tatro and Edwards. Council Members Keller and Robinson absent.

Council Member Edwards stated that she wanted to add her tag to the item, that she had a policy question and did not know who to address it to, that since there were a lot of buildings in the area that would qualify for historic preservation and were within the TIRZ jurisdiction, that it seemed as if they were undermining what the TIRZ had been vested to do by creating a lot of buildings in certain areas as tax exempt, that she would like to have somebody speak to her regarding that, and Mayor Brown stated that they would have someone meet with her. Council Members Keller and Robinson absent.

Council Member Parker stated that she helped draft the item and would be glad to meet with her, that the Planning Department would as well, that the exemption was only on the investment increment and they had to make a significant investment in the property before they could qualify for the increment at all so it was designed to preserve the existing tax base. Council Members Keller and Robinson absent.

37. ORDINANCE providing for an ad valorem tax exemption on a Historical Site located at 2115 Kane Street in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Members Keller and Robinson absent. ORDINANCE 2003-1241 ADOPTED.
38. ORDINANCE providing for an ad valorem tax exemption on a Historical Site known as the Sam Houston Hotel located at 1117 Prairie Avenue in Houston, Texas; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1242 ADOPTED.
40. ORDINANCE appropriating \$20,000.00 out of Airports Improvement Fund and approving and authorizing Lease Agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** and Reimbursement to Continental Airlines, Inc. for Relocation of its Cargo Facilities at George Bush Intercontinental Airport/Houston, Project No. 611C; CIP A-0491-04 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Council Member Robinson absent. ORDINANCE 2003-1243 ADOPTED.
41. ORDINANCE appropriating \$1,136,072.00 out of Airports Improvement Fund and approving and authorizing Project Development Agreement between the City of Houston and **CONTINENTAL AIRLINES, INC** for Construction Management Services at George Bush Intercontinental Airport/Houston, Project No. 611B; CIP A-0491-03-6 and the partial assignment of related construction contracts and laboratory testing contracts after they are awarded for the Continental Cargo Building - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-1244 ADOPTED.
43. ORDINANCE appropriating \$190,000.00 out of Airports Improvement Fund and approving and authorizing Professional Architectural/Engineering services contract between the City of Houston and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** in connection with the Continental Airlines New Cargo Building at George Bush Intercontinental Airport/Houston, Project No. 611A; CIP A-0491-01-2 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-1245 ADOPTED.

44. ORDINANCE approving and authorizing the City of Houston to enter into contracts with one (1) **INDEPENDENT SCHOOL DISTRICT [ALDINE ISD]** and one (1) Non-profit Organization [**THE SALVATION ARMY**] to administer an After School Achievement Program ("ASAP") - \$100,000.00 General Fund - **DISTRICTS A - TATRO; B - GALLOWAY and H - VASQUEZ** – was presented.

Council Member Edwards state that she was not going to tag the item but would like someone to visit with her regarding the programs, the outreach and how they were handling the particular programs, and Mayor Pro Tem Quan stated they would have someone meet with her. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding.

A vote was called on Item No. 44. All voting aye. Nays none. Council Member Galloway absent on city business. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-1246 ADOPTED.

45. ORDINANCE approving and authorizing City of Houston to enter into contract with each of three (3) Non-profit organizations [**GREATER ST. PAUL MISSIONARY BAPTIST CHURCH, NEW MOUNT CALVARY MINISTRIES, INC,** and **YOUNG MEN'S CHRISTIAN ASSOCIATION OF THE GREATER HOUSTON AREA**] to administer an After School Achievement Program ("ASAP") - \$110,000.00 - CDBG and Housing Special Revenue Funds - **DISTRICT D - EDWARDS** – was presented.

Council Member Edwards stated that she had the same issue on Item No. 45. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding.

A vote was called on Item No. 45. All voting aye. Nays none. Council Member Galloway absent on city business. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-12447ADOPTED.

49. ORDINANCE approving and authorizing contract between the City of Houston, the **COUNTY OF LOS ANGELES** and **OFFICE DEPOT** authorizing participation in the U.S. Communities Purchasing Alliance for the purchase of Office Supplies for Various Departments; providing a maximum contract amount - \$2,196,384.52 - General, Grant, Enterprise and Other Funds – was presented, and tagged by Mayor Pro Tem Quan and Council Members Ellis and Wiseman. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding.

Council Member Tatro stated that he would like a written explanation on the transaction and why they needed to be piggy backing on the County of Los Angeles. Mayor Brown and Council Member Robinson absent. Mayor Pro Tem Quan presiding.

53. ORDINANCE appropriating \$50,280.00 out of Parks Consolidated Construction Fund, and \$138,000.00 out of Park Special Fund, awarding construction contract to **ALL PLAY, INC** for Construction of Kingwood Skate Park, GFS F-0501-01-3; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT E – WISEMAN** – was presented, and tagged by Council Member Goldberg. Mayor Brown absent. Mayor Pro Tem Quan presiding. (Note: Council Member Goldberg released his tag later in the meeting.)
54. ORDINANCE appropriating \$409,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional architectural services contract between the City of Houston and **ESPA ARCHITECTURE, INC**, CIP D-0079-01-2 for the Northeast Multi-Service Center; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented, and tagged by Council Members

Ellis and Tatro. Mayor Brown absent. Mayor Pro Tem Quan presiding.

55. ORDINANCE appropriating \$107,482.00 out of Police Consolidated Construction Fund; determining that the formal taking of competitive bids is not required for the work described herein; approving and authorizing contract between the City of Houston and **ARROW SERVICES, INC** for Asbestos Abatement and Disposal at Police Administration Building, CIP G-0072-09-5; providing funding for contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICT I - ALVARADO** – was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-1248 ADOPTED.
56. ORDINANCE appropriating \$62,000.00 out of Street & Bridge Consolidated Construction Fund and \$63,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional general improvement consulting services contract between the City of Houston and **QUANTUM ENVIRONMENTAL CONSULTANTS, INC** for Environmental Consulting Services for environment problems on city property or in city right-of-way, CIP N-NA00-06-2 and R-0019-07-2 – was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Quan presiding. ORDINANCE 2003-1249 ADOPTED.
59. ORDINANCE appropriating \$259,000.00 out of Public Health Consolidated Construction Fund for Heating, Ventilation and Air Conditioning (HVAC) Projects (CIP H-0063) for the Health and Human Services Department – was presented. All voting aye. Nays none. ORDINANCE 2003-1250 ADOPTED.
60. ORDINANCE appropriating \$2,360,000.00 out of 12A Consolidated Dangerous Building Fund for Demolition of Dangerous Buildings – was presented. All voting aye. Nays none. ORDINANCE 2003-1251 ADOPTED.
63. ORDINANCE approving and authorizing first amendment to the Strategic Partnership Agreement between the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 63** approved by Ordinance No. 2003-0253; making various findings and provisions relating to the subject; and declaring an emergency – was presented, and tagged by Council Member Tatro.
64. ORDINANCE approving and authorizing the Strategic Partnership Agreement between the City of Houston and **CHELFORD CITY MUNICIPAL UTILITY DISTRICT**; making various findings and provisions relating to the subject; and declaring an emergency – was presented, and tagged by Council Member Tatro.
- 64a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **CHELFORD CITY MUNICIPAL UTILITY DISTRICT**, in Harris County, Texas and Fort Bend County, Texas; containing findings and other provisions relating to the foregoing subject; imposing the sales and use tax of the City of Houston in the territory within Chelford City Municipal Utility District annexed for limited purposes; assigning annexed territory to an adjacent District from which a District Council Member is elected until such time as District boundaries may be changed pursuant to the Houston City Charter; providing for severability; and declaring an emergency – was presented, and tagged by Council Member Tatro.
78. ORDINANCE No. 2003-1191, passed first reading December 3, 2003
ORDINANCE amending and restating the Cable Television Franchise granted to **GRANDE COMMUNICATIONS, INC**, pursuant to City of Houston Ordinance No. 2000-0679 - **SECOND READING** - was presented.

Council Member Tatro stated that he would tag Item No. 78, and Council Member

Alvarado asked if the item was taggable, and Mr. Hall stated that the rule read that an item was taggable by Council the first time the question was presented to Council, and Mayor Brown stated that it was the second reading and the item was not taggable.

A vote was called on Item No. 78. All voting aye. Nays none. Council Member Galloway absent on city business. ORDINANCE 2003-1191 PASSED SECOND READING IN FULL.

NON CONSENT AGENDA - NUMBERS 79 and 80

MISCELLANEOUS

79. MOTION to set a date not less than seven (7) days from December 10, 2003 to receive nominations for Position 20 of **HOUSTON READ COMMISSION** to complete an unexpired term ending February 1, 2004 – was presented.

Council Member Vasquez moved to set Wednesday, December 17, 2003 to receive nominations for Position 20 of Houston Read Commission, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1487 ADOPTED.

80. MOTION to set a date not less than seven (7) days from December 10, 2003, to receive nominations for Positions 6 and 7 of the **LAND ASSEMBLAGE REDEVELOPMENT AUTHORITY** for terms to expire two years from appointment date – was presented.

Council Member Quan moved to set Wednesday, December 17, 2003 to receive nominations for Positions 6 and 8 of the Land Assemblage Redevelopment Authority, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1488 ADOPTED.

MATTERS HELD - NUMBERS 81 through 87

81. RECEIVE nominations for Position A on the **HOUSTON CLEAN CITY COMMISSION**, the one year term to expire February 1, 2004 – **(This was Item 66 on Agenda of November 25, 2003, POSTPONED BY MOTION #2003-1429)** – was presented.

Council Member Tatro moved to refer Item No. 81 back to the administration, seconded by Council Member Quan. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1489 ADOPTED.

82. ORDINANCE appropriating \$105,708.83 out of Parks Consolidated Construction Fund as an additional appropriation for Bid Package No. 19 - George T. Nelson Park (Formerly Yellowstone Park) and Stude Park, under construction contract with **PARALLAX BUILDERS, INC**, approved by Ordinance No. 00-1108, GFS F-0363-11-3 and F-0363-38-3 - **DISTRICTS D - EDWARDS and H – VASQUEZ – (This was Item 4 on Agenda of December 3, 2003, TAGGED BY COUNCIL MEMBERS EDWARDS, QUAN and VASQUEZ)** – was presented.

Council Member Quan stated that last week several Council Members had tagged the item and the contractor had not contacted him and believed he had only contacted a couple of other Council Members late yesterday afternoon and moved to postpone Item No. 82 for one week, seconded by Council Member Alvarado. Council Members Keller and Tatro voting no, balance voting aye. Council Member Galloway absent on city business. MOTION 2003-1490 ADOPTED.

- 82A. RECOMMENDATION from Acting Director Building Services Department for approval of Change Order No. 6 in the amount of \$106,108.05, final contract amount of

\$2,405,208.83 and acceptance of work on contract with **PARALLAX BUILDERS, INC** for Bid Package No. 19 - George T. Nelson Park (Formerly Yellowstone Park Pool) and Stude Park GFS F-0363-11-3 and F-0363-38-3 - 09.83% over the original contract amount - **DISTRICTS D - EDWARDS and H - VASQUEZ** – **(This was Item 4a on Agenda of December 3, 2003, TAGGED BY COUNCIL MEMBERS EDWARDS, QUAN and VASQUEZ)** – was presented, moved by Council Member Vasquez, seconded by Council Member Keller.

Council Member Quan moved to postpone Item No. 82a for one week, seconded by Council Member Vasquez.

Council Member Tatro stated that he did not understand why they needed to go the builder, that they had Building Services, construction managers, architects, engineers and levels and levels of Public Works people, that they had Affirmative Action people and asked Council Member Quan if he was saying he could not get information from City employees and had to penalize the vendor, and Council Member Quan stated that the answers he got from City employees was very negative and conflicting with what he had heard from other people regarding what the contractor said, that he wanted to get it clear from the contractor what exactly was said.

A vote was called on the motion to postpone Item No. 82a. Council Members Tatro, Keller and Ellis voting no, balance voting aye. Council Member Galloway absent on city business. MOTION 2003-1491 ADOPTED.

83. ORDINANCE appropriating \$7,018,000.00 out of Equipment Acquisition Consolidated Fund for purchase of FY2004 Information Technology Equipment – **(This was Item 36 on Agenda of December 3, 2003, TAGGED BY COUNCIL MEMBERS TATRO and SEKULA-GIBBS)** – was presented.

Council Member Sekula-Gibbs moved to postpone Item No. 83 until after completion of the Master Plan, seconded by Council Member Tatro.

Mayor Brown stated that they should talk to Mr. Richard Lewis to see what impact it would have on doing the business of the City.

Council Member Sekula-Gibbs moved to suspend the rules to hear from Mr. Richard Lewis, Director, Information Technology Department, seconded by Council Member Quan. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1492 ADOPTED.

Council Member Sekula-Gibbs stated that last week the Council voted to approve a \$335,000 extension on a contract to Getronicswang to develop a master plan and now he was coming to the Council and asking for \$7 million to buy equipment that would be under the purview of that master plan so she was asking to delay the purchase of the equipment until the master plan was completed, that if there were some pieces of equipment in that \$7 million that were vital or essential and that they must have before the completion of the plan then she was willing to say absolutely they could do that.

Mr. Lewis stated that he understood Council Member Sekula-Gibbs concern and what she had articulated was legitimate but thought there were some facts, maybe, that were not understood, that first they briefed the Council on the need for a Master Plan, the Equipment Acquisition Fund, in early November at a joint committee meeting and at that meeting they indicated that there needed to be a \$7 million upgrade of the City's data network based on the assessment report, that of the \$7 million that was before Council today only \$3.3 million was related to the data network upgrade, it involved the Threecom equipment which was no longer supported by the manufacturer and it was his view that it was critical that they go ahead and

replace that equipment, the remaining portion of the item that was before the Council had to do with non data network, about 600 PC's for the Police Department to replace 1995 and 1998 computers, a Strategic Technology Plan for the Houston Police Department, which was critical but the majority of the \$7 million was not network related, although just under half of it was and it was his view that it did need to be replaced and needed to be replaced now.

Council Member Tatro stated that it was significantly the cart before the horse to be replacing data network equipment without a master data network plan.

Mayor Brown asked Mr. Lewis if there were some things that needed to be done now for the City's system and there was a potential of delaying that would cost the City in the long run and they were going to develop the master plan, and Mr. Lewis stated that was correct, that there was equipment that needed to be replaced that had become obsolete, the Municipal Court System would begin load testing in the summer and it was his hope to get the first \$3.3. million out of the way so later in the spring they could consider finishing out the \$7 million upgrade after the Network Master Plan was complete, but timing was becoming very much an issue.

A roll call vote was called on Council Member Sekula-Gibbs motion to postpone Item No. 83.

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 absent on city business.	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 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	MOTION 2003-1493 FAILED

A vote was called on Item No. 83. Council Members Tatro and Sekula-Gibbs voting no, balance voting aye. Council Member Galloway absent on city business. ORDINANCE 2003-1252 ADOPTED.

84. ORDINANCE appropriating \$7,431,200.00 out of Street & Bridge Consolidated Construction Fund and \$3,884,800.00 out of Series E Commercial Paper Metro Projects Fund, awarding contract to **BOYER, INC** for Buffalo Bayou Hike and Bike Trail Bagby to Sabine, GFS N-0420T-38-3 (SB9123); providing funding for engineering testing and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Series E Commercial Paper Metro Projects Fund - **DISTRICT I - ALVARADO – (This was Item 39 on Agenda of December 3, 2003, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. Council Member Tatro voting no, balance voting aye. Council Member Galloway absent on city business. ORDINANCE 2003-1253 ADOPTED.

85. MOTION by Council Member Quan/Seconded by Council Member Keller to adopt recommendation from Finance & Administration Department to **AMEND MOTION #2003-567, 6/4/03, TO INCREASE** quantity to purchase additional Grounds Keeping Equipment for Parks & Recreation Department, awarded to **BROOKSIDE EQUIPMENT SALES, INC** for a total increase of \$62,175.00 - Equipment Acquisition Consolidated and Park Special Revenue Funds – **(This was Item 44 on Agenda of December 3, 2003, POSTPONED BY MOTION #2003-1458)** – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. MOTION 2003-1494 ADOPTED.

86. ORDINANCE appropriating \$8,140,000.00 out of Airports Improvement Fund, awarding Job Order Construction Contract to **KELLOGG BROWN & ROOT SERVICES, INC** for

Project No. 516, CIP A0348.5 and A-04220; providing funding for the Civic Art Program - 5 years **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** – (**This was Item 47 on Agenda of December 3, 2003, POSTPONED BY MOTION #2003-1459**) – was presented. All voting aye. Nays none. Council Member Galloway absent on city business. ORDINANCE 2003-1252 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Vasquez stated that this week his office and other Council offices had received a number of complaints regarding a website that was on the Library website as a link called “Go Ask Alice” and it provided teen health information, but when they looked at it, it was beyond the scope of acceptability in terms of what their library should be engaged in, that his office had been working with the Library Department and they had agreed to pull it and at the same time would put together a committee to establish the appropriateness of these types of links, that he encouraged Council Members to look at it so they could see exactly what was being accessed over the internet at the Library, that he had a handout regarding the website to pass out to the Council Members, that he wanted to thank the Library for pulling the link. Council Member Tatro absent.

Mayor Brown stated that he had it brought to his attention this morning and had made some directions that the Library disable the link, that it was being done and should be completed by early afternoon, that also he would like to ask some Council Members to serve on a committee to review the appropriateness of that type of site, that he would put the committee together. Council Member Tatro absent.

Council Member Quan stated that he wanted to invite other Council Members to a townhall meeting they were having tonight at Fu Kim Restaurant dealing with the role of the Vietnamese Community in the Midtown area, that there had been some concerns raised by that community as to development in the Midtown area and they were bringing together people from the Midtown TIRZ and the Midtown Management District to meet with the community. Council Member Tatro absent.

Council Member Quan stated that he wanted to thank all the people who helped on the visibility ordinance, that he wanted to mention Ms. Shiela Blake, Planning Department, who helped draft the ordinance and Ms. Daisy Stiner, Housing Community Development Department on the financing for it. Council Member Tatro absent.

Council Member Quan stated that he again wanted to extend an invitation to all for their Senior Citizen Gala at the George R. Brown on Monday morning, it would be a fun event and they usually had well over 1,000 senior citizens attend. Council Member Tatro absent.

Council Member Sekula-Gibbs stated that regarding the public library website, she spent an hour yesterday at the library and would concur that it was not an appropriate website for teens and should not be the kind of website that the City was promoting, that she had passed out copies of the website to all the Council Members. Council Members Tatro and Vasquez absent.

Mayor Brown stated that it was not a City website, that there was a link from the City Library’s website to that website and as he stated earlier he had already given directions that it be taken off of the Library website. Council Members Tatro and Vasquez absent.

Council Member Sekula-Gibbs stated that yesterday they had a press conference regarding the importance of Ellington Field and the retention of the 147 Fighter Wing at the Air National Guard at Ellington and it was vital that they keep the 147 Air National Guard at Ellington in order to prevent Houston from becoming a soft target for terrorists attacks, that she would like to ask that the administration come forward with a resolution supporting the retention 147 Air National Guard and keeping Ellington Field strong so they could keep their skies safe. Council Members Tatro and Vasquez absent.

Mayor Brown stated that they were working on the issue. Council Members Tatro and Vasquez absent.

Council Member Alvarado stated that she wanted to thank Chief Breshears, his command staff and the officers that came out to a meeting that she hosted along with LULAC, that she wanted to commend the police chief, she thought he handled himself very well in a very difficult meeting with the community, that they were continuing discussions on some considerations for possible changes in policy and training for the police officers, that she wanted to thank him for doing a good job in a very difficult situation. Council Members Tatro and Vasquez absent.

Council Member Berry stated that he also wanted to commend Chief Breshears, that he knew it had been a difficult time for the Police Department with regard to a spree of shootings and thought that Chief Breshears had been very accessible and wanted to commend his leadership during an otherwise difficult time. Council Members Tatro and Vasquez absent.

Council Member Berry stated that he did not think he had to say anything about "Go Ask Alice", he thought it had been said already, but he did want to make the point that one of the hallmarks of the Mayor's administration had been, and was to be commended, putting power cards in the hands of their young people and thought that the result of that had been an increase usage by the young people of the library which was something that the Mayor set about doing and accomplished, that he thought that the library leadership needed to be mindful of the fact that the usage of the library had changed from adults to a lot of young people and they needed to bear that in mind. Council Members Tatro and Vasquez absent.

Council Member Ellis stated that regarding the non binding resolution for Blue Print Houston he was talking to one of the people who championed the cause of Blue Print Houston said that it was what they wanted them to do at the City, that they had some 4,500 people attend their meetings, that he knew when he had their CIP meetings they had about 50 people show up and 25 of them were from the City so he would encourage Blue Print Houston to get involved in the projects they did in the City and make sure that the participants if they wanted to have a voice at City Hall that they come to the CIP meetings in early spring. Council Members Tatro and Vasquez absent.

Mayor Brown stated that Council Member Goldberg lifted his tag on Item No. 53. Council Members Tatro, Keller, Vasquez and Alvarado absent.

53. ORDINANCE appropriating \$50,280.00 out of Parks Consolidated Construction Fund, and \$138,000.00 out of Park Special Fund, awarding construction contract to **ALL PLAY, INC** for Construction of Kingwood Skate Park, GFS F-0501-01-3; providing funding for engineering testing services, and contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT E – WISEMAN** – was again before Council.

Council Member Goldberg stated that he lifted his tag because he understood that Council Member Wiseman had a ribbon cutting ceremony for the Skate Park, that he was all in favor of skate parks and thought they ought to have them, but his only concern was the legality and apparently an Assistant City Attorney issued a memo that none of the Council Members got, and in the memo it raised some valid questions about it, that they definitely needed to post a sign and there was discussion regarding Kingwood Services Association if they were leasing the land and the City's liability, that he though the City should move forward with it, but thought they needed to make sure that the Legal memo was addressed and that they do cover their liability on it. Council Members Tatro, Keller, Vasquez and Alvarado absent.

Mayor Brown stated that they would be very careful to abide by the Legal advice they received, that they needed to post it and make it very clear. Council Members Tatro, Keller, Vasquez and Alvarado absent.

Council Member Wiseman stated that she appreciated that commitment to insure their

protection, that she wanted to thank Council Member Goldberg very much for lifting his tag, that it was an item that was brought to them at a CIP meeting, a young high school student attending a CIP meeting and asking for a skate park and from that they had the project, so she urged her colleagues to vote in support of the item, that the children were very much looking forward to a groundbreaking next week. Council Members Tatro, Keller, Vasquez and Alvarado absent.

Council Member Parker stated that she wanted to thank Council Member Goldberg for removing his tag and Council Member Wiseman for working on the skate park, that she had been working on the creation of a second skate park with the Parks Director, that they were trying to put one in the near downtown area and Kingwood was allowing them to learn and they should salute the Kingwood Services Association for their hard work on the park, that most big cities around the Country had skate parks, it was not new and there were huge liability issue and there were some steps they had to take but they could be worked through and they were working through them.

A vote was called on Item No. 53. All voting aye. Nays none. Council Member Galloway absent on city business. Council Members Tatro, Keller, Vasquez and Alvarado absent. ORDINANCE 2003-1255 ADOPTED.

Mayor Brown stated that he wanted to remind everyone that there would be a Special Council meeting to canvas the results of the runoff election on Monday, December 15, 2003 at 11:00 a.m. Council Members Tatro, Keller, Vasquez and Alvarado absent.

Council Member Goldberg stated that they had a serious problem with their bid guidelines, that last week he questioned an item and it was pulled from the agenda and the reason was because the high bidder decided not to go through with it and apparently the bid was too low, what their remedy for that was that the City takes their bid bond, that legally they could not take anyone's bid bonds because of the City's guidelines and as far as he knew they had never taken someone's bid bond and it was the second time he had questioned it, that why did they have them, that it was shocking that they would require people to put up the bid bond and they could not forfeit a single bid bond, that he thought they really needed to look into the guidelines, and Mayor Brown stated that the item was being worked on, the Legal Department was working on it and hopefully would have a resolution as rapidly as possible. Council Members Tatro, Keller, Vasquez and Parker absent.

Council Member Goldberg stated that he wanted to congratulate Channel 13, ABC, they were working a program called "Share Your Holidays" with HEB, that it was a fabulous program and hoped people would support it, that for every dollar donated HEB would supply \$20 of food, that they had several collection sites, and would encourage people to share their holidays, look for the ones who were less fortunate and when a program like this comes along to support it as much as possible. Council Members Tatro, Keller, Vasquez and Parker absent.

Council Member Wiseman stated that with respect to the 147 Fighter Wing, that as they knew District E was the home for Ellington Field and was an issue that was very critical to the area, not only to District E, that she thought it was important that people know that the fighter wing was important to the entire region, that homeland security was an important issue for them, that yesterday she sent Mayor Brown a letter asking that he prepare a resolution for Council consideration in support of the 147 and would appreciate his consideration for that, that it was critical for the assets they had in the City. Council Members Tatro, Keller, Vasquez and Parker absent.

Council Member Wiseman stated that she wanted to share with them a press conference that was held this week at Law Park in District E, the press conference was put together by the First Tee an PGA Tours Champion Tour, that the purpose of the conference was to announce the participation of WalMart Stores in their program, that the First Tee was a world golf foundation initiative dedicated to providing young people of all backgrounds an opportunity to develop through golf and character education, that their mission was to help children who had not previously had exposure to golf, it was a wonderful press conference with many children there and they had the pleasure of having former President George Bush in attendance and in support he was a board member of First Tee, they also

had participating PGA Tour Commissioner Tim Finchem, Mr. Clint Eastwood and Mr. Arnold Palmer who were both very dedicated to the program, that she wanted to extend her appreciation to the Parks Director, Ms. Roksan Okan-Vick and Mr. Roy Wilson for their work in putting the event together. Council Members Tatro, Keller and Vasquez absent.

Council Member Robinson asked Mr. Hall if they could get an update on where they were on the San Jacinto Rail Issue. Council Members Tatro, Keller, Vasquez and Sekula-Gibbs absent.

Council Member Robinson stated that he had a chance to visit with some folks as an aside to the First Tee issue and Red Stone Golf Corporation, who was going to be actively involved in the First Tee effort and were interested in finding out if the City had land, 12 acres or above, because they were willing to work in partnership with the First Tee Program to build First Tee golf courses around the City if the City would partner with them to donate some of the land. Council Members Tatro, Ellis, Keller, Vasquez and Sekula-Gibbs absent.

Council Member Robinson stated that he put in a call and request to the Director of Public Works and hoped he could get some information why they allowed contractors to cover the crosswalk signals for pedestrians, and what if anything they could do to at least be notified once somebody finished a project so they could go out there and make sure everything was straight. Council Members Ellis, Keller, Vasquez and Sekula-Gibbs absent.

Council Member Robinson stated that it was his understanding that they would be coming to Council on an item on wireless leasing to do a deal to allow wireless technology to go on their buildings. Council Members Ellis, Keller, Vasquez and Sekula-Gibbs absent.

Council Member Robinson stated that next week he assumed they would pass the Hardy Yard Tax Increment Financing Zone, that he had been visited by the home builders on a Fifth Ward Tax Increment Financing Zone, both of those were City initiated TIFF's, that just like the folks over in the Hardy Toll Yard area, the folks over in the Fifth Ward were entitled to have their area of the City revitalized. Council Members Ellis, Keller and Vasquez absent.

Council Member Robinson stated that as to the Project Blue Print, he hoped they would pass it because he thought it was important that more citizen participation be involved in City government. Council Members Keller and Vasquez absent.

Council Member Robinson stated that he passed out to all the Council Members a document which was just his idea of how they would pay for a drainage project without a drainage fee. Council Members Tatro, Keller and Vasquez absent.

Council Member Edwards stated that she would also like to encourage her colleagues to vote for the Blue Print Resolution, that she understood the importance of neighborhood meetings and the CIP, but thought Blue Print gave another dimension to coming together for constituents, that they got a broader depth and people talking outside of their neighborhood and seeing how their neighborhood projects fit into the overall City piece. Council Members Goldberg, Keller and Vasquez absent.

Council Member Edwards stated that she wanted to thank Lieutenant Dorothy Edwards and Officer Virgie Radliff of the Houston Police Department for their continuous work with them regarding getting their district more safe for their children, that she would like to thank Mr. Steve Tinnerman for his help in getting the weeded lots cut in the area that were right in the immediate vicinity regarding the sexual attacks on their children. Council Members Goldberg, Wiseman, Keller and Vasquez absent.

Council Member Edwards stated that she was very grateful that they passed the Visitability Ordinance and would hope that it was a lesson for the constituents to see the partnership that could be gained. Council Members Goldberg, Wiseman, Keller and Vasquez absent.

Council Member Edwards stated that regarding the recent police issues, when she first came to the City there was a lot of tension and problems within HPD and she was grateful to say that a lot of that had been worked out and would say that 99% of their officers were friends and partners in the community, that they still had some issues that they had to look at, that she still had correspondence from Mr. Brian Cweren regarding his tenure on the CRC, that she would like to have a meeting and a definite decision as to whether or not his term was up, if he was still on the committee and if he was not on the committee, why he was not, that it had been going on long enough, that if she could have that by the end of the week she would appreciate it. Council Members Goldberg, Keller and Vasquez absent.

Council Member Edwards stated that there had been several incidents in the Montrose area regarding a beating that had been linked to a hate crime situation and several supposedly unreported incidents, that she would encourage anyone who had been attacked to make sure it was reported so they could address it to determine if it was a hate crime, if they were having a problem and were afraid or not feel safe about going to the police to contact her office and they would try to be a conduit to get them to the right people so that they could make the report, that she would like to thank Chief Breshears for all of his hard work. Council Members Goldberg, Keller and Vasquez absent.

Council Member Edwards stated that they had one more issue regarding the Civilian Review Committee or board or whatever they were going to do, that they were in the process of looking at the San Francisco model and would be bringing that information to the committee and the Council. Council Members Goldberg, Keller and Vasquez absent.

There being no further business before Council, the City Council adjourned at 10:55 a.m. upon MOTION by Council Member Robinson, seconded by Council Member Tatro. Council Members Goldberg, Keller and Vasquez absent.
DETAILED INFORMATION ON FILE IN THE OFFICE OF THE CITY SECRETARY.

MINUTES READ AND APPROVED

Anna Russell, City Secretary