

City Council Chamber, City Hall, Tuesday, December 16, 2003

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 16, 2003, Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, Mark Ellis, Carol Alvarado, Annise Parker, Gordon Quan, Shelly Sekula-Gibbs, M.D. and Michael Berry; Mr. Paul Bibler, Senior Assistant City Attorney, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Council Members Bert Keller, Gabriel Vasquez and Carroll Robinson absent on personal business.

At 2:11 p.m. Mayor Brown stated that Council would begin their presentations and invited Mr. Bill McCurdy, co-director of the Baseball Hall of Fame Selection Committee, Mr. Frank Mancuso, Mr. Jose Cruz, Sr., and Mr. Larry Miggins to the podium. Mayor Brown stated that they were the 2003 inductees into the prestigious Texas Baseball Hall of Fame and presented each honoree a Proclamation congratulating them on their accomplishments and wishing them continued success. Mayor Brown presented Mr. Mancuso his Proclamation proclaiming December 16, 2003, as "Frank Mancuso Day", in Houston, Texas presented Mr. Wayne Grahm his Proclamation proclaiming December 16, 2003, as "Wayne Graham Day" in Houston, Texas, presented Mr. Cruz's daughter his Proclamation proclaiming December 16, 2003, as "Jose Cruz, Sr., Day" in Houston, Texas and presented Mr. Larry Miggins a Proclamation for his outstanding accomplishments in baseball and proclaimed December 16, 2003, as "Larry Miggins Day" in Houston, Texas. Council Members Tatro, Ellis, Alvarado, and Berry absent.

Mayor Brown stated that Mr. David Edwards was a founding board member and vice chairman of the Midtown Redevelopment Authority and invited him to the podium; and presented him a Proclamation for his hard work, outstanding contributions to the city and proclaimed December 16, 2003, as "David Edwards Day", in Houston, Texas. Council Members Tatro, Goldberg, Alvarado, Quan and Berry absent.

Council Member Edwards stated that in African American history in the field of journalism you found the names David Walker, Ida B. Wells, and Max Robinson; that here in Houston was a legend in journalism and invited Mr. George "Mac" MacIlroy to the podium; and presented him a Proclamation for being synonymous in journalism excellence, the first Black news writer for the Houston Post, first Black with a journalism degree to teach in the HISD school district and first Black employee with communications faculty at the University of Houston, commending his contributions and Proclaimed December 16, 2003, as "George "Mr. Mac" MacIlroy Day", in Houston Texas. Council Members Tatro, Quan and Berry absent.

Council Member Goldberg stated that the City of Houston supported their employees in the military and prayed for their safe return and invited Mr. Lonnie Vara, the Human Resources Director to the podium to say a few words about the Certificate of Appreciation he recently received from the Office of the Secretary of Defense; and Mr. Vara stated that on behalf of the brave employees serving in this conflict they thanked Council for what was done and appreciated the department recognizing it; that their were about 30 employees in Iraq whose benefits and salary remained as if they were still here, it was truly appreciated and he prayed they would soon be back and able to thank Council themselves. Council Members Tatro, Quan and Berry absent.

Council Member Galloway stated that Ms. Gayle Fallan had contributed to the City of Houston for over 25 years to the quality of education and invited Ms. Fallan to the podium and presented her a Proclamation for her outstanding contributions toward education, wishing her continued success and proclaimed December 16, 2003, as "Gayle Fallan Day", in Houston, Texas. Council Members Tatro and Berry absent.

Council Member Alvarado stated that she and Council Member Quan had a presentation and invited Ms. Anne Yancey and Ms. Terry Hibbert along with the Springwoods High School

Thespian Troop 127 to the podium; and the group of actors performed One More Day from the play The Pirates of Panzance. Council Member Quan stated that one attribute of having the Hobby Center was the Tommy Tune Awards that recognized talents of high school music and drama departments; that this troop had traveled to Nebraska, Kansas, etc., and set a standard and it was an honor to have them. Council Member Alvarado presented them with a Proclamation for their outstanding accomplishments, congratulated and commended them, wished them continued success, and proclaimed December 16, 2003, as "Thespian Troop 127 Springwoods High School Day", in Houston, Texas. Mayor Brown thanked the group for coming and stated that they were very proud of what they were doing. Council Members Tatro, Ellis and Berry absent.

At 2:40 p.m. Mayor Brown called the meeting to order and called on Council Member Wiseman who led all in the prayer and in the Pledge of Allegiance.

At 2:41 p.m. the City Secretary called the roll. Council Members Keller, Vasquez and Robinson absent on personal business.

Council Members Quan and Alvarado moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. Council Members Keller, Vasquez and Robinson absent on personal business. MOTION ADOPTED.

Council Member Edwards moved that the rules be suspended for the purpose of hearing Ms. Joyce Tyler and Ms. Rebecca Wheatley first, seconded by Council Member Galloway. All voting aye. Nays none. Council Members Keller, Vasquez and Robinson absent on personal business. MOTION 2003-1495 ADOPTED.

Council Member Quan moved that the rules be suspended for the purpose of adding Mr. Ric Campo after Mr. Chris Hudson, seconded by Council Member Galloway. All voting aye. Nays none. Council Members Keller, Vasquez and Robinson absent on personal business. MOTION 2003-1496 ADOPTED.

Mayor Brown stated that the City Secretary would begin to call the speakers.

Ms. Joyce Tyler, 8218 Constway, Houston, Texas 77075 (713-388-7828) appeared and stated that she and others were present representing the Houston Asset Building Coalition today and they were asking for continued support of the City of Houston in their outreach to low income individuals for the income tax credit program and to recognize Mayor Brown for his support in helping them get organized; and presented Mayor Brown with cufflinks with their logo. Mayor Brown thanked Ms. Tyler and stated that it was appreciated and encouraged all to help support the program.

Ms. Rebecca Wheatley, 8701 South Gessner, Houston, Texas 77074 (281-721-7070) appeared and stated that the HABC's mission was to inform the citizens of Houston about earned income tax credit, it could significantly increase a family's income or enable them to receive a refund even if they paid no tax and it was estimated that about 25% of those eligible to claim the earned income tax credit failed to do so and they believed it was because people were not aware; that the HABC saved approximately \$900,000 in tax credit preparation fees for low to moderate income families and they were asking for Council Members support to inform their constituents. Council Member Berry absent.

Council Member Edwards thanked Ms. Wheatley for her work and upon questions, Ms. Wheatley stated that they started the concept of forming partnerships and coalition because the federal was always short on funds; and they believed community involvement was the way to expand the effort and get the word out. Mayor Brown, Council Members Tatro and Berry absent. Mayor Pro Tem Quan presiding.

Mr. Domingo C. Marquez, 14555 Wunderlich #2201, Houston, Texas 66069 (281-880-9659) appeared, introduced veterans with him and spoke in favor of Item 78, stating that he was present asking for support of the Primrose Houston 7 Housing project; that older people worried about failing health and demands of caring for a home and this offered an excellent choice. Mayor Brown, Council Members Galloway and Ellis absent. Mayor Pro Tem Quan presiding.

Mayor Pro Tem Quan stated that this did offer an excellent choice and it came before the Housing Committee and they endorsed it wholeheartedly; and thanked him for his service to the community and country. Mayor Brown, Council Members Galloway and Ellis absent. Mayor Pro Tem Quan presiding.

Mr. Richard Perez, 2400 Persimmon, Houston, Texas 77093 (281-451-0488) appeared and spoke in favor of Item 78, stating that he was present supporting the Primrose Houston 7 Housing project; that they were veterans and the project would help out seniors; that they were going to promote senior veterans for that type housing; and asked for Council's assistance. Mayor Brown, Council Members Galloway, Ellis and Alvarado absent. Mayor Pro Tem Quan presiding.

Mrs. Felicitas Flores, 8140 Garland, Houston, Texas 77017 (no phone) appeared and spoke in favor of Item 78, stating that she served in WWII and the Primrose property was just right for seniors with its security and transportation; that it would make their lives busy and bearable, it was people caring for people. Mayor Brown, Council Members Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding.

Ms. Laura Bailey, 8810 Linkpass Lane, Houston, Texas 77025 (713-660-0101) appeared, presented information and spoke in favor of Item 36, stating that she was a representative of Bank America and was present as a volunteer for the steering committee of the AIA Housing Strategy; that Houston's skyline showed the contribution architects had made and about two years ago the local chapter of the American Institute of Architects decided to renew their efforts and contribute on a volunteer level planning for Houston's future and Mayor Pro Tem Quan was active in leading them and Council Member Edwards staff was very helpful; and she was asking for Council's consideration. Mayor Brown, Council Members Galloway, Ellis and Sekula-Gibbs absent. Mayor Pro Tem Quan presiding.

Mr. Chris Hudson, 3355 W. Alabama #200, Houston, Texas 77098 (713-622-1180) appeared and spoke in favor of Item 36, stating that he was president this year of the American Institute of Architects Houston Chapter and it was their understanding and concern of Houston's growth and its dramatic effect on Houston's transportation system and air quality that got them to assemble a steering committee; that they wanted to develop incentives and strategies that would enable entry into the affordable housing market, increase property value, etc., and funding would be used for logistical support to develop tools that would enable citizens to participate in the process and publish results using a variety of media. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Upon Mayor Pro Tem Quan's suggestion, Mr. Hudson stated that Ric Campo was with Camden Property Trust and other members of the committee were Council Member Edwards, they asked Mr. Robert Litke, Mr. John Couch, Mr. Garnet Coleman and others; that they were requesting \$25,000 in Community Development Block Grant Funds. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Sekula-Gibbs, Mr. Hudson stated that they were requesting the assistance to help them with the housing strategy study; that Blueprint Houston was looking at a variety of issues for the city of which housing was one component and they were working together with them but wanted to provide detailed strategies and ideas they were gathering from cities throughout the United States; that Houston did not have a comprehensive

plan or policy to control the amount of housing expected. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Upon questions by Mayor Pro Tem Quan, Mr. Hudson stated that the experts being asked to lead the discussion were doing it free of charge and the estimated value of their time was in excess of \$100,000 and that did not include expenses they covered through other organizations. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Council Member Sekula-Gibbs stated that they could not find that money for the Health Department and now wanted it for plans and she supported the idea but found it very unsettling. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of adding Reverend Andrew Burks to the speakers list, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Keller, Vasquez and Robinson absent on personal business. Mayor Brown and Council Member Galloway absent. Mayor Pro Tem Quan presiding. MOTION 2003-1497 ADOPTED.

Mr. Ric Campo, who was previously added to the speakers list appeared and stated that he was with Camden Property Trust, a national housing company based in Houston, and this group was the only one specifically focused on issues of housing and it had brought together a broad diversity of people with private public partnerships also contributing. Mayor Brown, Council Members Galloway and Berry absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Edwards, Mr. Campo stated that the group was comprised of CDC representatives, city representatives, private community representatives and lenders, etc., a broad diversity from public and private groups. Council Member Edwards stated that she appreciated his work. Mayor Brown and Council Members Tatro, Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that she kept hearing from Blueprint Houston this would not cost and now money was being asked for and she felt it was only the beginning; and Mr. Campo stated that they were trying to create coalitions between various stakeholders to deal with everyday issues. Mayor Brown and Council Members Tatro, Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Reverend Andrew Burkes, who was previously added to the speakers list appeared and stated that he was present regarding an ordinance brought to his attention, Item 101, and he was concerned about the city spending \$4,000,000 plus to clean up the area for residential use and for a company that would make money off it; and he was asking that the vote be delayed until the next Administration came in. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that the Hardy TIRZ he spoke of was in District H and they had been meeting according to their District Council Member for the last five years so it was not a hurry up matter and encouraged him to speak with that Council Member. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Sekula-Gibbs stated that the issue she raised on this was why should the City of Houston have to pay for Union Pacific's mess; that if someone stood to make a sizeable profit they should pay for the cleanup. Mayor Brown and Council Members Tatro, Galloway, Alvarado and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. James Stafford, 2021 Binz, Houston, Texas 77004 (713-521-3600) appeared and

stated that Deborah Keyser was his wife and was not able to be present; that he believed their historical exemption was on the Agenda last week but tagged because of the historical tax exemption as it would apply to a TIRZ zone; the property he was speaking of was located at 2021 Binz Street, the Parador, the old Christian Science building and had not been on the tax roll since 1925; that it was a beautiful building and they were told if they invested they would get a historical exemption and they had now won the golden brick award for their preservation; that since their redevelopment other properties were being added to the tax rolls and to not grant their exemption he felt would discourage other small investors from doing so; and urged a yes vote. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that it was a beautiful structure and he appreciated the work he put into it. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that it was a gorgeous building and her tagging the item had nothing to do with the building, but with the overall policy; and she did intend to vote for the item. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that she was a proponent of historical preservation and she helped to carry the legislation he was seeking exemption under; that he was legal and Council had no basis to deny the exemption; that Council Member Edwards characterized it well and the tag was just to get more information; and it was a great building. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Deborah Keyser, 2021 Binz, Houston, Texas 77004 (713-521-3600) had reserved time to speak but was not present. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. G. Y. Bailey, 11722 Moltere, Houston, Texas 77065 (281-955-1201) appeared and stated that he wanted to address remote control locomotives and the training thereof; that he had been an engineer for 23 years and he had 9 months of rigorous training; that last month he went through a remote control class and it consisted of 6 day classroom and field training then depending on how much time they had with the railroad they had 5 to 30 days of on the job training with the remote control apparatus and today new hires had about three months an it was absolutely not enough training to handle commodities through Houston; that he and those with him were in support of the resolution in the Legal Department. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Bailey stated that his training was 6 days and then 5 to 30 days on the job depending how long they had been with the railroad, but today new hires with no experience had three months training and were out and it was inadequate. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Bailey stated that the (FRA) Federal Railroad Administration was the body which governed the employees but at this point they were not very actively involved with remote control classes and he and others were trying to get resolutions through many cities that would put pressure on the federal government to step in and regulate the remote control locomotives; that they needed safety factors. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Robert Tramuto, P. O. Box 4340, Houston, Texas (713-668-0230) had reserved time to speak but was not present when his name was called. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Kathy Yambra, P. O. Box 1534, Spring, Texas 77383 (281-635-4016) appeared and stated that she was extremely concerned with remote control locomotives being implemented in and around the City of Houston; that they were not a proven and safe technology and they had accidents from one end of the country to the other since it started; that they needed federal regulations and the resolutions had been in the Legal Department for over five months and they needed to be brought before Council and passed. Mayor Brown and Council Members Tatro, Galloway, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Yambra stated that there was no one on the engine, they be 100 yards away with a belt pack. Council Member Edwards stated that with the terrorism she would think that technology, that she could probably break the code. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Parker stated that Council Member Alvarado sponsored the resolutions and a number of Council Members were in support; that she had no problem if the railroads wanted to use it in the rail yard but when using automated locomotives transiting through residential areas it was serious for the City of Houston and she could not see why the resolutions could not be brought to Council and sincerely hoped they could as soon as possible. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Richard Shaw, 506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that Council Member Parker had said it all, the problem was the resolution was in Legal and dead on the tracks; that it would allow this City to get its arms around the situation and it was supported by Rep. Gene Green and Sheila Jackson Lee, Sen. John Whitmire, etc., and it needed to come out and placed on the Council table and allow safety for everyone. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that the presentation was at the TTI Committee and it was a positive recommendation that they have a resolution supporting it; that she thought it was still in Legal and many other municipalities had passed resolutions supporting it and she hoped someone could give an update on where it was. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

The City Secretary stated that Mr. Cantu informed her Mr. Frank Aguilar had reserved time and Mr. Richard Tramuto was in error; and Mr. Aguilar was called to speak. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Frank Aguilar appeared and stated that before the implementation of remote control there was an individual who envisioned the problems that would come and he was an engineer in the La Porte area; that he went into the computer and checked it and put in a six page document what was found and that document was sent to the president of the American Chemistry Council, he took care of refineries in this and other areas, and he had known of nothing on remote control going into the plants, but then he found out and when he did the particular individual was threatened with his job by the Union Pacific Railroad, but all he said

was true; that the main concern was hazardous materials and cars became rocket projectiles and since the letter was written and the plants know about it in the La Porte area there was not one remote control allowed to enter a plant; and they were asking Council for support. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Alvarado, Parker, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Herb Yambra, P. o. Box 1534, Spring, Texas 77383 (281-440-3692) appeared and stated that he since they met with the TTI Committee there was an incident on September 1st in Spring, Texas, on October 25th there was an incident, on November 3rd a yard job ran a red signal and almost ran into an Amtrack train, on November 22nd the same signal was run and on November 30th another incident; that last Sunday a man was killed in San Antonio when a remote control engine ran over him; that the resolutions were brought 5 months ago and he was asking them to come out of Legal and be voted on. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Terry Briggs, 6541 Spring River Lane, North Richland Hill, Texas 76118 (817-285-7665) appeared and stated that he was the legislative chairman for the Brotherhood of Locomotive Engineers for the State of Texas and on July 28th they made a presentation to the Transportation Infrastructure Committee on the use of remote control locomotives in the City of Houston and he talked about near catastrophes in other parts of the country and now Council heard of the accidents in and around Houston since that time, but one in particular was on September 1st when an accident was in the yard near Deer Park and there were 22 tank cars derailed and the placards on the cars indicated they were carrying a couple of chemicals and the emergency response for those chemicals was they were combustible, toxic if inhaled and could even cause death and if involved in a fire evacuation was necessary; that the resolutions sent to Legal would ask the federal railroad administration to promulgate enforceable rules on the remote control cars; and they were asking for Council's consideration. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado stated that this was a public safety issue and she felt this was also a symbolic gesture on behalf of those Council represented; that they were being proactive and again would plead to the Administration to bring it up for a vote. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated that transporting hazardous cargo was safer on trains, but only as safe as the regulations and she too supported her colleagues; and Mr. Briggs stated that the technology may be okay, but the implementation should not just be general guidelines; and Harris County today did vote to support their resolutions. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Edwards stated that she again would say it needed to be moved on and if they did not then shame on them; that it was one thing to have press conferences after something happened, but she could not even imagine someone flying aircraft with remote control and to move in this area with all its refineries, etc., to even discuss it almost bordered on insane; and she could not understand why the Administration had not brought it forward and asked that it be brought forward no later than next week or she wanted in writing why it could not be. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado moved that the rules be suspended for the purpose of hearing Mr. Tony Wiese after Mrs. Flossie Lewis, seconded by Council Member Edwards. No vote was recorded as a quorum was not present. Council Members Keller, Vasquez and Robinson

absent on personal business. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mrs. Flossie Lewis, 6821 Driftwood, Houston, Texas 77021 (713-748-0332) appeared and stated that she was with the Foster Place Civic Club and Mr. Lopez had come to Council in October pretending she sent him down and he lied, she had not sent him, but she was present because she was so proud of Mayor Brown, to have an African American or Black Mayor was pride; that no one was perfect, but he did a good job. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he would give Mayor Brown her regards and thanked her for her work in the community. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Toni Wiese, P. O. Box 218710, Houston, Texas 77218 (281-496-4740) appeared and stated that he was with Wiese Development and he and his brother had three buildings on Main Street and he was asking that Council support Item 82, the Main Street Entertainment District, as it would ensure a vibrant and thriving Main Street. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Wiese stated that it would enhance the development of Main Street as it was his understanding there were two situations which precluded restaurants and clubs on Main Street and that would be in the 200 and 900 blocks as the mosque was in the 200 block and Randal Amstead's project in the 900 block could potentially pose a problem. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Quan, Mr. Bibler stated that he was not familiar with the situation in the 900 block, but there was indeed a mosque in the 100 or 200 block of Main; that churches did preclude alcohol beverage establishments within 300 feet as measured from front door to front door and there was also a school in one of the churches that would probably preclude the businesses in some of the zone; that the charge they had was not to grant waivers but to look at situations that were reoccurring with some frequency and appeared to be inconsistent with land use policy and the two most obvious situations both addressed in the ordinance was going back to essentially the previous way of measuring alcohol establishments but only for restaurants and also the downtown zone. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Edwards, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Council Member Alvarado thanked Mr. Wiese for his patience and Planning and Legal Departments and Mr. Tollett for assisting in this; that the front door of the mosque was not used as the main entrance; and Mr. Bibler stated that to clarify this went back to the 1930's and a church could have more than one front door; that he did not know if it was regularly used by the public, but if it was it was likely the courts would hold it was a front door. Council Member Alvarado stated that the doors, which faced Main Street, were emergency only so that was creating a dilemma and it should relieve their situation. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

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

Ms. Peggy Sembach, 10922 Kirkvale, Houston, Texas 77089 (281-464-6229) had reserved time to speak but was not present when her name was called. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Helen Bonard, 9000 Town Park, Houston, Texas 77036 (713-721-7385) appeared and stated that she was a misused tenant; that there was a sewage leak still not fixed and it leaked from the light fixture in the kitchen and dining room area; that she was there since July 1st and would be breaking her lease and was told she could not because they would be out thousands of dollars, but there were health issues and she was asking that any benefits to them be stopped until the matter was taken care of. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that she was currently living in an apartment owned by the City of Houston; and Ms. Bonard agreed that she was as the sewage water was coming from the tub and toilet from upstairs; that she had complained and it had not been rectified and so she was moving out and would be declared in default of her lease. Mayor Pro Tem Quan stated that it sounded like constructive eviction for not providing proper housing; and asked that Mr. Cantu follow-up with her; that no one should be expected to live in those conditions and it should not affect her credit if they were not doing their job. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Ms. Bonard stated that she lived in the Rock Springs Apartments at 9000 Town Park #603; that she moved in July 1st and she found out it was already leaking and informed them and was told they thought it had been fixed so she did not know how long it had gone on. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, 1122 Sol Street, Houston, Texas 77029 (no phone) had reserved time to speak but was not present when her name was called. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Ms. Beneva Nyamu, 3617 Providence, Houston, Texas 77002 (713-225-4501) appeared and stated that she was present because trash was in her neighborhood and the children lived in trash; that the City had dug a hole where they picked up trash and there was water and mosquitoes and she wanted something done with the Fifth Ward; and HIV was getting to many and did Council even care. Mayor Brown and Council Members Tatro, Galloway, Ellis, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Lee Mercer, 4928 Winnetka, Houston, Texas 77021 (713-741-9656) appeared, presented information and stated that he was still requesting money, financial support for his debriefing in the Houston Police Department, and wondered when he could count on their financial support. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he spoke with the Mayor and unfortunately they felt there was not enough relevant information and they did not have monies to spend on his debriefing; and was sorry they could not be of assistance. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Chris Cato, 7710 Boggess, Houston, Texas 77016 (no phone) appeared and stated that on December 1st he called HPD to the Lexington Nursing Home where his father was presently being held; that he had a wound on his arm and he was concerned; that he was present today to find out what HPD was doing with that complaint and when would they get a response from Homicide Investigations. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that the state had jurisdiction over nursing homes and any complaints on their operation should be to a state agency; that Executive Assistant Chief Oettmeier was present and could meet with him regarding the police report. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Edwards, Mr. Cato stated that an officer came out; that his father was transferred to select facility but without their consent, half the time they did not know where he was. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Joshua Bullard, 3328 McGowen, Houston, Texas 77004 (832-428-2924) had reserved time to speak but was not present when his name was called. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

President Joseph Charles, P. O. Box 524373, Houston, Texas 77052-4373 (713-203-7738) appeared and expressed his personal opinions and requested emergency protection until his time expired. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Quan stated that he had known him four years and he consistently requested emergency protection; that he may define emergency in a different way but he had not seen any action taken against him that would warrant that and he did not see why there was justification for his request or see the police offering that service. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address (no phone) appeared and stated that Houston belonged to the Indians and Mexicans and continued expressing his personal opinions until his time expired. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and stated that Saddam was not guilty and continued expressing his personal opinions until his time expired. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

At 4:35 p.m. City Council recessed until 9:00 a.m., Wednesday, December 17, 2003. Council Members Keller, Vasquez and Robinson absent on personal business. Mayor Brown and Council Members Tatro, Galloway, Ellis, Alvarado, Sekula-Gibbs and Berry absent. Mayor Pro Tem Quan presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, December 17, 2003

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, December 17, 2003, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, 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 Mark Goldberg absent due to being ill.

At 8:05 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:17 Mayor Brown reconvened the meeting of the City Council and stated that he wanted to recognize a group of visiting municipal leaders from the City of Bagdad who were meeting with their counter parts in the City of Houston, that with them was Mr. Al Haines, who now resided in Bagdad and invited them to the podium. Council Members Ellis and Keller absent.

Mr. Haines stated that they were grateful to be in Houston and appreciated the few days they had to be in the Country and to enjoy the holiday season, that he represented an organization called RTI, which was under contract with the USA ID, the Agency for International Development, that they were involved in consulting with and providing technical services to the rebuilding of the local government in IRAQ, that they had about 200 people in IRAQ and he headed up a team responsible for providing capacity building support, technical advise to the City and Municipality of Bagdad, that he believed that it was the first official delegation from IRAQ since the war, to come to the United States, that they had two groups, the Council that they sent to Denver, Colorado, and the Mayorality of the City of Bagdad who was in Houston studying specifically the operations and management of their utilities, water, wastewater and solid waste, as well as some of the basic infrastructure and management systems that were in place, and introduced the esteemed individuals who he had the privilege of working with during the past few months.

Mayor Brown stated that he wanted to thank them for being present and certainly hoped that these meetings contributed to their efforts to establish and maintain a democratic based municipal government that would appropriately serve all Bagdad residents and asked everyone to join him in extending a typical Houston welcome to their visitors.

Mayor Brown stated that they would start with the public hearing.

HEARINGS

1. **PUBLIC HEARING** on the creation of a proposed Reinvestment Zone for Tax Increment Finance purposes pursuant to Chapter 311, Texas Tax Code within a contiguous Geographic Area of the City (Leland Woods Area)

The City Secretary stated that the hearing was on the creation of the proposed Reinvestment Zone for Tax Increment Finance purposes, that it was known as the Leland Woods Area, that a list of speakers had been distributed and Mr. Robert Litke, Director, Planning and Development, would make remarks on the hearing prior to the speakers.

Mr. Litke stated that the hearing was to take testimony on a proposed tax increment reinvestment zone which would be the 22nd zone if it was created, that it was known as the Leland Woods Tax Increment Reinvestment Zone and was an 80 acre site, vacant land via the southeast intersection of Holmstead Road and East Little York generally bounded to the east by Wayside Drive and Langley Road to the south, that the tract in question lacked utility extensions to the site and was traversed by a number of utility lines that were old and obsolete and had no

value to the development and in fact must be removed to facilitate development, that the creation of the zone was intended to provide affordable home ownership opportunities for the northeast area, an area that had yet to see any large scale single family housing development for many years, especially housing designed to meet the needs for working families, that the project, they expected, would prove to be a catalyst for the area and stimulate other potential development in that area, there were lots of un-developed land there, that the owner and developer of the project would be the Builders Community Development Corporation, which was in the process of acquiring the site, that Builders CDC had hired an experienced team of consultants to accomplish the project and was closely affiliated with the Greater Houston Home Builders Association and Fannie Mae had indicated readiness to step in and provide the secondary buyouts of all mortgage financing for the project, so the feasibility should be there, the face value of the land for tax increment purposes would be approximately \$831,000 and at build out they expected the development to exceed \$41 million in taxable revenue, that it would generate an increment stream of approximately \$5.3 million to the zone, that neither Harris County nor North Forest Independent School District would participate in the zone, it would be City only, that the project contemplated the development of 372 affordable single family homes ranging from \$90,000 to \$135,000 with the overall average anticipate to be approximately \$95,000 and it would be targeted to the medium income family ranging from medium income at 80% would be today about \$48,000 and at 100% of the medium for a family of four would be about \$59,000, the material that they had read anticipated 385 lots, in fact because of recent requirements for detention the project would be minimally smaller at 372 lots but that should not have any effect on the financial feasibility, there were projected \$4.6 million in TIRZ improvements that would go into the site to make it viable, water, sewer, drainage and streets, the tract would be purchased at \$1.4 million and that financing would be supported by a commitment by Housing and Community Development to provide \$1.5 million for land acquisition and related costs and the developers had lined up bank financing to enable the project to get under way, that the sales of lots fully developed would generate approximately \$6.3 million in revenue, which together with the \$5.3 million in tax increment revenue stream over the 30 years would be sufficient to cover the debt structure that would be incurred in order to develop the land and put in the necessary improvements of approximately \$4.6 million for storm detention, drainage, water, sewer, landscaping and so forth. Council Members Wiseman and Robinson absent.

Upon questions by Council Members, Mr. Litke stated that issues that he knew the community had raised regarded making sure that the housing was available for affordability and that was what the development was all about and they would insure that with the final plan that came before the City Council, they raised the question of onsite detention and that would be in the development, there would be detention on site in order to deal with the potential flooding issues, that one of the issues that the community raised had to do with board membership and the community indicated that they wanted 50% membership but that was a function of the Mayor and Council to make those decisions, that there would be a sound barrier wall along east Little York, the lots had already been platted and were a minimum of 5,000 square feet, so all of those things would be assured in the project plans and would be submitted to the City, that there was nothing dealing with underground utilities for power or telephone, with underground utilities obviously water and sewer, but they had not addressed, and there was no precedent for burying public power cables in any of their zones, it was a very expensive proposition and was not reflected in the financing of the development, that they always worked toward relocating the power lines to the back of the property. Council Members Wiseman, Vasquez, Parker and Robinson absent.

Council Member Sekula-Gibbs moved to suspend the rules to hear from Mr. Jim Box at this time, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Members Wiseman, Vasquez, Parker and Robinson absent. MOTION 2003-1498 ADOPTED.

Mr. Jim Box, 16017 Kevindale Ct., Houston, Texas 77040, appeared and stated that he

was President of the Greater Houston Builders Association, that they had accepted the challenge to provide 380 affordable housing units, that there was a sound barrier plan, that part of their agreement would be because the City approved the TIRZ and the other half would be the part of the agreement that they had with the Housing and Community Development, so there would be a contract in place effectively when they approved the plan, that they planned a 8 foot sound wall, that it looked like stone and had better sound deadening qualities than a masonry wall, that the utilities would be underground, that main feed to the subdivision was virtually impossible to put underground, that the cost was prohibited and dangerous in his opinion, but it would have the typical underground utility system just like everyone of the houses that they lived in, that it was quite possible, to save trees, if he could move the power to the front, still underground, then they would not have to clear as many trees in the back, that they were exploring that with Centerpoint, that he had done that in more than one situation, that as to the reserves they were where the onsite detention ponds were but were much larger than that, that they had 12.9 acres of detention on each side of the project, ultimately, and that would be used as recreational facilities also, that they already had a final plan approved by the Planning Commission but he could fix it in the general plans, that it was a good recommendation, that they also had about 4 acres of additional recreational area, that they were putting a recreational area on each side of long fee strip that was owned by a pipeline company and that would be included and be a linear park, that it would be well lighted. Council Members Wiseman and Robinson absent.

Council Member Galloway moved to suspend the rules to add Ms. Jackie Mayhorn to the speakers list, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Sekula-Gibbs absent. MOTION 2003-1499 ADOPTED.

Ms. Jackie Mayhorn, appeared and stated that she wanted to say thank you to the Mayor and Council for support of Super Neighborhoods, that she was present because the community did have issues, that she thought the plans did not have everything in it and the community was willing to give a letter of support today if they could get something in writing, that in the past they had developers come to their community not telling the full truth or just flat out lying to them, that they had a development right now that was supposed to be 1,000 homes and now they were talking about lease to purchase manufactured homes in their community, that what she was trying to do was just to insure that they had quality homes, that they did know that they needed home ownership in their community, that it stabilizes their community, but they wanted some type of insurance from the developer, that they wanted to work with them to make it a smooth transition, that the community had issues with the developer, that they did want deed restrictions with the community, that they wanted a letter of support from the Super Neighborhoods before anything proceeded with the project, that they would like to see 75% brick homes, that was what the developers said they could do, that the lot sizes, the home sizes, noise reduction and the flood mitigation, they wanted included in the deed restrictions, that also they talked about the TIRZ Board, that they were asking that the community have control of the TIRZ Board as far as submitting recommendations of people that were qualified in their community and that they were comfortable with, that they thought it was important as they went forward, that what they were getting from the developers was that they did not want to put anything in writing, that they were asking for that, that they had the developers do a letter of understanding with the Emerald Bay Apartments and that worked out well because they were able to negotiate more green space, that it was not something in concrete but it was a comfort zone for the community. Council Members Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Robinson, Mr. Litke stated that in the normal course of events he would say that Mr. Box would say there would be deed restrictions to assure there were single family homes, that as to whether they would be 75% brick he did not know that answer, and Council Member Robinson asked him to find out and have someone let him know where they were at. Council Members Vasquez, Alvarado and Sekula-Gibbs absent.

Upon questions by Council Member Robinson, Mr. Box stated that they had deed restrictions in every development that he had ever done in his career, that the lending institutions required them, that they did not have a draft set of the deed restrictions yet because it cost a lot of money to prepare them, that he would use typical FHA and VA restrictions, they would address the amount of masonry construction, but he would point out that in Copperfield and Fairfield there was only 51% masonry construction and to put that requirement on affordable housing was not realistic, that probably every bit would be some sort of masonry construction, brick and probably hardy plank, that they met with the community on two different occasions and would pledge to continue to work with them. Council Members Vasquez and Alvarado absent.

Council Member Galloway stated that she wanted to thank them for considering the northeast area and going out there to do some community redevelopment in that area, that she was in full support of the project because they did need homes in the northeast area and appreciated everyone who had worked on the project. Council Members Tatro, Vasquez, Alvarado and Robinson absent.

Upon questions by Council Member Quan, Mr. Box stated that they had top notch builders and top notch professionals at every level, that they were going to use their successful experience and they would do an independent market study to tell them what model they should put on the ground, that they would have a variety of plans that ranged from 1,300 square feet and up, and they had in their agreement with Housing and Community Development the ability to build 20% of the houses at above that rate, which he thought was very important, that because they had a contract with the City, which he was obviously going to honor, that they would have a closing statement off of every house to an auditor, a third party person, to certify that yes they build affordable housing at that rate, that was easy to do and they would do that, that the project was located in the North Forest Independent School District, that their tax accessor collector was at the meeting and was elated that they were going to add \$41 million taxable value, that the TIRZ only applied to City taxes not school taxes. Council Members Tatro, Wiseman, Ellis, Keller, Vasquez, Parker and Robinson absent. NO QUORUM PRESENT

Ms. Robin German Curtis, 7220 Homestead, Houston, Texas 77028 (713-635-2300) appeared and stated that she was present representing Northeast Beyond 2000 and most of them were familiar with the community based planning initiative that had been driven by the community for over 6 years, that they were excited about the project, that it was very important that they get a letter of understanding or deed restrictions into the actual TIRZ plan to be approved by Council, that they helped the Super Neighborhood with a project review process, that they had a project review committee that looked at projects being proposed for northwest Houston at the request of the Super Neighborhood or the request of Council, as well as the request of developers who wanted information about community sensitive development and those things they saw in their vision for northeast Houston, that they were told in the project review committee meeting that the homes would be 75% brick, that they had to be careful when they were talking about the actual composition of the houses, that they were really very interested in making sure that what the developers were saying they were going to do was what they actually did, that they were at a pivotal point in northeast Houston, their community could continue to go up or go down in a very quick manner as a result of this size of project, that they knew home ownership stabilized neighborhoods and their neighborhood was one in particular that did need home ownership, mixed income home ownership, so potentially the project was a good project, they would like to see the community continue to be involved in the process and working closely with the developer on the TIRZ as well as the deed restrictions that were going to be imposed for the development. Council Members Wiseman, Keller, Vasquez and Parker absent.

Council Member Robinson stated that he wanted to get some clarification, that he understood that there was an actual meeting and there were some responses to questions raised by the folks in the community. Council Members Wiseman, Vasquez and Parker absent.

Mr. Parke Patterson, Post Office Box 994, Sugarland, Texas 77479 (281-315-0995) was present in the audience and indicated that he would not speak at this time. Council Members Wiseman, Vasquez and Parker absent.

Council Member Robinson moved to close the public hearing, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Members Wiseman, Vasquez and Parker absent. MOTION 2003-1500 ADOPTED.

Council Member Robinson stated that in the back of the backup package they got a Single Family Housing Market Demand Analysis and asked how many such reports did they have for other areas of the City and/or reports produced by the Planning Department and asked for a list of all the different reports, and Mr. Litke stated that some of them were old but would put together what they had and Council Member Robinson asked for the last 5 years. Council Members Wiseman, Vasquez and Parker absent.

MAYOR'S REPORT

Mayor Brown stated that they would move to the Consent Agenda.

Council Member Edwards moved to suspend the rules to consider Item Numbers 93, 88, 102, 89, 90, 101, 82, 26, 22, 36, 75 and 78, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1501 ADOPTED.

93. REQUEST from Mayor for confirmation of the appointment of **MR. RONALD E. REYNOLDS** as **ASSOCIATE JUDGE OF THE MUNICIPAL COURTS**, for term to expire two years from date of appointment - (**This was a portion of Item 4 on Agenda of December 10, 2003, POSTPONED BY MOTION #2003-1470**) - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. MOTION 2003-1502 ADOPTED.

Judge Mejia appeared and stated that she wanted to thank the Mayor and Council on behalf of Judge Reynolds behalf, that he graduated from Texas Southern University and received his Law Degree from Texas School of Law, that present with him were his parents and asked that they stand and be recognized. Council Member Robinson absent.

Mayor Brown stated that he wanted to congratulate Judge Reynolds and were very happy to have him in the position. Council Members Vasquez and Robinson absent.

88. 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 Members Vasquez and Robinson absent.

Council Member Alvarado stated that she wanted to nominate Ms. Sheryl Armatrage for Position 7 of the Land Assemblage Redevelopment Authority and had passed out her resume, that she was a resident of District I, a resident of Third Ward and President of the Washington Terrace Civic Association. Council Member Robinson absent.

Council Member Galloway stated that she wanted to nominate Mr. Ed Lodge for Position 7 of the Land Assemblage Redevelopment Authority and had passed out her resume, that he had previously served on the Fifth Ward CDC. Council Member Robinson absent.

Council Member Parker stated that she wanted to nominate Mr. Ed Gonzales for Position 6 of the Land Assemblage Redevelopment Authority and had passed out his resume.

Council Member Edwards stated that she wanted to nominate Ms. Jolanda Jones for Position 6 of the Land Assemblage Redevelopment Authority and had passed out her resume.

Council Member Keller moved to close nominations for Positions 6 and 7 of the Land Assemblage Redevelopment Authority, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1503 ADOPTED.

102. 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 - (**This was Item 35 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBERS TATRO and EDWARDS**) - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1257 ADOPTED.

Council Member Edwards stated that she wanted to thank the Alameda TIRZ Board as well as people from Parador and the folks from F&A and Legal Department, that they met on the item this morning and they were going to continue meetings because they did find some issues that were problematic regarding TIRZ's and the historical preservation piece, but it was something that they could work out and she thought would still be a win win situation and looked forward to working with them as they went forward on the issue.

89. MOTION to suspend the rules of City Council for the purpose of dispensing with the third reading of Ordinance No. 2003-1196 - was presented, moved by Council Member Robinson, seconded by Council Member Tatro.

Mayor Brown stated that the item required 10 votes to pass and a roll call vote was called on Item No. 89.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg absent due to being ill.	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	MOTION 2003-1504 FAILED

Mayor Brown stated that the vote was 9 to 5 and did not carry.

90. ORDINANCE No. 2003-1196, passed first reading December 10, 2003
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 - **SECOND READING** - was presented.

A roll call vote was called on Item No. 90.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting no	Council Member Parker voting no

Council Member Goldberg absent due to being ill.

Council Member Edwards voting no
Council Member Wiseman voting aye
Council Member Ellis voting aye
Council Member Keller voting aye

Council Member Quan voting no

Council Member Sekula-Gibbs voting aye
Council Member Berry voting aye
Council Member Robinson voting aye
ORDINANCE 2003-0925 PASSED SECOND READING.

Council Member Robinson stated that the Charter required two readings and they passed it on the second reading and asked what that meant, and Mr. Hall stated that Council had a rule that exceeded that, that they had complied with the Charter rule but not the Council rule, which was greater than the Charter.

Council Member Ellis asked Mr. Hall if he was saying that the Council could violate the rules of the Charter and Mr. Hall stated absolutely not, what they were saying was that they could not have a provision that imposed a lesser requirement than the Charter did, in other words they could not say one reading, that they explained it a number of times that Council rules required three readings and the Charter two, and Mayor Brown stated that it would be on the agenda next week.

101. 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 - **(This was Item 35 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBERS EDWARDS, SEKULA-GIBBS and TATRO)** - was presented, and tagged by Council Member Galloway.

Council Members Sekula-Gibbs stated that she had the opportunity to meet with the representatives of the Hardy Partners at some great length and appreciated very much their time and effort to work with the Council Members and make the most acceptable improvements that could happen with the least burden to the taxpayers, that she had been very concerned about the City picking up the cleanup bill for Union Pacific's pollution, that she thought they had worked out some arrangements to allow them to be in a more equitable position and offered the following amendment to Item No. 101:

Amend the proposed ordinance by adding the following:

"Any reimbursement to the Hardy Partners for cleanup of the 43 acre Hardy Yard will be limited to the difference between commercial standard cleanup and residential standard cleanup which is estimated to be \$1.2 million."

Council Member Parker stated that she would have to ask Council Member Galloway to remove her tag for the purposes of accepting her amendment.

Council Member Galloway stated that she would remove her tag for purposes of introducing the amendment and would tag the Item No. 101 and the amendment to Item No. 101. Mayor Brown absent. Mayor Pro Tem Quan presiding.

Upon questions by Council Member Vasquez, Council Member Galloway stated that she had a lot of contamination areas in her district, that there had been properties that were contaminated and not by the owner, but the owner was responsible for the cleanup, that to the extent that they tested, they did not test beyond the property of Union Pacific, that everybody knew that contamination of the soil spreads and it spreads beyond their property, that if the developer came in and cleaned up just their site then Union Pacific was no longer liable and she knew that Union Pacific would not cleanup the other owners property and they were responsible

because they caused the contamination. Council Member Robinson absent.

Council Member Vasquez stated that Council Member Galloway's concern was that they did not test beyond the Union Pacific property, they were not legally required to test beyond the UP property, that they were about to lose the developers on the property and then there would be no remediation, that he would like to suggest that if they passed the TIRZ then they could talk to the developers about potentially annexing areas in her district that she felt were contaminated and they could ask them to consider it as part of the deal, that it would be an amendment from Council Member Galloway to the TIRZ asking that they look at future annexation and future remediation larger than the current boundaries that would include her area and asked if that would be something that she would be open to, and Council Member Galloway stated that it did not take much to get soil tested, and Council Member Vasquez stated that they would not be able to test in one week and asked if she would hold her tag so they could meet and discuss it in person with them and maybe reconsider releasing her tag later in the meeting, and Council Member Galloway stated that she would think about it but had to have some reassurance because she had several areas in her district that were in that community, and Council Member Vasquez stated that his only alternative was to override the tag. Council Member Robinson absent.

Council Member Vasquez moved to suspend the rules to hear from Mr. Robert Litke, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. MOTION 2003-1504A ADOPTED.

Upon questions by Council Member Vasquez, Mr. Litke stated that he knew that the ground water issue had been examined outside the UP yards and they had identified the water plume and that was covered in their previous discussions, that as far as the soil contamination it did not migrate to the best of his knowledge and that had been tested inside the UP site and he did not know how they could deal with moving into Council Member Galloway's area but the environmental consultant was in the audience if they wanted to ask him more technical questions. Council Member Robinson absent.

Council Member Vasquez moved to suspend the rules to hear from the Environmental Consultant, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. MOTION 2003-1505 ADOPTED.

Mr. Scott Leaf, SKA Consulting L.P., appeared and upon questions by Council Members Vasquez and Galloway, Mr. Leaf stated that he had no knowledge of any specific contamination that Union Pacific may have caused outside of the boundaries of the Hardy Street Rail Yard, which they had been tasked to focus in on for the last two years themselves and for the last five years as part of a joint consultant time, that as far as testing outside of the Hardy Street Rail Yard, there had been soil testing done south of the yard in a piece of property that Union Pacific still owned and additional soil testing even farther south than that, that all of the testing that they had done in soil on the Hardy Street Yard had shown no indications of any off site soil impacts relating to contamination that was on the Hardy Yards and the Hardy Yards contamination was specifically soil contamination and specifically limited to very heavy oils and some heavy diesel fuels and those do not typically migrate in soil horizontally off of a site, so they had no reason to believe or no technical information that would indicate that there was any off site soil migration of contamination, that the groundwater, as Mr. Litke had stated, had moved south of the site a little bit and they had presented that previously to Council; that he could not speak to any contamination in Council Member Galloway's district but there was no indication that anything had migrated in soil off the Hardy Yards onto any adjoining properties, that no testing had been done to the north across Burnett Street specifically from the Hardy Yards, that area of town had historically been a light commercial industrial on Burnett Street since probably 1920's and 1930's and had not been related to the Hardy Yards so what they had focused on was the entire Hardy Yard area and everything south of the Hardy Yard that was occupied by Southern Pacific

Railroad since the late 1800's so all the areas there were what had been addressed, that there was nothing along the boundaries of the Hardy Yard in soil that were types of contaminants that would typically migrate if they could migrate in soil through a street right-of-way onto an adjacent property some 60 feet away to the north, there was no heavy oil contamination on the north side of the Hardy Yard in soil, all of the heavy oil contamination was on the south side of the yard, that the only thing that they had up on the north side of the yard was very limited metals impacts in very small areas in the soil, so in answer to their questions if somebody had specifically gone out and tested every property north of the Hardy Yards, no but there was nothing that the State had directed them nor that they had found in five years of studies that would indicate that was necessary nor did they have the right to do that as their client was a private developer, that he also wanted to say that if there was a potential or propensity for any of the contamination to spread off of the yards, since the property was in the State's Voluntary Cleanup Program, they would be required by rule to go investigate that and at this junction the State had concurred that they did not need them to investigate any further, they thought they had investigated sufficiently, so they had no direction to go any farther. Council Members Wiseman, Alvarado, Quan, Sekula-Gibbs, Berry and Robinson absent.

Upon questions by Council Member Ellis, Mr. Leaf stated that the expense to clean it up would strictly depend on whatever contractual arrangement was made between the buyer and seller, that the way the project was structured from an environmental standpoint the fact that the project was in the Voluntary Cleanup Program afforded them some protection, the bank, with some regulatory indemnity from the State of Texas, the buyer was a co applicant with the State prior to actually taking title to the property and they also spent a great deal of money, several hundred thousand, on acquiring a cost cap insurance policy which basically limited the financial liability of the person cleaning up the site and in turn allowed the bank to see that there was no recurring liability after the fact. Council Members Wiseman, Quan, Sekula-Gibbs and Berry absent.

Council Member Ellis asked Mr. Litke from a financing standpoint, if they amend it and say that the TIRZ was not going to finance the cleanup then who was going to finance it, and Mr. Litke stated that it did not seem to work, that the developer was committed to do the cleanup and the proposal that Council Member Sekula-Gibbs had offered would limit the participation of the TIRZ to \$1.2 million, but the developer was obligated to do the cleanup under the Voluntary Cleanup Program with the State and they would have the financing to do that, that if and when they cleanup and submit expense vouchers that were eligible they would be reimbursed up to that \$1.2 million, so if they did not clean the site they were going to have the State after them, they would not be able to develop in accordance with the financing plan that would be submitted to the Council for approval. Council Members Wiseman, Parker and Berry absent.

Council Member Ellis stated that he would tag the amendment as well because he would like to evaluate it over the week. Council Members Wiseman, Parker and Berry absent.

Upon questions by Council Member Keller, Mr. Litke stated that yes there was \$7 million plus for remediation for the 254 acre TIRZ, that was what they had put into the budget, that it was correct that the only way, if there was contamination, to stop it from migrating three or four miles would be to remediate it. Council Members Wiseman, Parker and Berry absent.

Council Member Tatro stated that he would tag the amendment, that he supported the intent of the amendment but as written was toothless, that it was unprecedented what they were attempting to do with the TIRZ and that was to use ad valorem tax dollars to remediate what would be a piece of private property and what was more unprecedented was the fact that the commitment to development was there on the commercial side, but at the City for some reason they believed it should be a residential tract so they wanted to chip in tax dollars to remediate to a higher level and the incremental cost of that was not capped and that was what the intent of Council Member Sekula-Gibbs amendment was, that he would like to solidify absolutely a cap and the amendment was not that. Council Members Edwards, Wiseman, Parker, Berry and

Robinson absent.

Council Member Sekula-Gibbs asked if Council Member Tatro would accept an amendment to her amendment, and Council Member Tatro stated he wanted to see the contract, that using taxpayer dollars he wanted a commitment that they not go over a certain limit and that they use the rest of the dollars, if there were any, to do infrastructure and that was what the TIRZ was created for. Council Members Edwards, Wiseman, Parker, Berry and Robinson absent.

Council Member Sekula-Gibbs stated that in regard to Council Member Tatro's very valid concerns she had discussed with the Hardy Partners and they had agreed to a cap of \$1.5 million that she would like to offer as an oral amendment to the written amendment as follows:

"The residential standard cleanup which is estimated to be \$1.2 million and capped at \$1.5 million", seconded by Council Member Ellis. Council Members Edwards, Wiseman, Parker, Berry and Robinson absent.

Council Members Ellis, Tatro and Council Member Galloway released their tags for the purpose of Council Member Sekula-Gibbs introducing an amendment to her amendment. Council Members Edwards, Wiseman, Parker, Berry and Robinson absent.

Mayor Brown stated that all tags had been removed. Council Members Edwards, Wiseman, Parker, Berry and Robinson absent.

A vote was called on Council Member Sekula-Gibbs amendment to her amendment. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Members Edwards, Wiseman, Parker, Berry and Robinson absent. MOTION 2003-1505 ADOPTED.

Council Member Tatro stated that he would tag Item No. 101. Council Members Edwards, Wiseman, Parker, Berry and Robinson absent.

After a lengthy discussion by Council Members, Mayor Brown stated that all tags had been released on Item No. 101 and Council Member Sekula-Gibbs amendment and a vote was called on Council Member Sekula-Gibbs motion to amend Item No. 101 as amended. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1506 ADOPTED.

A vote was called on Item No. 101 as amended. Council Member Tatro voting no, balance voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1258 ADOPTED.

82. **ORDINANCE AMENDING SECTION 3-2 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the location of Alcohol Premises; containing findings and other provisions relating to the foregoing subject – was presented.

Council Member Alvarado stated that she had passed out an amendment to Item No. 82 and would ask her colleagues to consider accepting the amendment as shown below:
2003-1507 – Amend Item 82 as follows:

"Within a zone established under this subsection, a street level alcohol premises may be situated without regard to the other requirements and provisions of subsection (a), provided that ~~no~~ **not more than two** other alcohol premises exists at street level in the same block face. In this subsection, a 'block face' is the area on both sides of a city street block between two intersections.

Alternatively, if ~~another~~ **three** premises already exists at street level in the same block

face, then additional premises may exist, but only if they are concealed; for this purpose and consistent with any applicable rules promulgated as provided below, concealment shall require that the additional premises be situated in the basement or on the second or a higher story of a building and have no signage or other indicia of the availability of alcohol that is visible from the street level.”

Council Member Berry stated that he did not have any problem with Item No. 82 but at the request of Council Member Goldberg he would tag the item.

Council Member Alvarado stated that they had been working on the item for quite some time, that they were trying to create an entertainment zone on Main Street, that it was bounded by Dallas, San Jacinto, Franklin and Louisiana, which were in District I, they had been working with the Legal and Planning Departments and it was confined to just that area.

Mayor Brown asked Council Member Berry if he would remove his tag so they could consider the amendment, and Council Member Berry stated that he would.

Council Member Quan asked if they were in anyway inhibiting competition, and Council Member Alvarado stated that the way it was proposed was that they could only have the one on street level and their amendment would say that they could have three on street level per block, and Council Member Alvarado stated they could go above or underground street level.

Council Member Parker stated that the item actually had two parts, one dealt with entertainment zones downtown and the other dealt with restaurants that served alcohol in proximity to public schools, it was an issue that had come up before Council, that she had tried to get it into committee and could not get it there to discuss, that it had not been tagged she was going to move to divide the question and keep the restaurant portion of it one more week, that she had some concerns about the measurements, the new proposal was that they measure from the property line of the school to the front door of the establishment and it was done essentially as the crow flies, it was designed to accommodate those restaurants in shopping centers and so forth, but many of those were on major thoroughfares or roads where they did not want people moving as the crow flies and it seemed that the measurements ought to be to the closest legal crossing and would like to the opportunity to, rather than shorten the distance, she thought they needed to look at how they did the measurement, that she may make a motion next week where they would not allow people to cross four lanes of Westheimer, for example, in terms of measurements.

A vote was called on Council Member Alvarado motion to amend item No. 82. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1507 ADOPED.

Council Member Berry stated that he would tag the main item and the amendment.

26. ORDINANCE increasing the fees received by Auto Wrecker Operators for their towing services to \$115 per vehicle towed for services not requiring the use of a heavy Duty wrecker and to \$175 per hour with a two hour minimum for vehicles requiring the use of a Heavy Duty Wrecker and **AMENDING CHAPTER 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, for the purpose of establishing procedures for future rate adjustments – was presented.

Council Member Ellis stated that in reading the RCA for Item No. 26, at the bottom it states that the Regulatory Affairs Committee had reviewed and approved the recommended rate increases and ordinance amendment and what he seemed to remember passing out of the Regulatory Affairs Committee was the approval of the rate increase along with a \$10 fee to be distributed to the Houston Police Department for either overtime or for their SOSP Plan, that it was his understanding that Dr. Scheps was concerned that it might increase the pension

payments to individuals who were retiring so he drafted an amendment that would still allow the \$10 fee to go over to the Police Department and would encourage the next administration to put into place policy that would afford the opportunity for overtime for those individuals who were in their last year so as not to increase the pension payments to them and/or to SOSA for the Strategic Officer Staffing Plan, which only paid flat time to those individuals who were not in their last year, that it was something that was discussed around the table at the Regulatory Affairs Committee and it was something that passed unanimously out of that committee and was omitted as brought forward to the full body, that his amendment to Item No. 26 would read as follows:

Motion to amend Agenda Item No. 26

“In addition, all non-consent tows will be charged a \$10.00 fee that will be collected by the Houston Police Department for enforcement of complaints related to police private storage lot agreements. This shall only apply to vehicles released from the storage lot where fees are collected from the owner”. Council Member Vasquez absent.

Mayor Brown asked Mr. Hall to address Council Member Ellis amendment and Mr. Hall stated that Council Member Ellis had indicated that Mr. Bibler had earlier informed him that the ordinance before Council and posted pursuant to State Law had a very specific caption, that it did not involve anything other than wrecker fees and also had a specific amount in the ordinance, as they indicated many times before Council could reduce such things but could not increase them, that it had a further problem, that the amendment, he believed, referred to storage lots, which was a different section in their ordinances, which meant that it would not be addressed in the item, that they would have to amend something else, that he had not had a chance to draft that to see where that would apply if it were available, but clearly from the caption they could not interpret what was suggested as an amendment to be germane in any way to what was posted on the agenda. Council Member Vasquez absent.

After further discussion by Council Members, Mayor Brown requested that Dr. Scheps address the issue, that they were specifically interested in whether the \$10 fee was in excess of the administrative cost to perform the function, and Dr. Scheps stated that they had not seen any information on that yet, and Council Member Ellis stated that he was at the meeting and it was laid out by Lieutenant Derden, who he understood had now been told to cease and desist but he brought forward and showed them where the expenses were and where they were going to be occurring, and Dr. Scheps stated that he made a presentation and as far as he knew they had not been provided with that, and Council Member Ellis stated that he would tag the amendment and the main item. Council Member Vasquez absent.

Council Member Galloway and Quan stated that they would also tag the item. Council Member Vasquez absent.

Mayor Brown stated that he would rule that the amendment was out of order and the main item had been tagged. Council Member Vasquez absent.

Council Member Tatro stated that as they had done in the last couple of weeks of exploring Council's authority or privilege he could make a suggestion or motion that the amendment be posted on next week's agenda and that the amendment be included in the agenda.

Council Member Tatro moved that the proposed amendment to Item No. 26 be on next weeks agenda along with the main item, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1508 ADOPTED.

22. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, to create the Department of Community Services Assistance – was presented, and tagged by

Council Members Edwards, Quan and Parker.

Council Member Robinson stated that he assumed the reason Dr. Scheps was asked to stay was that there was going to be some discussion about the cost of the consolidation and what he would like in advance of the discussion next week he would like to know what the existing costs were and what any additional costs for simply saying that both 311 and the Mayor's Citizens Assistance Office reported to an individual, what was going to be the additional cost, and Dr. Scheps stated that they would do that.

Council Member Edwards asked if anybody had done an audit of the two departments to see if there was any duplication or combining of services, and Ms. Culbreth stated that she would meet with her and discuss it.

36. ORDINANCE approving and authorizing contract between the City of Houston and the **HOUSTON CHAPTER, A.I.A. CHAPTER OF THE TEXAS SOCIETY OF ARCHITECTS**, to provide \$25,000.00 in Community Development Block Grant Funds for a Research and Planning Activity which will result in the submission of a Report entitled "Housing Strategies for Houston: Expanding Opportunities" – was presented, and tagged by Council Member Robinson.

Council Member Robinson stated that the reason he was tagging the item was that earlier when Mr. Litke was present he asked for copies of any and all reports that were produced on housing by independent entities relating to their TIRZ's or Fannie May, that he was trying to see how many reports were out there that now existed and what would be the difference in terms of work product that they already had a significant amount of work done, and Mayor Brown stated that they would have Mr. Litke follow up.

Council Member Quan stated that as Chairman of the Housing Initiatives Committee they had been working on the issue for quite a while and while there had been some reports they found no general plan for housing in the Houston area and that was what they had been looking at with the group in the item, that they spent about two years trying to put together ideas from people within their community as well as national experts, that they would get that information to Council Member Robinson, that he just wanted to let the people know that the City had not really had a comprehensive housing plan, they had gone ad hoc with different neighborhoods and what they were looking at was strategies to encourage different neighborhoods.

Council Member Sekula-Gibbs stated that she would like to add her tag on Item No. 36 and to also be in receipt of the information that Council Member Robinson had requested and to include a list of the members of the committee who were proposed to be working with the Housing Strategies for Houston, that she would like to know the names of the people involved.

After further discussion by Council Members, Mayor Brown stated that Item No. 36 had been tagged. Council Member Sekula-Gibbs absent.

75. ORDINANCE approving and authorizing contract between the City and the **HOUSTON SUPER BOWL XXXVIII HOST COMMITTEE, INC** for a Major Level Partner Sponsorship - \$500,000.00 Enterprise Fund – was presented, and tagged by Council Members Parker and Tatro.

Council Member Robinson stated that back during the budget process he put an amendment on the table to move Miller Outdoor Theater funding to the Hotel Occupancy Tax and they were told they did not have the revenues to do that, that they were carrying Miller Outdoor Theater at \$750,000 in General Revenue and they were carrying about another half of that over in the Hotel Occupancy, if they took Miller Outdoor Theater fully off of the General Fund they would free up \$750,000 either to reduce the deficit or to open those pools on time and they could transfer some out of the Parks Department to help them with the cadet classes,

that the second problem he had was the \$110,000 for the barrier along Main Street, that Metro ought to pay for it, it was their responsibility.

Council Member Sekula-Gibbs stated that she wanted to add her tag to Item No. 75.

Mayor Brown requested the Ms. Dawn Ullrich, Director, Convention and Entertainment, respond to Council Member Robinson's issues, and Ms. Ullrich stated that the railing along Main Street, they had noticed pedestrian patterns indicating that perhaps a railing was important, that the City had pulled the street closure permits, that they did have pedestrians in the right-of-way so for their safety, for the crowds during the Superbowl, for the days for the Superbowl it made sense to include it, that it was a permanent improvement that they would get back as part of the sponsorship, that for the money that was being requested, \$125,000 would be for beautification around the convention center, which would include seasonal flowers and that kind of thing, that they expected at least 3,500 media to be in the convention center on the south side during the Superbowl, that ESPN would do live broadcasts from the Super Block everyday from January 23, 2003 on, in addition CBS would have a major presence inside the building as would NFD and NFL Network and the George Michaels Sports Show would broadcast from the Houston Center, from the balcony back against the convention center so they would certainly be a focal point of visual media and beautification was imperative, in their view, that it would also be used for the railing, which they had mentioned, promotional use of their logo and name in the advertising that would come out with regard to the Host Committee events, a banner system that would connect the convention center with the Main Event, that would remain permanently, that there would be equipment that would be used as a part of putting on the production, the Host Committee's production, that about \$65,000 of equipment would come back to their department to be used permanently as part of their outdoor event inventory, that they would become a sanctioned NFL Superbowl facility and they would capitalize on it, that the benefits that she just outlined totaled over \$500,000, excluding the tickets. Council Member Ellis absent.

Upon questions by Council Member Berry, Ms. Ullrich stated that they worked with HLK and the Host Committee and their staff to assign a value to the sponsorship, that they came to that agreement based on their experience with the bureau and other contacts, that the package was something they worked on with the host committee, that they negotiated with them, that it was a negotiated sponsorship package, that sponsorship packages cost \$500,000 that was what the Host Committee offered them for, so they said that in exchange that they wanted permanent improvements that they would include, that there were other sponsorships that had already been purchased, the Convention Bureau, HEB, Randall's and Landry's, that they were particularly looking to highlight the Convention Center logo because that was really where their additional facilities were and would be the spotlight of what was going on, that the main focus would be on the convention center, that Metro's position was that the City pulled the street permits and brought people closer to the light rail so they would bare some responsibility in their view, that their agreement was that they would participate through the Host Committee to construct the railing and they would maintain it through its life.

Mayor Brown asked absent the Main Event would they need the rails, and Ms. Ullrich stated no, that she and her staff had spent sometime observing what people were doing when they were attending the Main Event, and Mayor Brown asked Ms. Ullrich what had been the practice in other cities who had hosted the Superbowl, and Ms. Ullrich stated that other cities had received sponsorship packages as well, that the Host Committee had done research on that and assured them that other cities had also received similar packages, and Mayor Brown asked if it mentioned in the newspaper that Atlanta did not do that, and Ms. Ullrich stated that she did not have the details on that. Council Member Galloway absent.

Council Member Alvarado moved to suspend the rules to hear from Mr. Jordy Tollett, Director, Convention Bureau, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Galloway absent.

MOTION 2003-1509 ADOPTED.

Upon questions by Council Members, Mr. Tollett stated that he knew of two cities who would never get the Superbowl, one was Atlanta and the other Tampa Bay, because they did not actually cooperate enough, that New Orleans never sent them a bill that was why New Orleans had the Superbowl more than any other City in America, because they say if they give them the Superbowl not to even look for a bill, that the City paid for everything in the State of Louisiana, no corporate sponsors, that Houston's corporate community was raising \$8 million, that the Main Event on Main Street started on Halloween night, that Metro and the Police Department had arrested people for stepping on the rail line because they were afraid that someone was going to get hurt, that Ms. Ullrich was wise in making the investment, that they needed to have a party place, like it or not, that the reason New Orleans got it and the reason San Antonio beat them on conventions was because of the Riverwalk, in Chicago, Rush Street, in Austin, Sixth Street, that the railing would allow the train to run all the way down to the end, that Metro was saying that without a railing they were going to stop the train at Pierce Elevated and make them walk, that he would like to have a train running right down the middle of 100,000 people entertaining themselves, that they were spending \$2 for every guest that would be in Houston for 10 days, that this was the biggest marketing opportunity that they had ever had, the Superbowl had one week between the championship game and the Superbowl, that Houston had two weeks, they were going to run the NFL experience for 10 days, they were going to fill up the hotels for three weekends, at least 11 days because they were going to have other activities going on in the City, that they were going to make a fortune, that the hotel tax being generated by it was near \$3 million, that Ms. Ullrich was paying for all of the General Fund Services, that the taxpayers locally were not paying the tab, the visitors were paying the tab, that Houston was reinvesting, they spent \$2 billion on Reliant Stadium, they paid \$20 million for a suite in the Arena, they take baseball tickets, that Ms. Ullrich should have the ability to market the City, that he thought it was a small investment. Council Members Galloway and Keller absent.

After further discussion by Council Members, Ms. Culbreth stated that all General Fund costs would be reimbursed by C&E to the General Fund and it would come from the incremental HOT Tax that they received, that she would provide Council a copy of the budget and the actual costs once the event was complete, with regard to public safety costs. Council Member Vasquez asked to see a copy of the contract. Council Member Galloway absent.

Council Member Ellis asked what was the overall price tag to the City for the Superbowl, and Ms. Culbreth stated that the amount estimated in the General Fund at the present time was about \$1.6 million and would be reimbursed by C&E.

After further discussion by Council Members, Mr. Tollett stated that the actual General Fund Revenue was sales tax and mixed beverage alcohol tax, that just statistically they had already received over \$3 million spent in the City in the previous 12 months of the Superbowl, over \$19.8 million had been spent by corporations and others in preparing for the Superbowl, that he wanted to send a clear message to the NFL that Houston wanted it as bad as New Orleans and they would chip in, that was why the State was chipping in its money because it realized it was good for the State.

After further discussions by Council Members, Council Members Sekula-Gibbs and Parker released their tags on Item No. 75, however Council Member Tatro stated that he would not release his tag.

78. ORDINANCE approving and authorizing agreement between the City of Houston and **PRIMROSE HOUSTON 7 HOUSING, L.P.** to provide a \$800,000.00 loan of Federal "HOME" Funds for eligible costs in connection with the construction of an apartment building to be located in the 5000 and 5100 blocks of Airline Drive, Houston, Texas, to house low and very-low income elderly residents - **DISTRICTS H - VASQUEZ** - was

presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1259 ADOPTED.

Council Member Vasquez moved to suspend the rules to consider Item No. 74, seconded by Council Member Galloway. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1510 ADOPTED.

74. ORDINANCE issuing a permit to **LAKEWOOD CHURCH** for constructing, maintaining, using, operating and repairing subsurface foundation elements and above-ground columns, building encroachments, and a pedestrian skybridge within the 3700 block of Norfolk Street and the 3800 block of Edloe Street, being public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1260 ADOPTED.

CONSENT AGENDA NUMBERS 2 through 86

MISCELLANEOUS - NUMBER 2

2. RECOMMENDATION from Director Department of Finance & Administration and the Office of the City Controller for payment of \$54,292.15 to the **INTERNAL REVENUE SERVICE** for Arbitrage Rebate Liability on Water and Sewer Prior Lien Revenue Bonds, Series 1989A and Water & Sewer Junior Lien Revenue Bonds Series 1989B - Enterprise Fund - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1511 ADOPTED.

ACCEPT WORK - NUMBERS 3 through 5

3. RECOMMENDATION from Director Houston Airport System for approval of final contract amount of \$1,552,547.30 and acceptance of work on contract with **JERDON ENTERPRISES, INC** for HAS Administration Building Parking & Utilities and 17725 & 17795 JFK Blvd., Utility Meter Modifications at George Bush Intercontinental Airport/Houston; Project No. 562A, CIP A-0222, A-0284 - 00.50% over the original contract amount - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1512 ADOPTED.
4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,100,586.54 and acceptance of work on contract with **COLT UTILITIES, INC** for Dunvale-Lipan Relief Storm Sewer from Westpark to Buffalo Bayou, GFS M-0189-01-3 (M-0189-01) - 05.12% under the original contract amount - **DISTRICTS C - GOLDBERG and G - KELLER** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1513 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,743,213.00 and acceptance of work on contract with **RWL CONSTRUCTION, INC** for Construction of Water Line Replacement in Sunnyside Subdivision, GFS S-0035-85-3 (WA10671) - 07.13% under the original contract amount **DISTRICT D - EDWARDS** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1514 ADOPTED.

PROPERTY - NUMBERS 6 through 17

6. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Mary Goldsby and Roy and Daphne Wills, for the abandonment and sale of a portion of: (1) Northwood Street, adjacent to Lot 12, C. L. Bradley Acres and (2) right of way along the south boundary of Lot 4, Block 6, Brooke Smith Addition, in exchange for the conveyance to the City of right of way out of Lot 4, Block 6, Brooke Smith Addition to widen Northwood Street, Parcels SY4-001, SY4-014 and AY4-014 - **DISTRICT H - VASQUEZ** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1515 ADOPTED.
7. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Sam J. Musachia and O. Araceli Musachia, for the abandonment and sale of ±7,442 square feet of excess, fee-owned street right of way, acquired for the Scott Street Widening Project, consisting of the remainder of Lots 1, 3 and 5, Block 3, Edmundson Addition, Parcel SY4-017 - **STAFF APPRAISERS - DISTRICT I - ALVARADO** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1516 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-138, located at 10134 Tanner Road, owned by The unknown heirs-at-law of Ida Cochran, deceased, as to an undivided ½ interest, and Nellie McClain, as to an undivided ½ interest, for the **TANNER ROAD PAVING PROJECT from Gessner Road to Campbell Road**, CIP N-0589-02-1 - **DISTRICT A - TATRO** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1517 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-140, located along the north line of Tanner Road 230 feet west of Burnside Road, owned by Faye M. Everett Moore, as to an undivided 2/3 interest; and Cora Lee Everett Johnson and Earline Everett Johnson, each as to an undivided 1/6 interest, for the **TANNER ROAD PAVING PROJECT from Gessner Road to Campbell Road**, CIP N-0589-02-1 - **DISTRICT A - TATRO** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1518 ADOPTED.
10. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-141, located along the north line of Tanner Road 180 feet west of Burnside east of Gessner Road, owned by Axelrad Associates, Inc., a Texas corporation, Stanley Weinstein, Registered Agent, for the **TANNER ROAD PAVING PROJECT from Gessner Road to Campbell Road**, CIP N-0589-02-1 - **DISTRICT A - TATRO** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1519 ADOPTED.
11. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-142, located at 10108 Tanner Road, owned by The unknown heirs-at-law of Herman Wilson, as to an undivided ½ interest and Viestra L. Jackson, Adolphus Jackson, and Garfield Jackson, Jr. each as to an undivided 1/6 interest, for the **TANNER ROAD PAVING PROJECT from Gessner Road to Campbell Road**, CIP N-0589-02-1 - **DISTRICT A - TATRO** - was presented, moved by Council Member Quan,

seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1520 ADOPTED.

12. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY2-146, located at 10127 Tanner Road, owned by Houston Lumber Supply, Inc., a Texas corporation, W. J. Landers, Registered Agent, for the **TANNER ROAD PAVING PROJECT from Gessner Road to Campbell Road**, CIP N-0589-02-1 - **DISTRICT A - TATRO** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1521 ADOPTED.
13. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel DY3-011, located at 4614 Schroeder Street, owned by Rito M. Diaz, for the **NAVIGATION SEWER REPLACEMENT PROJECT**, CIP R-0266-92-2 - **DISTRICT H - VASQUEZ** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1522 ADOPTED.
14. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel HY2-001, located at 7100 Dixie Drive, owned by Eli and Ana Cortes, for the **FIRE STATION NO. 26 EXPANSION PROJECT**, CIP C-0089-01-3 - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1523 ADOPTED.
16. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcels KY3-098 and KY3-099, located in the 1400 block of Villa Capri, owned by Alfred La Ferrell Dean, for the **EAST LAKE HOUSTON UNSERVED AREAS PROJECT PACKAGE III, (Saddle Creek Waterline)**, CIP R-0801-04-2 - **DISTRICT E - WISEMAN** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1524 ADOPTED.
17. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KY3-080, located at 1213 Brittmoore Road, owned by The Descendant's Trust, created under the Will of Billy Gorman, Deceased, of Harris County, Texas, for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2 - \$34,857.00 Enterprise Fund - **DISTRICT A - TATRO** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1525 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 19 through 21

19. **VARIAN, INC** for One Atomic Absorption Spectrophotometer System from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Department of Public Works & Engineering - \$55,919.00 - Enterprise Fund - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1526 ADOPTED.
20. **AMEND MOTION #00-0076, 1/19/00 and #03-0008, 1/8/03, TO EXTEND** expiration date from January 19, 2004 to January 18, 2005, for Electrical Switchgear and Motor Controls

for Various Departments, awarded to **TURTLE AND HUGHES, INC** and **DEALERS ELECTRICAL SUPPLY** - was presented, moved by Council Member Quan, seconded by Council Member Parker. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1527 ADOPTED.

ORDINANCES - NUMBERS 29 through 86

29. ORDINANCE approving and authorizing Special Warranty Deed conveying to Ruben B. Garcia a parcel of land containing ±13,657 square feet, former District No. 58 Water Plant Site, Parcel S86-009, located at 907 East Parker Road, part of the Southwest portion of Lot 8, Gusemano Subdivision, Abstract 429, H. & T. C. R. R. Survey, Houston, Texas, in consideration of Ruben B. Garcia's payment of \$28,000.00 and other consideration to the City - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1261 ADOPTED.
30. ORDINANCE approving and authorizing Special Warranty Deed conveying to De Anda Engineering, Inc., a parcel of land containing 9,479 square feet, more or less, former Hampshire Oaks Storm Sewer, Parcel SY0-030, located in the 2500 block of Munger Street, Lot 6 and the south 18 feet of Lot 7, Hampshire Oaks Extension No. 5 Subdivision, Abstract 51, Luke Moore Survey, Houston, Texas, in consideration of De Anda Engineering, Inc's payment of \$17,157.00 and other consideration to the City - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1262 ADOPTED.
31. ORDINANCE consenting to the addition of 100.379 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 182**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1263 ADOPTED.
32. ORDINANCE consenting to the addition of 32.05 acres of land to **RENN ROAD MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1264 ADOPTED.
41. ORDINANCE approving and authorizing first amendment to Disposal Contract (#51076) between the City and **REPUBLIC WASTE SERVICES OF TEXAS HAULING, LLC**, for a Cost Adjustment to reduce the rate of increase and other matters - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1265 ADOPTED.
43. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ANALYTICAL COMPUTER SERVICES** for Laptop Computer Repair Services for the Houston Police Department (as approved by Ordinance No. 99-0184) - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1266 ADOPTED.
60. ORDINANCE appropriating \$339,017.85 out of Parks Consolidated Construction Fund, awarding construction contract to **TEXAS LIQUA TECH SERVICES, INC** for Construction of Roof System Repairs and Replacement at Miller Outdoor Theater, GFS F-504C-23-3 and F-0509-11-3; providing funding for contingencies relating to construction of facilities financed by Parks Consolidated Construction Fund - **DISTRICT D - EDWARDS** - had been pulled from the Agenda by the Administration, and was not considered. Council Member Vasquez absent.

62. ORDINANCE appropriating \$224,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **BOVAY ENGINEERS, INC** for Municipal Courts Building Electrical Upgrade, GFS D-0105-02-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1267 ADOPTED.
67. ORDINANCE approving and authorizing contract between the City of Houston and **TELE-WORKS, INC** for an Electronic Bill Presentation and Payment System; providing a maximum contract amount - 3 Years with two one-year options - \$211,200.00 - Enterprise Fund – had been pulled from the Agenda by the Administration, and was not considered. Council Member Vasquez absent.
68. ORDINANCE appropriating \$108,000.00 out of Airport System Consolidated 2001 AMT Construction Bond Fund; authorizing the purchase of a tract of land and improvements thereon, out of Greenview Manor Section Two, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-13.1; approving purchase and sale agreements with Robert Luhm and Glenda Luhm - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1268 ADOPTED.
73. ORDINANCE approving and authorizing first amendment to contract between the City and **POLYTECH, INC. D/B/A PTI, INCORPORATED** for Construction Management Services, CIP S-0890-BN - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1269 ADOPTED.
76. ORDINANCE **AMENDING CHAPTERS 2, 28, 32, 40 AND 45 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to use of City Parks, Streets and other City property for Special Events and other similar purposes; prescribing procedures for issuance and revocation of permits for certain events; declaring certain conduct to be unlawful and providing a penalty therefore; containing findings and other provision relating to the foregoing subject; providing for severability - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Member Vasquez absent.
77. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and the **TEXAS PARKS AND WILDLIFE DEPARTMENT** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1270 ADOPTED.
80. ORDINANCE approving and authorizing contract between the City and **THE SALVATION ARMY** for the provision of nutrition and transportation services for the elderly; providing a maximum contract amount - \$939,460.00 - Grant Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1271 ADOPTED.
83. ORDINANCE **AMENDING ARTICLE XI OF CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Sidewalk Sales and Performances in a portion of the Central Business District; containing other provisions relating to the foregoing subject – had been pulled from the Agenda by the Administration, and was not considered. Council Member Vasquez absent.

84. ORDINANCE approving and authorizing stipulations and agreement to resolve competing claims against the City concerning the construction of Lockwood Bridge over Hunting Bayou and approach roadway improvements; making various findings and provisions relating to the subject **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1272 ADOPTED.
85. ORDINANCE appropriating \$2,065,000.00 out of Airports Improvement Fund and approving and authorizing professional engineering services contract between the City of Houston and **CARTER & BURGESS, INC** in connection with SMGCS/Civil Site Work for ILS Cat III at William P. Hobby Airport, Project No. 566B; CIP A-0385.14.2 - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. ORDINANCE 2003-1273 ADOPTED.

Council Member Parker moved to stay in session past the noon hour to finish the agenda, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1528 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

PROPERTY

15. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel HY3-002, located at 1700 Travis, owned by The Carter Investment Company, W. T. Carter III, President, for the **FIRE SUPER STATION PROJECT**, CIP C-0149-01-3 - **DISTRICT I - ALVARADO** - was presented, moved by Council Member Ellis, seconded by Council Member Sekula-Gibbs, and tagged by Council Member Tatro. Council Member Vasquez absent.
18. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KY3-071, located at 12121 Wickchester Lane, owned by Sessan Woodbranch, Inc., a Texas corporation, Rick Widmark, President, for the **IH-10 WATERLINE EASEMENTS PROJECT from Clarborough to Red Haw**, CIP S-0900-AS-2 - \$36,453.00 - Enterprise Fund **DISTRICT A - TATRO** - was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs. Council Member Edwards voting no, balance voting aye. Council Member Goldberg absent due to being ill. Council Member Vasquez absent. MOTION 2003-1529 ADOPTED.

PURCHASING AND TABULATION OF BIDS

21. **CARLTON-BATES COMPANY (Bid #2)** - \$119,777.54, **INDUSTRIAL ELECTRONICS, INC** \$113,206.76 and **TURTLE AND HUGHES, INC (Bid #11)** - \$151,143.46 for Electrical, Instrument Relays, Meters and Fuses Contract for Various Departments - \$396,008.00 minus a commission fee (3% for Internet-based reverse auction services) in the amount of \$11,880.24 for a net award amount not to exceed \$384,127.76 - General, Enterprise and Fleet Management Funds - was presented, moved by Council Member Quan, seconded by Council Member Sekula-Gibbs, and tagged by Council Member Tatro. Council Member Vasquez absent.

ORDINANCES

23. ORDINANCE establishing Street & Bridge Construction Contracts as a Category of contracts to which **CHAPTER 15, SECTION IV OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, applies; establishing qualifications for obtaining Certificates of

Responsibility for such contracts setting up an alternative process for appeal of expiration or revocation of such certificates - was presented. Council Member Vasquez absent.

Upon discussion by Council Members, Council Member Berry stated that he wanted to tag Item No. 23. Council Member Vasquez absent.

24. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the authorization of Off-Leash Dog Recreation Areas in City Parks - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1274 ADOPTED.
25. ORDINANCE **AMENDING THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Pet Feces Control; establishing a criminal penalty for failure to comply – was presented.

Upon discussion by Council Members, a vote was called on Item No. 25. Council Member Berry voting no, balance voting aye. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1275 ADOPTED.

27. ORDINANCE **AMENDING SECTION 21-225 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to a fee for preservation of Vital Statistics Records - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1276 ADOPTED.
28. ORDINANCE making certain findings and approving the use of a portion of Herman Park for the alignment and construction of a portion of a proposed 144-inch diameter relief storm sewer system and associated temporary construction sites; said findings made after a public hearing held at 9:00 a.m. on Wednesday, November 19, 2003, in the City Council Chambers, Second Floor of City Hall, Houston, Texas, pursuant to the provisions of Chapter 26, Texas Parks and Wildlife Code; making other findings and stating other matters generally relating thereto; providing for the effective date of such findings and approval - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1277 ADOPTED.
33. 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 - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1278 ADOPTED.
- 33a. ORDINANCE annexing to the City of Houston, Texas for limited purposes certain territory located within **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 8**, 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 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 - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1279 ADOPTED.
34. ORDINANCE providing for a Fee Schedule for the use of the City Airports by certain Commercial Ground Transportation providers during the Super Bowl - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1280 ADOPTED.
35. ORDINANCE approving and authorizing acceptance of grant funds from the **TEXAS**

DEPARTMENT OF PUBLIC SAFETY for the No Suspect Casework DNA Backlog Reduction Program and an interlocal agreement with the Texas Department of Public Safety; 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, and tagged by Council Member Parker.

37. ORDINANCE approving and authorizing contract between the City of Houston and **SERVICE OF THE EMERGENCY AID RESOURCE CENTER FOR THE HOMELESS, INC**, providing up to \$820,024.00 in Housing Opportunities for Persons With AIDS ("HOPWA") Funds for the Administration and Operation of a Supportive Services Project, which sum includes a limitation of additional funding in the amount of \$410,012.00 - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1281 ADOPTED.
38. ORDINANCE approving and authorizing contract between the City of Houston and the **WESTERN REGIONAL ENVIRONMENTAL EDUCATION COUNCIL, INC d/b/a COUNCIL FOR ENVIRONMENTAL EDUCATION, INC** to Sponsor the WET in the City and the Team WET Schools Water Programs; providing a maximum contract amount - \$421,500.00 - Enterprise Fund (Water Education for Teachers "WET") - was presented, and tagged by Council Member Ellis.
39. ORDINANCE approving and authorizing interlocal agreement between the City and the **HARRIS COUNTY FLOOD CONTROL DISTRICT** for Brays Bayou Flood Damage Reduction Plan, GFS N-0785-01-2 (SB9135-01) - **DISTRICTS C - GOLDBERG; D - EDWARDS; F - ELLIS and I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1282 ADOPTED.
40. ORDINANCE approving and authorizing Tax Abatement Agreement between the City of Houston, Texas and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** for certain property located within State Enterprise Zone 3; approving the assignment of the Tax Abatement Agreement to Qualified Homeowners - **DISTRICT H - VASQUEZ** - was presented, and tagged by Council Member Tatro.
42. ORDINANCE appropriating \$451,366.00 out of Water & Sewer System Consolidated Construction Fund; approving Change Order Number Seven to the contract between the City of Houston and **MOBILE DATA SOLUTIONS, INC** for Automated Mapping, Routing and Scheduling Service Order System for Department of Public Works & Engineering; increasing the maximum contract amount - \$31,212.00 - Enterprise Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1283 ADOPTED.
44. 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 - 6 Years - \$164,000.00 - General Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1284 ADOPTED.
45. ORDINANCE awarding contract to **THE PRUITT COMPANY** for Automotive, Heavy-Duty Front-End Truck Repair Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$664,750.00 - General and Enterprise Funds - was presented, and tagged by Council Member Ellis.
46. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract for Cleaning and Janitorial Services for

Various Departments to **SOUTHEAST KELLER CORPORATION (A TIBH Agency)** - 5 Years \$4,746,367.74 - General, Enterprise and Building Inspection Funds - was presented, and tagged by Council Member Ellis. (Note: Council Member Ellis released his tag later in the meeting.)

47. ORDINANCE appropriating \$806,500.00 out of Airport System Consolidated 2001 AMT Construction Bond Fund; authorizing the purchase of certain tracts of land and improvements thereon, out of Greenview Manor Sections One, Two and Three, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-14.1 (Project 617); approving purchase and sale agreements with the owners of the land (Debra K. Creasy Elliott; Larry Bruce English and Gertrude C. English; John Anthony Kovar; Gilberto M. Lazo and Maria Velazquez; Donald Prince and Glinder P. Prince; Patsy Taylor Reese) - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1285 ADOPTED.
48. ORDINANCE appropriating \$239,800.00 out of General Improvements Consolidated Construction Fund, awarding construction contract to **NBG CONSTRUCTORS, INC** for City Hall Annex Garage Flood Damage Repair, GFS D-0113-03-3; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1286 ADOPTED.
49. ORDINANCE appropriating \$994,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for Construction Management Services Contract with **LOCKWOOD, ANDREWS & NEWNAM, INC** (approved by Ordinance No. 99-312), CIP S-0900-43-3 (10448-2) - was presented, and tagged by Council Member Galloway.
50. ORDINANCE appropriating \$3,000,000.00 out of Street & Bridge Consolidated Construction Fund (Number N-0663-RE-1), and approving and authorizing purchase and easements and other interests in Real property and payment of the costs of such purchases and/or condemnations of such real property and associated costs for Appraisal Fees, Title Policies/Services, Recording Fees, Court costs and Expert Witness Fees, for and in connection with, and finding a public necessity for, the Capital Improvement Projects identified in the body of this ordinance - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1287 ADOPTED.
51. ORDINANCE appropriating \$350,200.00 out of Street & Bridge Consolidated Construction Fund, \$103,200.00 out of Water & Sewer System Consolidated Construction Fund, and \$51,600.00 out of the Storm Sewer Consolidated Construction Fund as an additional appropriation under a program management contract between the City and **ATSER, L.P.** (approved by Ordinance No. 99-0661), GFS N-0668-05-2 (N-0668-05) - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1288 ADOPTED.
52. ORDINANCE appropriating \$760,316.10 out of Street & Bridge Consolidated Construction Fund for Landscaping and Beautification in connection with Roadway Construction, CIP N-0675-05-3 (SB9126-01) - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1289 ADOPTED.
53. ORDINANCE appropriating \$161,038.04 out of Water & Sewer System Consolidated Construction Fund and \$188,976.42 out of Homeless and Housing Consolidated Bond Fund, approving and authorizing a developer participation contract between the City of

Houston and **ROYCE LAND, L.P.**, for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Phase I of the Ashford Gardens Subdivision, CIP S-0800-95-03 and R-0800-95-03 - **DISTRICT F - ELLIS** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1290 ADOPTED.

54. ORDINANCE appropriating \$119,435.21 out of Water & Sewer System Consolidated Construction Fund and \$186,000.00 out of Homeless and Housing Consolidated Bond Fund, approving and authorizing a developer participation contract between the City of Houston and **ROYCE LAND, L.P.**, for Construction of Water, Sanitary Sewer and Storm Sewer Lines for Phase II of the Ashford Gardens Subdivision, CIP S-0800-96-03 and R-0800-96-03 - **DISTRICT F - ELLIS** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1291 ADOPTED.
55. ORDINANCE approving and authorizing amendment to interlocal agreement between the City and the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS (METRO)** for Spur 527 Traffic Mitigation Plan Improvements - **DISTRICTS C - GOLDBERG; D - EDWARDS; G - KELLER and I - ALVARADO** - was presented, and tagged by Council Member Parker.
56. ORDINANCE **AMENDING CHAPTER 33 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the City Survey System; making findings and containing other provisions relating to the foregoing subject; providing for severability; containing a savings clause - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1292 ADOPTED.
57. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Environmental Consulting Services contract between the City of Houston and **TLC ENGINEERING, INC** for Asbestos and Environmental Consulting Services, GFS D-0073-80-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented, and tagged by Council Member Berry.
58. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Environmental Consulting Services contract between the City of Houston and **HEALTHY RESOURCES ENTERPRISE, INC** for Asbestos and Environmental Consulting Services, GFS D-0073-81-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1293 ADOPTED.
59. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Environmental Consulting Services contract between the City of Houston and **A&B ENVIRONMENTAL SERVICES, INC** for Asbestos and Environmental Consulting Services, GFS D-0073-82-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1294 ADOPTED.
61. ORDINANCE appropriating \$261,820.00 out of Fire Consolidated Construction Fund, awarding construction contract to **PYRAMID WATERPROOFING, INC** for Roof Replacement of Fire Stations 28, 70, 76, 78 and 80, GFS C-0090-02-3; providing funding for contingencies relating to construction of facilities financed by the Fire Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; D - EDWARDS; E - WISEMAN; F -**

ELLIS and G - KELLER - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1295 ADOPTED.

63. ORDINANCE appropriating \$119,650.00 out of Solid Waste Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **TURNER COLLIE & BRADEN, INC** for Storm Water Pollution Control, CIP L-0028-01-2; providing funding for contingencies relating to construction of facilities financed by the Solid Waste Consolidated Construction Fund - **DISTRICTS A - TATRO; C - GOLDBERG; H - VASQUEZ and I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1296 ADOPTED.
64. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** for Renovation of the Bob Lanier Public Works Building at 611 Walker, 16th Floor and Basement B-2, GFS D-0106-03-3; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1297 ADOPTED.
65. ORDINANCE appropriating \$76,800.00 out of General Improvements Consolidated Construction Fund and approving and authorizing Professional Waterproofing Consulting Services contract between the City of Houston and **MOISTURE CONTROL TECHNOLOGIES, INC** for Survey/Renovation of Exterior Walls, City Hall, GFS D-0113-04-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1298 ADOPTED.
66. ORDINANCE approving and authorizing Lease Agreement between **TRIZEC HOLDINGS, INC** as landlord, and the City of Houston, Texas, as tenant, for space at 500 Jefferson Street, Houston, Texas for use by the Fire Department - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1299 ADOPTED.
69. ORDINANCE appropriating \$2,000,000.00 out of Airport System Consolidated 2001 AMT Construction Bond Fund and authorizing payments as required by the Federal Uniform Relocation Assistance Act to persons displaced from property acquired for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-01.01 - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1300 ADOPTED.
70. ORDINANCE approving and authorizing contract between the City of Houston and **WORLDWIDE FLIGHT SERVICES, INC** for Baggage Handling and Aircraft Support Systems Maintenance and Operations Services for the Houston Airport System - 3 Years with two one-year options \$14,352,519.15 - Enterprise Fund - **DISTRICTS B - GALLOWAY and I - ALVARADO** - was presented, and tagged by Council Member Sekula-Gibbs.
71. ORDINANCE approving and authorizing Amendment No. 1 to engagement letter between the City of Houston and **ZUCKERT, SCOTT & RASENBERGER, L.L.P.** for provision of Specialized Legal Services for the Houston Airport System; providing a maximum contract amount - 3 years \$1,540,000.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY; E - WISEMAN and I - ALVARADO** - was presented, and tagged by Council Member Quan.

72. ORDINANCE authorizing acceptance of a grant from the U. S. Department of Justice's Community Oriented Policing Services for Interoperable Communications Equipment; declaring the City's eligibility for such grant; authorizing the Director of the Mayor's Office of Public Safety and Drug Policy as the City's Representative and to accept such grant funds and all subsequent awards, if any, pertaining to the project - \$4,934,760.00 - Grant Fund - was presented, and tagged by Council Member Parker.
79. ORDINANCE appropriating \$131,145.00 out of Public Health Consolidated Construction Fund; authorizing the issuance of purchase orders for Asbestos Abatement and Special Demolition to **GBS ENVIRONMENTAL, INC** for the Fifth Ward MSC Project and **CST DEMOLITION & ENVIRONMENTAL, INC** for the Central Laboratory, 3rd Floor; providing funding for Air Monitoring and contingencies related to Asbestos Abatement and Special Demolition at such locations - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1301 ADOPTED.
81. ORDINANCE **AMENDING CHAPTER 34 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to fees for fingerprinting; containing other provisions relating to the foregoing subject - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1302 ADOPTED.
86. ORDINANCE approving and authorizing an agreement with the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for the Operations and Maintenance of a Light Rail Transit System - was presented, and tagged by Council Members Robinson, Ellis and Keller.

NON CONSENT AGENDA - NUMBERS 87 through 90

MISCELLANEOUS

87. RECEIVE nominations for Position 20 of **HOUSTON READ COMMISSION** to complete an unexpired term ending February 1, 2004 - was presented.

Council Member Sekula-Gibbs stated that she wanted to nominate Ms. Cassandra L. Hill for Position 20 of Houston Read Commission and had distributed her resume.

Council Member Quan moved to close nominations for Position 20 of Houston Read Commission, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1530 ADOPTED.

MATTERS HELD - NUMBERS 91 through 107A

91. 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 BADY**, 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

(This was Item 2 on Agenda of December 10, 2003, POSTPONED BY MOTION #2003-1466) - was presented.

Council Member Galloway moved to divide the question, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1530a ADOPTED.

Council Member Galloway moved to confirm reappointment of Mr. Shelton Bady for Position 2, appointment of Ms. Ellen Lapointe for Position 4 and appointment of Ms. Carolina Weitzman for Position 5 to the Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Greenspoint Area) Board of Directors, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1531 ADOPTED.

Council Member Galloway moved to postpone confirmation of reappointment of Mr. Willie Coleman, Jr. to serve as Chair of the Reinvestment Zone Number Eleven, City of Houston, Texas (Greater Houston Greenspoint Area) for one week, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1531 ADOPTED.

92. 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

(This was Item 2 on Agenda of December 10, 2003, POSTPONED BY MOTION #2003-1467) - was presented.

Council Member Galloway moved to divide the question, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1533 ADOPTED.

Council Member Galloway moved to confirm appointments of Mr. John Cornett for Position 6, Mr. Elvin Franklin, Jr. for Position 7, Ms. Sandra McMullan Liggett for Position 8 and Mr. Seth L. Sharr for Position 9 to the Greater Greenspoint Redevelopment Authority Board of Directors, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1534 ADOPTED.

Council Member Galloway moved to postpone appointment of Mr. Willie Coleman, Jr. as Chair to the Greater Greenspoint Redevelopment Authority Board of Directors, seconded by Council Member Quan. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1535 ADOPTED.

94. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt

recommendation from Director Department of Public Works & Engineering for approval of final contract amount of \$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 - (This was Item 13 on Agenda of December 10, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented.

Council Member Berry stated that at the request of Council Member Goldberg he moved to refer Item No. 94 back to the administration, seconded by Council Member Ellis.

Council Member Keller stated that this was the case where the contractor inherited some rough drawings that in his opinion were incomplete, that he would prefer it to be a tag to look into it, that it was a good contractor and did a lot of good work for the City and thought they would make every effort to make amends if there was some discrepancy.

Mayor Brown stated that it appeared that some things were left undone so they supported the motion to refer it back.

A vote was called on Council Member Berry motion to refer Item No. 94 back to the administration. Council Members Tatro and Keller voting no, balance voting aye. Council Member Goldberg absent due to being ill. MOTION 2003-1536 ADOPTED.

95. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **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 - **(This was Item 17 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. Council Member Tatro voting no, balance voting aye. Council Member Goldberg absent due to being ill. MOTION 2003-1537 ADOPTED.
96. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **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 - **(This was Item 18 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. Council Member Tatro voting no, balance voting aye. Council Member Goldberg absent due to being ill. MOTION 2003-1538 ADOPTED.
97. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **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 - **(This was Item 19 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBER WISEMAN)** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1539 ADOPTED.
98. MOTION by Council Member Quan/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to **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 - **(This was Item 21 on Agenda of**

December 10, 2003, TAGGED BY COUNCIL MEMBER WISEMAN) - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1540 ADOPTED.

99. 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** - (**This was Item 24 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBER VASQUEZ**) - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. RESOLUTION 2003-0040 ADOPTED.
100. 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 - (**This was Item 25 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBERS TATRO and KELLER**) - was presented.

Council Member Berry stated that he had passed out a written amendment to the resolution, that he thought the resolution was good to the extent that it congratulated and encouraged, but was concerned about any effort to suggest that the City was going to implement the item, particularly several provisions one of which concerned a living wage, that in 1997 Houston voters rejected a referendum that would have created a living wage and a Barton Smith study, someone who they had on the City of Houston consultant team, of that referendum showed that if passed a living wage would cost the City about 52,000 and \$18 million in lost revenues, that he was also concerned about a provision supporting zoning, a majority of Houston voters had rejected zoning on three separate occasions, 1948, 1962 and in 1993 and offered the following written amendment to Item No. 100:

Amend Item No. 100 to delete the following language:

"That the Mayor and City Council recognize the vision, values, and goals of the Citizens' Agenda for Houston's Future and intend to consider the Blueprint Houston work product in future planning efforts."

Council Member Robinson asked if the language that was in the resolution say that the City was taking any position relative to those, and Mayor Brown stated that the resolution stated that they intended to consider, that it did not mandate that Council do anything, just recognize that they had gone through a lot of work and had some good ideas and they could consider it if they wanted to.

A roll call vote was called on the motion to amend Item No. 100.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Alvarado voting aye
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg absent due to being ill.	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 no
Council Member Keller voting aye	MOTION 2003-1541 ADOPTED.

A vote was called on Item No. 100 as amended. All voting aye. Nays none. Council Member Goldberg absent due to being ill. RESOLUTION 2003-0041 ADOPTED.

103. 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 - **(This was Item 49 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBERS ELLIS, QUAN and WISEMAN)** - was presented.

Council Member Quan stated that the item was tagged last week and he had a chance to meet with various vendors regarding the item and his only concern was he did not know if they were getting the very best contractor, that Harris County went out with a similar request and there were four main contractors, Corporate Express, Staples, Office Depot and Boise and the same deal was offered to the County and was found to be more expensive than Corporate Express, and moved to postpone Item No. 103 for one week, seconded by Council Member Wiseman. All voting aye. Nays none. Council Member Goldberg absent due to being ill. MOTION 2003-1542 ADOPTED.

104. 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 - (This was Item 54 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBERS ELLIS and TATRO)** - was presented.

Council Member Galloway stated that the Northeast Community had long awaited the item to see that the Northeast Multi Purpose Center was getting some type of attention, that she wanted to thank Mayor Brown and his staff for making it happen before his term expired, that they had been waiting for it for four years.

A vote was called on Item No. 104. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1303 ADOPTED.

105. 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 - **(This was Item 63 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. ORDINANCE 2003-1304 ADOPTED.

106. 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 - **(This was Item 64 on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. ORDINANCE 2003-1305 ADOPTED.

- 106a. 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 - **(This was Item 64A on Agenda of December 10, 2003, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. ORDINANCE 2003-1306 ADOPTED.

107. 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 92 on Agenda of December 10, 2003, POSTPONED BY MOTION #2003-1490)** - was presented. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. ORDINANCE 2003-1307 ADOPTED.

Council Member Quan stated that while they passed the item and he had moved to delay it previously he wanted to thank Parrallax for coming to Council to speak to them about it, that sometimes the problems were in the design not the construction and thought that seemed to be the problem with Item No. 107 and would like to work to continue to see if they could improve the process. Council Member Robinson absent.

- 107a. 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 82A on Agenda of December 10, 2003, POSTPONED BY MOTION #2003-1491)** - was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. MOTION 2003-1543 ADOPTED.

Council Member Ellis stated that he would release his tag on Item No. 46. Council Member Robinson absent.

46. ORDINANCE determining that the formal taking of competitive bids is not required for the work described herein; and awarding contract for Cleaning and Janitorial Services for Various Departments to **SOUTHEAST KELLER CORPORATION (A TIBH Agency)** - 5 Years \$4,746,367.74 - General, Enterprise and Building Inspection Funds - was again before Council. All voting aye. Nays none. Council Member Goldberg absent due to being ill. Council Member Robinson absent. ORDINANCE 2003-1308 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Quan stated that today they marked the 60th anniversary to repeal the Chinese Exclusion Act, one of the very harshest immigration laws ever passed, that members of the Asian American Community would be at the Visitors Center this afternoon and he welcomed all Council Members to attend a reception commemorating that occasion. Council Member Robinson absent.

Council Member Quan stated that he wanted to thank Ms. Ullrich and members of the Convention and Entertainment Bureau for their help with the Senior Citizens Gala on Monday. Council Member Robinson absent.

Council Member Parker stated that Council Members would note that the proposed Special Events Ordinance was listed as not in, that she requested that the administration hold up on it so that Council Members would have ample opportunity to look over the ordinance, that the other reason she did it was that there was a rather unfortunate story in the Chronicle that seemed to indicate that the ordinance had something to do with the Office of Special Events, that it had nothing to do with the Office of Special Events, which was moved from the Parks Department in September and Council Members had been well aware of that, that in the

ordinance there was a minor reference to where the office was housed but other than that the actual Special Events Ordinance dealt only with how they went about reserving a special event and she wanted to make sure they had ample time to clear all of that up, that she did not know how that rumor got started. Council Members Keller and Berry absent.

Council Member Parker stated that she wanted to thank her colleagues for passing the Dog Park Ordinance as well as the Animal Waste Control Ordinance. Council Members Keller and Berry absent.

Council Member Alvarado that this past week she and Council Members Robinson, Galloway and Quan were at the National League of Cities representing Houston, that she wanted to thank Council Member Robinson, that in the last couple of years he had hosted a reception for the City of Houston and each year they had elected officials that came by and Houston was one of the few cities who held its own event, that she wanted to thank him for putting Houston on the map with the National League of Cities and for the leadership that he had provided in that organization. Council Members Keller and Berry absent.

Council Member Alvarado stated that they still had problems in the downtown area with construction and jack hammering and Noise Ordinance violations at 3:00 a.m. and 4:00 a.m., that obviously it was an inconvenience for people who slept at that hour, that there was some confusion as to where residents were to report that to, that 311 would not be operating at 3:00 a.m. Council Members Keller, Vasquez, Quan and Berry absent.

Council Member Wiseman stated that she wanted to thank Mayor Brown, that it was her understanding that the Legal Department was drafting a resolution in support of the efforts of the Ellington Field Task Force, that the Houston Galveston Area Council was considering a resolution as well. Council Members Keller, Vasquez, Quan and Berry absent.

Council Member Wiseman stated that she wanted to remind them that this afternoon they would be having the ground breaking for the first skate park in Kingwood at 4:00 p.m. across from the police substation and the City services building, that they were able to locate the young man who attended the CIP meeting to make that request, that he was currently in San Francisco but understood that his father would be joining them. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Wiseman stated that due to recent sessions that they had with regard to problems with parliamentary procedure she had taken the opportunity to obtain a copy of Roberts Rules of Order, the most current 10th edition, which was what they operated under, that she urged her colleagues to obtain the book and review it carefully. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Galloway stated that she also wanted to thank Council Member Robinson, that he had really put Houston on the map with the National League of Cities and every year people wanted to know where Houston's reception was, that he had done a good job in advertising Houston and his leadership as well in getting certain things put on the table at the conference. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Galloway stated that she wanted to thank Council Member Tatro, that he had donated some wonderful toys for the Holiday for Toy Drive that she had every year and every year she picked one of the housing projects in her district to distribute and this year she had selected the Calico Village and they would be there on Saturday at 1:00 p.m. and anyone who wanted to come and donate toys that was where they would be. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Galloway stated that she wanted to thank Mayor Brown for working with her on the Northeast Multi Purpose Center. Council Members Keller, Vasquez, Alvarado, Quan

and Berry absent.

Council Member Robinson stated that he wanted to thank Council Members Alvarado and Galloway for their kind words, but also had to thank Mayor Brown, that when he first came on Council, Council Member Wong had been to a National League of Cities and he went with her and Houston was not very well represented and he talked with Mayor Brown about that and he said they could do the reception and for the last five years they had done it and thought it had been well worth while, that he got elected to the Board of the National League of Cities and Council Member Quan got elected to head one of the caucuses of the National League of Cities and a number of Council Members who had since been active in the league had been elected to other offices, that the National League of Cities now expected Houston to go after a convention. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Robinson stated that as to Item No. 36 he hoped that the administration would give some consideration to expand the scope of service. Council Members Ellis, Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Robinson stated that he knew that the City was looking at the restructuring of water and sewer without the drainage fee, that it may not happen next week, but hoped all the things would be there because they still had the opportunity for savings and some O&M funding on an ongoing basis.

Council Member Robinson stated that they should take Miller Outdoor Theater off of the General Fund, that he was a big supporter of Miller Outdoor Theater and thought it was a great thing, but thought they ought to free up that money in the General Fund and move them over to the Hotel Occupancy Account. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Robinson stated that he wanted to thank Mayor Brown for all of the things they had been able to accomplish over the last couple of months and hopefully they would finish a couple of the other projects on next weeks agenda. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Galloway stated that on Item No. 52, they approved the landscaping and beautification in connection with the roadway and wanted to make sure one of the Mayor's staff would meet with her, that she wanted to know if the community would have input because one of the streets in her area did not get the beautification when they did the construction. Council Members Keller, Vasquez, Alvarado, Quan and Berry absent.

Council Member Edwards stated that she wanted to congratulate Mr. Kenneth Harrison who was retiring from the City Parks and Recreation Department, Special Events, after 18 years and nine months of service, that he was very helpful with her office in the setting up and whole process of the Chocolate Bayou Festival last year. Council Members Keller, Vasquez, Alvarado, Quan, Berry and Robinson absent.

Council Member Edwards stated that one of the issues that they had been struggling with in her office was deed restrictions and how their neighborhoods worked and operated and would they maintain the integrity, that they did not have a housing plan, that they needed to deal with what they had, that Turner Elementary currently had a halfway house that was directly across the street from it called the Blessed Trinity Outreach, that she was not trying to say that people who had problems did not have an opportunity to get those problems resolved but did not think a halfway house was appropriate across the street from an elementary school, especially when the deed restrictions restricted that area to single family residences, and Mayor Brown stated that they would have Mr. Hall and Code Enforcement work with her on that. Council Members Keller, Vasquez, Alvarado, Quan, Berry and Robinson absent.

Council Member Edwards stated that on the Saturday before the Superbowl the National Hip Hop Summit would be at TSU, that it would feature some headliners, that her concern was that they were not asking the City for any dollars that she knew of up front, but what she was concerned about was that they were looking at close to 12,000 plus people attending it at TSU, which had a hard problem parking its own students, that they really needed to look at how they could help mitigate the traffic because it was a residential area, that she appreciated the Mayor's office working with her on it, Mayor Brown stated that he would ask Chief Storemski to meet with her and work through some the problems of traffic and parking. Council Members Keller, Vasquez, Alvarado, Quan, Berry and Robinson absent.

Council Member Edwards stated that they had a lot of discussion at Council regarding the latest two shooting episodes regarding HPD, that they had a very productive meeting last night in the community of District D regarding the issue as to how they as a community responded and they had gotten cooperation from two local law centers, that they had police officers as well as community people and the whole focus was how would they address the problem to move forward. Council Members Keller, Vasquez, Alvarado, Quan, Berry and Robinson absent.

Council Member Edwards stated that regarding the Blueprint Houston, they struggled very deeply to try to get their constituents to be involved with the solutions for the City and she would encourage them not to discourage people from becoming part of the process, that they did not have to vote on anything that they recommended but 90% of the solutions to the City's problems were in the community because that was where the people were. Council Members Keller, Vasquez, Alvarado, Quan, Berry and Robinson absent.

There being no further business before Council, the City Council adjourned at 12:41 a.m. upon MOTION by Council Member Ellis, seconded by Council Member Tatro. Council Members Keller, Vasquez, Alvarado, Quan, Berry and Robinson absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary