

City Council Chamber, City Hall, Tuesday, June 8, 2004

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, June 8, 2004, Mayor Bill White presiding and with Council Members Toni Lawrence, Carol M. Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Ms. Jo Wiginton, Division Chief, Contract Division, Legal Department; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Marty Stein, Agenda Director present.

At 1:48 p.m. Mayor White stated that Council would begin with presentations and he and Council Member Edwards would begin. Mayor White stated that they would begin with special recognitions and Ms. Brenda Hopkins with the IT Department, Ms. Andrea Lapsley with Houston Public Library and Mr. Gary Readore with Solid Waste Management were invited to the podium and presented BRAVO Awards for demonstrating outstanding service to the City of Houston and the community. Council Members Wiseman, Garcia and Sekula-Gibbs absent.

Council Member Alvarado stated that she would be recognizing some of the City's finest workers; that the Texas Safety Association just awarded several employees with outstanding recognition and the city overall received an award of merit for an 18% reduction in lost workday incidents for the past year and invited Mr. Jose Esquivel with the Parks Department, Ms. Edna Bailey with the Houston Airport System and Mr. Eussavio Olivio with the Houston Airport System to the podium and presented those present with the awards. Council Member Garcia absent.

Council Member Alvarado stated that they would be recognizing the Houston Library Department for 100 years of service and invited Ms. Barbara Gubbin to the podium; and presented her with a Proclamation for the library being a respiratory of history and proclaimed June 8, 2004, as "Houston Public Library Celebrates a Century of Empowering Houstonians for 100 years Day", in Houston, Texas. Ms. Gubbin thanked all for the recognition and presented the Mayor and Council Members with a history and photograph book of the Houston Public Library. Council Member Garcia absent.

Council Member Goldberg stated that he was pleased to introduce a group from the A. A. Milne Elementary School, the Teacher's School Group was attending a two week summer institute to learn new techniques which would help improve student academic performance and the school was named after the author of Winnie the Pooh; and invited them to the podium to receive a Certificate of Appreciation for recognizing the outstanding performance of their teaching. Council Members Wiseman, Garcia and Berry absent.

At 2:13 p.m. Mayor White called the meeting to order and stated that Council Member Khan would lead in the prayer and in the pledge of allegiance. Council Member Khan invited Pastor Wayne Everly of the Pines Presbyterian Church to lead all in prayer and he led in the pledge of allegiance Council Member Garcia absent.

At 2:17 p.m. the City Secretary called the roll. Council Member Garcia absent.

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

Council Member Green stated that he wanted to recognize a young man shadowing him today; that Mr. Jordan Franklin Earle was present along with his Grandfather Mr. Scott Franklin and invited him to stand to be recognized. Council Member Garcia absent.

Council Member Galloway moved that the rules be suspended for the purpose of hearing Ms. Mazel Chandler as the first speaker, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Council Member Garcia absent. MOTION 2004-0633 ADOPTED

Council Member Edwards stated that there was a serious condition in Windsor Village this morning and she wanted to thank the Public Works Department as they were awesome; that she then drove to the Third Ward and a power line had caught on fire and the Fire Department was taking care of it; that there were employees doing what was needed and going beyond the call and she wanted to thank all of them; and Mayor White stated that he would have the City Attorney fill her in on what was being done to provide relief to that this morning. Council Members Khan and Garcia absent.

Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing Mr. Peter Garcia and Mr. Lee Benner at the top of the speakers list, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Khan and Garcia absent.  
MOTION 2004-0634 ADOPTED

Ms. Mazel Chandler, 1919 Runnels, Houston, Texas 77003 (713-236-8081) appeared and stated that she was hurt in December 2001 while on her city job; that her income had stopped and she was wanting to be rehired with the city as no one else would hire her since she was still injured, but she was willing to do whatever she could and wanted Council's assistance. Council Members Khan and Garcia absent.

Upon questions by Council Member Galloway, Ms. Chandler stated that as of June 1st she was told she could go back to work with limitations and her disability was cut off. Council Members Khan and Garcia absent.

Council Member Galloway stated that she did not know what could be done, but she was sure something could be done; and Mayor White stated that he was not sure what could be done, but they did need to be consistent when policy was concerned; that perhaps Mr. Cantu could see if someone from H. R. could visit with Ms. Chandler and give him and Council Member Galloway a briefing on what that procedure was. Council Members Khan and Garcia absent.

Upon questions by Council Member Edwards, Ms. Chandler stated that the Fire Department said they would put her on a list for 24 months and if something became available they would call her, but she was asking for placement anywhere in the city so she could support her and her son. Council Members Goldberg, Khan and Garcia absent.

Upon questions by Council Member Edwards, Mayor White stated that he did not know what could or could not be done in individual cases, but there were currently city openings and some city employees were looking at them, but in the pool of city workers they were trying to replace should be those who worked for the city and had to leave the workforce for disability; that they would try to deal with her on a fair and consistent basis; and asked that Mr. Cantu also provide Council Member Edwards with the information he and Council Member Galloway were to receive. Council Members Goldberg, Khan and Garcia absent.

Mr. Peter Garcia, 3506 Linkwood Drive, Houston, Texas 77025 (713-664-0454) appeared and stated that he had a successful restaurant in The Village and he was partnering in a venture Downtown in Market Square and he was speaking on behalf of the Restaurant Association as they were concerned changing the ordinance on meters would affect the way people dined and entertained in the evenings; that they were concerned a share of proceeds to the city would come in the form of parking tickets which they saw as a form of tax burden and the result would be driving people away; that Downtown was beginning and it needed to be nurtured, meter charging at night would be a catastrophe; that another problem was they needed a comprehensive plan addressing mobility and not just tickets and meters. Council Members Khan and Garcia absent.

Council Member Alvarado stated that she had been receiving his E-mails and she had the

same concerns; that she had been working closely with the Administration and this Thursday Council Member Berry would be holding a committee meeting on transportation and it would be opportunity for him and others to review a revised proposal; that they did not want to put anything on Downtown to impede its progress as it did still need to be nurtured; that one lady who recently appeared had to close her Downtown restaurant because of parking, etc., and that was just one story so she did hope they would be attending the meeting. Council Members Lawrence, Khan and Garcia absent.

After a lengthily discussion Mr. Garcia stated that they needed a plan with a vision; that the ordinance was just a quick fix and could be a catastrophe, it should not be a fund raising mechanism; that they needed to find centers of commerce such as the Galleria, Montrose, etc., and see what they needed. Mayor White stated that the more people contributed to the plan the better it would be. Council Member Khan absent.

Mr. Lee Benner, 2501 Whitney, Houston, Texas 77006 (713-408-0515) appeared and stated that he was also present to speak on Downtown parking; that he was on the Transportation Advisory Group and Hike and Bike Council and lived and worked Downtown, that there was a parking problem and a solution or a solution where tickets were given and revenue taken in, somehow that came together to try and solve one another, that he did surveys and about 40% of the cars were employees and that could be worked out; that anyone working Downtown was used to tickets and he brought this months pile with him, it happens with running late and it was a part of business, but when it came to entertainment, that did not work, people were not entertained by getting tickets and meters treated people like yo-yos keeping them running in and out of dinner and theaters. Council Member Khan absent.

Mr. John Navratil, 6026 Glen Cove, Houston, Texas 77007 (713-201-2036) appeared, presented information and stated that he and his brother were tenants of Jet Center Houston at Hobby Field where they kept their private airplane and they were told to vacate their hanger as in December it would be demolished to make room for an improved landing system and they believed the demolition unnecessary; that his presentation was to focus on what should take place at Hobby and the Houston airport System (HAS) has a concept for the next 20 years that Intercontinental be exclusively dedicated to commercial users, Hobby would serve the commercial and corporate users and Ellington Field was left to serve corporate and small plane owners so plans were underway at Hobby to replace the existing Category 1 Instrument Landing Systems (Cat1 ILS) with a state-of-the-art Category 3 ILS on two runways; that the ILS was a ground-based radio navigation system for guiding pilots to their landing runway during poor visibility and the existing Cat1 ILS has guidance from the initial approach down to an altitude of 250 feet above the runway where the new Cat 3 would extend the guidance to touchdown permitting landing in "zero visibility"; that (HAS) said the new equipment was required because Hobby triggered its "Program Activity Level 1" (PAL 1) and other sources said it was being demanded by Southwest Airlines; that they were interested in keeping the biggest customer on the field happy but would like to do so at minimum expense and disruptions to other users like themselves; that upgrading to Category 3 equipment was to keep the airport open when visibility was worse than minimums for Category 1 operations such as thick fog, etc., even though extreme conditions were relatively uncommon and faced with a driving rain scenario Southwest would opt out and not try and land in zero/zero in the middle of turbulence so a practical matter was anytime a Cat3 approach was necessary the air was still meaning either runway could be used and conclusion being all benefit of the Cat3 approach was realized with the first one; that upgrading the ILS on Runway 12 was a straight forward proposition, but Runway 4 cost the city \$110,000 square feet of hangar space, a 15,000 square foot commercial building and \$186,000 in revenue to the city yearly. Council Members Khan, Alvarado and Green absent.

Upon questions by Council Member Berry, Mr. Navratil stated that he leased a hanger at Hobby from Houston Jet Center who was the direct tenant to the City of Houston who he understood was in bankruptcy; that he thought Millionaire had first right of refusal if it was to

stand but the plan was for HAS to demolish the space; that there was no other space to lease there, at Ellington or Sugarland; that there were probably two dozen airplanes left in the hanger and he was not sure of the plans; that he understood Millionaire was picking up a few of them, but they had not seen a way to provide them with service; and it was not just inconvenient to find space it was impossible. Council Members Galloway, Goldberg, Khan and Alvarado absent.

Mr. Phillip Navratil, 2035 Nilford, Houston, Texas 77098 (713-540-2289) appeared, presented information and stated that he was continuing from his brother's statement and his position was that the Cat 3 ILS was a great thing, but it was great the first time and the second Cat 3 ILS had negligible additional benefit; that Council Member Berry touched on hangars and he would like to go through a couple quick bullet points via hangar space at Hobby which was without improved drainage the hangar space at Hobby was essentially irreplaceable, you could not add pavement without adding retention ponds and retention ponds could not be located on the field because it would attract wildlife which would get in the way of aircraft; that they would need off field retention ponds, the likely solution, and in talking to HAS there was no current plan for draining Hobby; that they did try to move their plane to Ellington but there was a waiting list there and at Sugarland; that they also felt HAS pulled a fast one for some tenants as the first thing they heard was they had to leave; that they said they wanted participation, but if they did then they would have given notice of meetings; that they did have a proposal and if it was eleventh hour they were sorry but it took this long to pull all the pieces together and realize they needed to speak with the Mayor and Council, and their proposal was that the first CAT 3 ILS on runway 12, the one they were landing on today, be kept and instead of putting a CAT 3 on runway 4 wait until the new runway 4 was built right and that would be the runway south of runway 4 and meet the taxiway requirements without requiring any demolition; and they had other compromises they could speak with them about if they would like to speak with them; and in closing the current plan was overkill and it did not involve any participation; that they were spending money to take away hangar space and take away revenue; that Hobby was not just an enterprise zone which was the way HAS wanted to deal with it, it was also community property and they felt there was room to satisfy commercial users and them. Council Members Galloway, Goldberg, Khan, Alvarado and Green absent.

Council Member Sekula-Gibbs stated that this was the first she was aware of a protest about this and it was coming up on short notice for him as well; and upon questions, Mr. Navratil stated that they did see the Ellington Field Master Plan, but when they went where they were told they saw a map of Ellington with a spot saying new hangars would be built but it was not before December and there was a gap of unknown duration; that they had hangar space now and he would bet some planes there now were on the waiting list at Ellington. Council Member Sekula-Gibbs stated that her concern was just because there was a dot on a map for hangars there may not be money for it. Council Members Goldberg, Alvarado and Green absent.

Mayor White stated that he thought someone was present with Aviation who could address it; and Council Member Sekula-Gibbs moved that the rules be suspended for the purpose of hearing Mr. Jim Murff with the Aviation Department, seconded by Council Member Khan. All voting aye. Nays none. Council Members Garcia, Alvarado and Berry absent. MOTION 2004-0635 ADOPTED

Upon questions by Council Member Sekula-Gibbs, Mr. Murff stated that they were going to demolish and the plan was under design right now and Council should get the project by the end of the year, but the plan was toward the end of the year to demolish the buildings the gentlemen spoke of; that Houston Jet Center, previously Houston Executive Air Service, which was a fixed base operation and there were six on the airport now and with the demise of this FBO there would be five remaining Fixed Base Operations handling general operations aircraft; that in this certain area they needed to acquire the land to expand the taxiway and accommodate the CAT 3; that the other five remaining FBLs did have additional land they could build on; that they were dealing with the lease holder, Houston Jet Center, and he was correct

they did go bankrupt, something would come to Council very soon as Aviation had worked with bankruptcy court to handle that situation and get the lease back so they could acquire the land and then demolish the buildings; that his recollection it was a private fixed base operations that was going to build the hangars at Ellington Field, Southwest Airport Services, the City of Houston had no plans to build. Council Members Garcia and Alvarado absent.

Mayor White asked if Mr. Navratil wished to address Mr. Murff; and Mr. Navratil stated that all he said was absolutely correct, but one thing they were demolishing was the fuel farm which meant aviation gasoline was not available on the field at Hobby any longer, just jet fuel, so the five FBOs that remained would not be able to service their plane because they perceived no benefit and so destroying the fuel farm threw them off the field as effective as anything else; that they did speak with all the FBOs to see who had space and there was one, the flight school, but their space was full and they would like extra hangar space. Council Members Garcia and Alvarado absent.

Upon questions by Council Member Khan, Mr. Murff stated that with this demolition five facilities would remain; that the criteria for picking this one was location which was needed for extension of the runway for installation of the CAT 3 ILS Mr. Navratil spoke of earlier; that they had notified the tenants and subtenants and they had six months to find another location; and Council Member Khan stated that there was no other location, so they were telling them they were out of luck and out of business; and Mr. Murff stated that was correct. Council Member Khan stated that his request to Mayor White was that the city policy should reflect in some ways promoting and protecting small businesses rather than letting them hang out to dry; that he did not know what could be done in this situation, but he did feel for them and hoped they would not completely go out of business as their business was needed to help boost economy. Council Members Garcia and Alvarado absent.

Mayor White stated that he would say to Mr. Murff if someone could report to Mr. Vacar for him and send to him and Mr. Hall a report on two questions: who by name was responsible for marketing the space they did have available to FBO operators and how were they marketing it, what was their business plan because this could be a source of revenue from the city; that general aviation was important to the city and if what Mr. Navratil represented was correct the FBO business could be a profitable business and they were a leaser and the most needed to be made of the city's property; that he wanted to know who had done it, what they had done, what their strategy was, etc.; and Mr. Murff asked if that was for the airport and Ellington Field, for both locations; and Mayor White stated that was correct, he wanted to know department wise who compiled statistics, analyzed the financials, tried to get new FBOs and negotiated lease arrangements, he wanted to know who did it and what their approach was. Council Member Garcia absent.

Mr. Kevin Hunt, 2148 Looscan Lane, Houston, Texas 77019 (713-860-0404) had reserved time to speak but was not present when his name was called. Council Member Garcia absent.

Mr. Julio Mayes, 8149 Bonner, Houston, Texas 77017 (713-454-0708) appeared, presented information to Council Members and stated that he was president of the Meadowbrook Civic Club and member of the Southeast Neighborhood Coalition and was present asking for help with what seemed to be an onslaught from the Planning Department on their community; that projects were being approved and degrading their quality of life in regards to replats, permits being accepted and ordinances not being enforced when it came to heavy trash, junk autos, etc., that the first item they would see was a letter from an attorney for a constituent in the area and it had to be sent to the Planning Commission to have a replat denied which they were set to have approved; that Planning had already reviewed the permit, application and deed restrictions and said the application had no violation as they saw, but once the attorney started making complaints and said if approved it may cause them to file suit then City Legal went through and said the permit should be denied, but citizens had to hire an attorney instead of a city representative stopping it; that they would also see an application for a

property on the 8100 block of Lenore and that permit was issued in violation of deed restrictions which stated a lot may only have one single family residence and the permit specifically requested a second residence be built and the Permit Department approved it; that Permitting said all should be fine because they had to file an affidavit saying it did not violate deed restrictions, but the affidavit was not filled out and he spoke with that developer doing the construction, but they were still trying to find a way to get around the deed restrictions and the only solution to the problem that the Permit Department started was for Legal to file a suit in violation of deed restrictions so one part of the city was making money on permits and the other part of the city was spending money to correct their mistakes. Council Member Holm absent.

Council Member Lawrence moved to extend time for Mr. Mayes; and Mayor White stated that by consent they would allow him another 30 seconds. Council Member Holm absent.

Mr. Mayes continued by stating that further back in his presentation they would see where he was sent a form by Chief Inspector De Lasantos where dangerous buildings and junk autos and high weeds were found in the 77017 zip code and he focused specifically on the junk vehicles and checked two weeks ago so they waited three months to check on the progress being made and out of the 19 in the community 10 still existed and five were residents that had moved.

Council Member Garcia stated that he thanked Mr. Mayes for coming and the issue he brought forward had many Council Members also concerned; that he had not had opportunity to hear discussion on Mr. Walsh's improvement of the permitting process which was extremely needed, but he had nothing from Planning on how they were going to improve neighborhoods; that performance measures were staying the same or have decreased; that FTEs and Neighborhood Protection have decreased and there seemed to be a disconnect between what they wanted for the city and how neighborhoods were going to be protected from this; and he thought they needed discussion on moving the growth of the city forward and still protecting neighborhoods and instituting a similar process to the taskforce initiatives the Mayor had moved forward; and Mayor White stated that there were a number of Council Members interested in the topic and he would respond after that time. Council Member Galloway absent.

Council Member Ellis stated that he had a similar situation in violation of deed restrictions and primarily what happened was a developer or property owner would go in and fill out affidavits and he felt they were falsifying documents and then Planning would say it was okay, taking it on face value and everyone else in the community were put into a difficult situation and the burden was placed on the civic association and there had to be a solution; and Mr. Mayes stated that they had recommended to Planning that when deed restrictions were put to question such as number of structures on a lot, setbacks, etc., that a court of competent jurisdiction should have a ruling in regards to that particular issue to where the emphasis was put not on the city or community but the developer himself because he should do the research and if they would look in his packet that particular issue was addressed by their attorney to Planning in the mid 1990s on a project to be placed near President Bush's residence and they could research from that letter. Council Member Goldberg absent.

Council Member Alvarado stated that she and several colleagues had voiced their concern and frustration on the whole issue of deed restrictions and database and lack thereof and she and Council Members Goldberg and Holm and a representative of Council Member Quan's office met with Mr. Litke and the City Attorney and she understood there would be a joint committee sometime next month; that the system was flawed but she felt they could get there with departments willing to do whatever it took and the bottom-line was it had to be resolved and urged her colleagues to come to that meeting when it was held and that all civic clubs would also be invited to participate. Council Member Goldberg absent.

Council Member Holm stated that week after week people such as Mr. Mayes come with issues on Neighborhood Protection and it was comprehensive, it started with a general problem

of Neighborhood Protection not being customer driven and she felt direction was going to have to come from the Mayor and that the departments, citizens and Council come together for changes; that she did not think it could be done with a few recommendations and be there, but that it would take a complete attitude and structural change. Council Member Goldberg absent.

Council Member Lawrence stated that a number of citizens from her community had come and voiced their opinions also and Council was going to have to have a committee addressing neighborhood issues and they were moving to put that in place and now they needed a department to help that committee. Council Member Goldberg absent.

Mayor White stated that Council Member Garcia posed a question to the Chair at the outset and in his view there was a governance issue of setting direction and policy and identifying barriers where he invited the help, leadership and support of his colleagues on Council in the joint committee and he thought his suggestion of looking at a thorough process reform as they did in building permits was warranted and in general to diagnose this as a management problem, they needed organization which was crosscutting with needed skills and whose mission was Neighborhood Protection and the head of the organization would either be great in their job or not stay around if they did not improve; that they should treat the protection and safety of neighborhoods and their infrastructure with the same cares they did public safety, with that responsiveness; that at public Utilities Commission and other proceedings there was a lawyer whose job it was to look after and voice the interest of those who could not hire a lawyer and that citizens voice should be on matters that came before the Planning Commission rather than just explaining why things were not done and it would require changes in the way they manage it; that if they set up an organization and it had 100 slots then people should interview for those positions and people should be assigned areas in the city where they were responsible and where people would know who it was in their area responsible for the neighborhood protection and that was some elements of a good management system; that Mr. Mayes organization and civic clubs around them were good examples of citizens who had been involved in protecting their neighborhood; and he thanked them for bringing the matters to their attention. Council Member Goldberg absent.

Council Member Edwards stated that they had talked about this as long as she was on Council and neighborhood protection was a very quantitative issue, you either picked up the stuff or not and protected the neighborhood or not and she would say again you could not protect your community with deed restrictions and if this city did not grow up and decide zoning was needed then you would always have this; that you at least needed a database to go into and see if there were deed restriction in an area and there was a crisis in leadership here and she believed the Mayor was going to have to take the lead as all she and others got were promises. Council Member Goldberg absent.

Ms. Norma Leos, 1547 Clover Trail, Houston, Texas 77019 (281-444-8971) appeared and stated that she was seventeen and a student and present to address Council Member Galloway for her outstanding efforts in a community project; that she contacted her regarding a traffic light at a dangerous location, there had been many accidents and some loss of life, but the project commenced on November 4, 2002, and it began functioning March 11, 2004, Council Member Galloway and hr assistant were very helpful and had demonstrated care for the community and today she was thanking her for her outstanding work. Council Members Lawrence, Goldberg, Edwards, Holm and Ellis absent.

Council Member Galloway stated that she could use 30 seconds of her time; and Ms. Leos stated that she also wanted to thank the Public Works Department for their hard work and again thanked Council Member Galloway for her work on behalf of her community. Council Members Lawrence, Goldberg, Edwards, Holm and Ellis absent.

Council Member Galloway stated that she wanted to thank Ms. Leos; that she was a teenager and very concerned and she appreciated her coming and was very proud of her; that

she felt her being elected was to see that things were done for her constituents and she was happy to do it. Council Members Lawrence, Goldberg, Edwards, Holm and Ellis absent.

Mr. Joseph Omo Omuari, 2820 Palm 2B, Houston, Texas 77004 (713-524-9368) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Goldberg, Edwards, Holm and Ellis absent.

Dr. David Martin, 6838 Lindbergh, Houston, Texas 77087 (713-645-1065) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Goldberg, Edwards, Holm and Ellis absent.

Mr. William A. Collins, 6502 Star Lake, Humble, Texas 77396 (281-548-0979) had reserved time to speak but was not present when his name was called. Council Members Lawrence, Galloway, Goldberg, Edwards, Holm and Ellis absent.

Mr. Andrew Ward, 2576 Bering Drive, Houston, Texas 77057 (832-277-0566) appeared, presented information and stated that he was bringing an issue forward dear to their hearts and that was money, adding \$10,000,000. to \$12,000,000. to the City of Houston budget and simply by enforcing an ordinance already on the books; that he had been in the waste business about eight years and now had a consulting business, but as a sales rep in a trash company they never tell anyone about a fire dumpster permit required by the Fire Department for every business who has a two yard container or larger, it was \$75.00 for a permit for one dumpster for one year; that he would say 75% of the businesses did not have a current permit and 50% never had a permit; that his suggestion would be for the Mayor to get someone to contact the three major companies in town and ask for a list or number of commercial accounts and then compare it to the Fire Department's number of permits issued, then multiply that by 75 and they would have an estimated minimum revenue to collect, then the issue was how to collect; that he would suggest getting a list of commercial accounts and then have someone go through and tell them to get their permits in, but more importantly would be to get a system in place where the permits were done on a regular basis. Council Member Galloway absent.

Council Member Alvarado moved that the rules be suspended for the purpose of extending time for Mr. Andrew Ward to speak, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Galloway absent. MOTION 2004-0636 ADOPTED

Mr. Ward further stated that one thing they could do would be have waste haulers require a copy of the completed permit from the permit before they delivered a container or they could have waste haulers provide a listing of each new account and container they delivered to the permit department for them to go collect the permit and fee or they could have waste haulers collect for them and then pay them something, but he would encourage them to look into it as 85% of the businesses do not pay the fee.

Council Member Berry stated that he received his E-mail and they had been doing research; and upon questions, Mr. Ward stated that he was positive of what he said and he had zero stake in it.

Council Member Green thanked Mr. Ward for the information; and upon questions, Mr. Ward stated that he did not know if other cities had the ordinance; and Council Member Green stated that before he left someone would get information from him.

Mayor White stated that on the information he provided, Mr. Terrance Fontaine was in his office and would be contacting him and they would follow-up on what he said; that if there was an ordinance on the books and enforcement paid for itself it should be enforced and if it should not be on the books it should be repealed; that everyone was tired of rising property taxes and a user fee was more of what they should look at to defray the expenses of the city; that he did thank him for what he did and it would be followed up. Council Member Goldberg absent.



Ms. Deborah Elaine Allen, 1122 Sol, Houston, Texas 77029 (713-649-8358) had reserved time to speak but was not present when her name was called. Council Member Goldberg absent.

Major Rod Long, 1902 Old Spanish Trail, Houston, Texas 77054 (281-733-3941) appeared, presented information for the Mayor and Council Members and stated that he wanted to thank all who help put together the event last week for the 123 goodbye, it was great; that he wanted all to know they still had marines in the area who wanted to make sure the families had something positive to do between now and when their husbands returned and one thought was maybe to have a tickertape when they returned or something along those lines to show they did have "Bayou City" Marines and they did serve proudly; that he and Captain Tune, who would follow him, was part of a program that got off the ground two years ago called Marines for Life; that many Marines became successful businessmen and could possibly help other Marines by employment or another service as they came back, but the program did exist and the pamphlets handed out would go into more detail; and he hoped they would read them and if they thought of any contacts they should need they could contact Capt. Tune.

Council Member Garcia thanked Major Long for keeping all abreast and stated that everyone was being kept in prayers and it was an honor to be at the sendoff; that he wanted to recognize the Houston Restaurant Association who made a great effort in providing odds and ends; that he wanted to say in his district they had the Veterans Memorial Park and vandals had been defacing it and it sickened him that people could not respect what he and others like him were giving to this country so on behalf of whoever those individuals were he wanted to apologize and say they were working hard to hold them accountable. Council Member Quan absent.

Council Member Sekula-Gibbs stated that she also wanted to thank him and all the Marines who gave so much for the freedom of this country and to share the shock and dismay expressed today at the press conference regarding Veterans Memorial Park and to let all know that if anyone had information they should call Crime Stoppers and there was a \$5,000 reward; that it was disrespectful to the highest degree; and Major Long stated that he saw a video by the Marine Corp and it was at the website of USMC.MILL and in the video it showed young marines in the hospital injured making a statement that they realized people did not necessarily agree what was going on over there in Iraq and did not understand the level of sacrifice the men and women were putting into the effort, but that they were excited because they were helping the Iraqi people gain freedom and that one of the best things about the US was everyone did have freedom of speech and they were protecting that; and it made him proud that young men and women in the military were still willing to put their life on the line for even those vandals. Council Members Quan and Berry absent.

Council Member Lawrence stated that she thanked all soldiers and all services who put their lives on the line and was honored by giving the pledge at the event; and she thanked them for such freedoms as those today being able to come and voice their opinions. Council Members Quan and Berry absent.

Capt. Matt Tune, 12311 Oak Park Circle, Houston, Texas 77070 (281-932-5192) appeared and stated that he ran the Marines for Life Program in Houston and wanted to let them know of some of their successes; that they had been in Houston since last Spring and already had four Marines, one who just returned from Iraq, placed in companies through the program; and if they knew of anyone who might be interested in hiring a few of the proud they could let him know; that also if they knew of anyone who would like to hear their presentation they would be glad to go; that FOX News, Channel 26, did a story on the program and again they thanked them for the sendoff and for any assistance they could give on getting them back into the community when they came back. Council Members Quan and Berry absent.

Council Member Holm thanked Capt. Tune and Major Long for coming and stated that it was a powerful experience last week for the sendoff for the Marines and they thanked all armed forces for what they provided and opportunities they afforded all citizens and she also thanked them for coming and sharing information on the program as she felt many would want to participate. Council Members Quan and Berry absent.

Council Member Green stated that he did not make it to the sendoff but had went to the facility and saw all information they provided to the families on how to get in contact with their loved one and the way they allayed some of the fears and it was an overwhelming experience and he commended them on their work; that this was the first he heard of this program and would be spreading the word; and Capt. Tune thanked him and stated that they were the first service to have this program and he was sure others would follow. Council Member Berry absent.

The City Secretary stated that she was informed an error was made on the list and Ms. Robin Holzer was requested to speak for one minute and should not be under previous speakers so if there was no objections she would call her at this time; and Mayor White stated with no objections they would call her and there being none Ms. Holzer was then called to speak. Council Member Berry absent.

Ms. Robin Holzer, 1306 Fairview, Houston, Texas 77006 (713-301-5716) appeared and stated that she was a steering committee member of a brand new group called Citizen Transportation Coalition and they had been working for the last several months to increase public participation in transportation planning and dozens have come before the Council stating what impacts the plan would have on their neighborhoods; that they wanted to remove new added capacity road projects from the plan and Council Member Berry invited the group to present their proposal in more detail at the hearing this Thursday morning and they were looking forward to it; that they were committed to partnering with the city in helping to develop a framework for public participation in long-range transportation planning as well as in making changes to the RTP; that they wee still working out a time to meet with Mayor White and they were looking forward to working with him; that he was to make an announcement about the city and the Regional Transportation Plan in the future and she hoped they would meet before that announcement. Council Member Berry absent.

Council Member Khan thanked Council Member Berry for scheduling the meeting and he looked forward to their participation. Council Member Berry absent.

Council Member Lawrence thanked Ms. Holzer for coming and complimented their group on the luncheon which just took place with some from Nashville; that it was very beneficial and she thanked her for promoting such meetings. Council Member Berry absent.

Council Member Goldberg stated that he wanted to echo the sentiments; that city government worked best when citizens were involved. Council Member Berry absent.

Mayor White stated that he thanked them also and everything they passed out he did read; that they could meet, but better than that he wanted to be a partnership working together. Council Member Berry absent.

Mr. Dean Becker, 11215 Oak Spring, Houston, Texas 77043 (281-752-9198) appeared, presented information and stated that for eighty nine and one half years they had escalated the level of misery in the nation through their policy of drug prohibition and based on racial screeds and hysterical posturing the drug war took on a life of its own; that there was no justice, no logic, no basis whatsoever to the drug war and the prohibition of drugs was a sham; that Council Member Edwards had been on his radio show and recognized the racial bias that threatened the nation as a result of the drug war policy and the District Attorney, Mr. Chuck Rosenthal, informed him that Harris County led the world in rate of incarcerations and he saw no racial bias and did no know the basis for the laws and was not sure if there were medical marijuana

patients in Harris County, but when the only tool you had was a hammer, everything looked like a nail and that if marijuana possession was not against the law it was fine with him so why did the Mayor and Council allow law enforcement to waste precious resources and millions of dollars arresting thousands and thousands of marijuana users and he would like to speak with them. Council Members Holm, Garcia and Berry absent.

Ms. Jacquelyn Doakes, 2425 Holly Hall #E62, Houston, Texas 77054 (713-796-2263) had reserved time to speak but was not present when her name was called. Council Members Holm, Garcia and Berry absent.

Ms. Lisa Hunter, 2413 Truxillo, Houston, Texas 77004 (713-529-9295) appeared and stated that she was a member of the Freedmen's Neighborhood Association and her concern was about the closing of Andrew Street; that it was being closed because of the eminent domain for Gregory Lincoln School and she hoped they would not cover those bricks their ancestors put down and wanted to know what they were to do there and what they would do with those bricks. Council Members Khan, Holm, Garcia and Berry absent.

Council Member Edwards thanked Ms. Hunter for coming and speaking to the issue and stated that what was happening in Freedmen's Town to her was more than Andrew Street and she had asked for all development and work to stop in Freedmen's Town until they got the whole issue of historical preservation; that they protected the Alamo and the San Jacinto Battle Ground and she was calling for the same protection on the Freedmen's Town area. Council Members Khan, Holm, Garcia, Sekula-Gibbs and Berry absent.

Council Member Alvarado stated that when this issue came to light she and Council Member Edwards were taken by surprise because they were not informed of the street being closed until right when it happened; that she was not sure what could be done now, but hoped in the future Council Members would be notified of street closures. Council Members Khan, Sekula-Gibbs and Berry absent.

Council Member Edwards stated that she felt there was no respect for the community and people were used to doing what they wanted in that area and that was why she was asking for state law protection. Council Members Goldberg, Khan, Holm, Sekula-Gibbs and Berry absent.

Upon questions by Mayor White, Council Member Edwards stated that the street was closed for the school, but for her the issue was not just the street it was the whole area; that as far as she knew it was the only historical intact designation of that type in the country and they were losing it piece by piece; and it needed to be stopped. Mayor White stated that she raised a good concern and he would check on the closure; and if Mr. Norman could get him a report he would appreciate it. Council Members Lawrence, Goldberg, Khan, Holm, Ellis, Sekula-Gibbs and Berry absent.

Ms. Njeri Shakur, 2901 Fulton, Houston, Texas 77009 (713-222-0749) appeared and stated that she was an ex-resident of Freedmen's Town and was very concerned with what was going on there; that she too wanted to know why the street was closed, it caused inconvenience to those living there; and she was sure the Mayor and Council was sick of them coming regarding Freedmen's Town but it was a haven for many years ago and the survivors of the slave trade did not have the right to remove those bricks so certainly no one else did and that was why they came again and again. Council Members Lawrence, Goldberg, Holm, Ellis, Sekula-Gibbs and Berry absent.

Mr. Lenwood Johnson, P. O. Box 21371, Houston, Texas 77226 (713-731-0495) appeared and stated that he was a representative of the Freedmen's Neighborhood Association and he had sent a letter to Public Works last year with a copy to Council Members and he made sure Mayor White recently got a copy, but the Andrew Street closure changed the traffic pattern and they wanted a report from the Mayor; that the street was bought and paid for by the Blacks as

the city had refused to; that they wanted a report how the street pattern changed with no procedures going through and how the fence went across the street as it did. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Mayor White stated that he would also like a report on those issues and he did appreciate the articulate way he addressed the issue. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Ms. Nicole Shields, 2404 Lucas, Houston, Texas 77026 (281-580-2540) appeared and stated that she was present to address the behavior of the Houston Police Department, their harassment of their community as a result of the brutal killing of Hiji Harrison during a simple traffic stop; that they had been driving up and down the 5400 block of Rand and shining lights, etc., and in her opinion trying to intimidate and requested the matter be looked into. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Council Member Edwards thanked Ms. Shields for her comments and stated that she thought the Sheriff's Department was involved with the killing of Mr. Harrison and not HPD; and Ms. Shields stated that it was the Sheriff's Department was involved in the killing but where the victim's family lived the police had been driving up and down and intimidating. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Ms. Krystal Muhammad, 7125 Reed Road, Houston, Texas 77087 (281-221-8467) appeared and stated that she was chairing the new Black Panther Party and represented several organizations in the Houston community; that Hiji Harrison was murdered by a sheriff, while in handcuffs his brains were blown out; that he was shot twice in the head and twice in the back while in handcuffs and it was ruled an accident; that they wanted a letter from Council Member Galloway putting pressure on the DA to indict the officer and they wanted the Mayor to get the Police Chief to go out and let them know the harassment would no longer continue. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Edwards, Ms. Muhammad stated that it had been ruled an accident; an officer went to them the morning after the murder and said it was an accident and that was the only contact they had. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Council Member Galloway stated that she wanted to correct her, first the killing was not in her district it was in the county and Mr. Harrison did not live in her district but did grow up approximately two blocks from her home and she knew his family and it was not HPD; that if they were harassing the family at the grandmother's that was in her district and if she could get information to her regarding the harassment she would appreciate it. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Khan, Ms. Muhammad stated that they did not know why HPD was harassing those stopping at the families home, but that was what they wanted to know. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Mr. Edwin Steward, 5430 Rand, Houston, Texas 77026 (713-673-5449) appeared and stated that he too was speaking on behalf of Hiji Harrison and the harassment by HPD on Rand Street; that he watched officers get out of the car and they said they were making too much noise, but everyone in the neighborhood that day was in that yard; that they snatched a young man out of the yard and told everyone to get back; that he asked for the officer's badge number and was told to get back; that he should not have to look down to a man when he put his pants on the same way; that he tried to file a complaint on the phone and they said he could not do it over the phone even if their streets were blocked off and the person would not give him his name; that he was not saying officers in general were bad, but there was a problem now and something needed to be done before someone was hurt. Council Members Lawrence, Ellis,

Sekula-Gibbs and Berry absent.

Council Member Galloway stated that they had spoke about the matter and she did not know if he was at the meeting when the Chief was there, but his cousin had given the Chief the information and they had a complaint lodged on what happened the night of the wake service, but if there were other incidents since that night they would like to know about those; that the grandmother and Hiji's wife all had her number to contact her and there was an investigation and she was sure the family members would be hearing something. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Upon questions by Council Member Green, Mr. Steward stated that every day there was an officer sitting on the corner of the street or riding down it; that it looked like they were looking for something and he did not know if they were trying to antagonize the family or community but something was going on and it needed to be taken care of. Council Member Green stated that many people in the neighborhood liked the police going through, but they did need to find a medium ground because they did not want people harassed and someone from his office would contact him. Council Members Lawrence, Ellis, Sekula-Gibbs and Berry absent.

Ms. Yvonne James, 5430 Rand, Houston, Texas 77026 (713-673-5449) appeared and stated that they did talk with Council Member Galloway may 24th at the Kashmere Center and she said she would help and do something and now she was turning her back because she was running for office and a lot of lies came out of her mouth. Council Members Lawrence, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that they tried to treat citizens with civility and he would encourage others to do so; that he watched how long and hard Council Member Galloway worked and people may disagree with her but she really worked and they did need to treat one another with respect. Council Members Lawrence, Garcia, Ellis, Sekula-Gibbs, Green and Berry absent.

Council Member Galloway stated that first of all she was on her last term to correct her in one area and this was her third term; that she spoke with Hiji's wife, Mrs. Harrison, at her job and on a matter she was assisting her so maybe she should get with her to find out what the latest was. Council Members Lawrence, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent.

Council Member Edwards stated that she would like to request the Public Safety Committee or Chief Hurt issue a report to her office on the allegations; that she knew there was an investigation going on, but if could say what his office was doing they could go from there; and Mayor White stated that Assistant Chief Perales was present and he would like to ask that he let them know about where they were as it would be helpful; that he could see why citizens were concerned, if someone shot two people in eight days and he was sure the DA was aware of the level of scrutiny that would deserve. Council Members Lawrence, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Mayor White asked if Mr. Lynwood Johnson was still present as he wanted to share information with him, but he had left the Chamber and Mayor White stated that Public Works did ask HISD to stop removing the bricks and he wanted to report on that; if they were still removing them then member of the board of HISD would be contacted promptly. Council Members Lawrence, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent.

Ms. Anna Vaughn had reserved time to speak but was not present when her name was called. Mayor White, Council Members Lawrence, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding.

Mr. Hartwell Remsburg, Jr., 4001 Watonga Blvd #3715, Huston, Texas 77092 (713-263-8272) appeared and stated that he wanted to thank the Mayor for his leadership as he

thought he was doing a good job; that the change of about 60 bus routes had caused a lot of chaos for many and for him it took two to three buses to get somewhere when before it took one and it was a problem for many; that Council had a number of people on the Metro Board and he hoped they might reconsider what was done; that he would soon be leaving the city after many years here and he wanted to thank the City Secretary for her services also. Mayor White, Council Members Lawrence, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

The City Secretary stated that Ms. Jacquelyn Doakes was now present and would be recalled at this time. Mayor White, Council Members Lawrence, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Jacquelyn Doakes, 2425 Holly Hall #E62, Houston, Texas 77054 (713-796-2263) appeared and stated that she was a proud native Houstonian and wanted to express her appreciation for the work the Mayor and Council had done so far as many positive acts were being undertaken, however, she did have a few concerns; that the Mayor was running the city as a corporation and she wanted to remind everyone that he was an elected official and this was a democratic city; that the Katy Freeway Tow system was one concern, it was devastating to have a break down on the freeway and would hate a visitor to be passing through and encounter that situation and suggested that they be towed off free and then negotiate. Mayor White, Council Members Lawrence, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated that she would allow her to use some of her time; and Ms. Doakes stated that she heard 288 was being considered to be a toll road and that was unfair to do so without a public vote; and Mayor Pro Tem Alvarado stated that she had not heard of such. Ms. Doakes stated that she just heard it. Mayor White, Council Members Lawrence, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Council Member Wiseman stated that the ordinance was passed and vehicles were subject to tow; that there were no exclusive contracts in place but the ordinance in place did permit the immediate towing of any vehicle from any freeway; that it was her hope many concerns raised would be reviewed, however, this body chose to pass the ordinance and it was now in place; that the only thing she foresaw in the future was a lawsuit filed by someone and then it would be up to the courts and she was sure they would rectify the ordinance. Mayor White, Council Members Lawrence, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Ms. Diana Jackson, 5021 South Acres Drive, Houston, Texas 77048 (713-733-5491) appeared and stated that she was a retiree of Southwestern Bell and her situation dealt with a manufactured home she placed on her one acre lot located in the Sunnyside area; that she applied for a hardship in 200 and received it in 2001 and 2002 and it was a security permit, but in 2003 she found they were requiring a permanent housing plan which meant they wanted you to sell your home and live wherever and in looking at the permits she found the department had changed one sentence in the application; that it was not addressed in the 20 year old ordinance and she was asking if Council could look into it. Mayor White, Council Members Lawrence, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Alvarado stated that Ms. Hartgrove was present from Planning and she would speak with her at this time. Mayor White, Council Members Lawrence, Goldberg, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77020 (202-FA3-4511) had reserved time to speak but was not present when his name was called. Mayor White, Council Members Lawrence, Goldberg, Edwards, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. William E. Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and expressed his personal opinions until his time expired. Mayor White, Council Members Lawrence, Goldberg, Edwards, Wiseman, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Lonn Vasquez, 1704 Webber, Houston, Texas 77007 (713-864-5667) appeared and stated that he joined the Medical Reserve Corp earlier today as he thought it important; that an HPD officer suggested an ice rink be built on the reflection pool during the holidays and he would ask that be looked at; that the Alabama and Main Street Ice Rink was another item and also the homeless project and something was going on he did not understand and Council was holding him up. Mayor White, Council Members Lawrence, Goldberg, Garcia, Ellis, Quan, Sekula-Gibbs, Green and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

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

Council Member Green stated that he wanted to follow-up on Council Member Galloway's comment last week and asked for suggestions on how to best help him; and President Charles stated that it was not help HPD provided protection to the innocent public and continued voicing personal opinions regarding his organs and protection; and Council Member Green stated that with all respect they had not been successful in the assassination attempt and it seemed he may have more power than he believed and they were glad no one had been successful. Mayor White, Council Members Lawrence, Goldberg, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, 3714 Bain, Houston, Texas 77026 (713-260-6144) appeared and expressed his personal opinions until his time expired. Mayor White, Council Members Lawrence, Goldberg, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

At 5:00 p.m. City Council recessed until 9:00 a.m., Wednesday, June 9, 2004. Mayor White, Council Members Lawrence, Goldberg, Garcia, Ellis, Quan, Sekula-Gibbs and Berry absent. Mayor Pro Tem Alvarado presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, June 9, 2004

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, June 9, 2004, with Mayor Bill White presiding and with Council Members Toni Lawrence, Carol Mims Galloway, Mark Goldberg, Ada Edwards, Addie Wiseman, M. J. Khan, Pam Holm, Adrian Garcia, Carol Alvarado, Mark Ellis, Gordon Quan, Shelley Sekula-Gibbs, M.D., Ronald C. Green and Michael Berry; Mr. Anthony Hall, Chief Administrative Officer, Mayor's Office; Mr. Arturo Michel, City Attorney; Ms. Marty Stein, Agenda Director and Mr. Jose Soto, Deputy Agenda Director present.

At 8:22 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 Mayor Pro Tem Alvarado reconvened the meeting of the City Council and stated that the first order of business was the Mayor's Report.

Council Member Ellis moved to suspend the rules to consider Item Numbers 32 and 20-1 out of order, seconded by Council Member Sekula-Gibbs. All voting aye. Nays none. Mayor White, Council Members Galloway, Wiseman and Garcia absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0637 ADOPTED.

32. **SET A PUBLIC HEARING DATE** to consider the creation of a **TAX ABATEMENT REINVESTMENT ZONE (MEMORIAL HERMANN REINVESTMENT ZONE) - DISTRICT D – EDWARDS SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - TWO WEEKS AFTER DATE OF PASSAGE** – was presented, and tagged by Council Members Khan, Lawrence and Goldberg. Mayor White, Council Members Galloway, Wiseman and Garcia absent. Mayor Pro Tem Alvarado presiding.

20-1. ORDINANCE relating to Municipal Court Collections; authorizing the implementation of Article 103.0031 of the Texas Code of Criminal Procedure, including a 30% Collection Fee; approving and authorizing a second amended and restated agreement for Collection Services between the City and **LINEBARGER, GOGGAN, BLAIR, & SAMPSON, LLP** for Collection Services relating to Delinquent Parking and Non-Parking Citations – was presented. Mayor White, Council Members Galloway, Wiseman and Garcia absent. Mayor Pro Tem Alvarado presiding.

Council Member Khan stated that he would tag Item No. 20-1 because there were a couple of things that he was very concerned about, that the numbers they were given at the briefing on the budget hearing showed that the City was collecting more money before the contract than after the contract and that issue was still not clear, that the contractor was telling him that he was not comparing apples to apples, they were collecting more money and the City was telling him that they were collecting less money, that he would request that they get at least a quarterly report on the performance of the contract even if it was passed, that those were the issues that he needed someone to brief him on before next week. Mayor White and Council Member Goldberg absent. Mayor Pro Tem Alvarado presiding.

Mayor Pro Tem Alvarado stated that she thought perhaps it could come through Council Member Ellis's committee, perhaps a joint briefing by the firm and Municipal Courts, and Council Member Ellis stated that he would commit to do that. Mayor White and Council Member Goldberg absent. Mayor Pro Tem Alvarado presiding.

Council Member Sekula-Gibbs moved to suspend the rules to hear from Ms. Barbara Sudhoff, Director, Municipal Courts, at this time, seconded by Council Member Ellis. All voting aye. Nays none. Mayor White and Council Member Goldberg absent. Mayor Pro Tem Alvarado presiding. MOTION 2004-0638 ADOPTED.

Upon questions by Council Members, Ms. Sudhoff stated that there were pre-penalty cases which were cases that were traffic, non-traffic and parking that would be referred under the delinquent collections contract, they were part of the contract, the vendor must perform at the same level as the other cases, however they were not included and were not part of the 30% collection fee, but they were part of the contract that the vendor must perform, they must send notices and make the telephone calls, so therefore they were included in the scope of services, if the contract was approved by Council today the effective date would be July 1, 2004, so pre-penalty cases would be everything prior to July 1, 2004, that she thought the contract was a good deal for the City and thought they would have no problem in satisfying Council Member Khan question regarding a quarterly report; that collection services in the past were



under F&A prior to Municipal Court administration, that both under F&A and Municipal Court the record speaks that having in house delinquent collections was still profitable for the City, but she begged to differ, she believed that the City did do an excellent job with very limited services, however she believed that yes the contract was good for the City, that they were concession dollars and the concession dollars scheduled were per year, that they would receive \$150,000 within 30 days, another \$150,000 within 6 months and then each year after that the contract was renewed there was a scheduled of \$200,000 that the City would receive, in addition to that the firm was producing and providing other services, for example lockbox services, if they chose to go that route the vendor would pay for those services; that Senate Bill 782 provided that it was delinquent and referred to them by the statute by day 61, so if they had to make a change they would have to go back and modify State Law to modify the timetable, that the vendor already had a new system and had put it in, that she could not speak to other expenditure items, the only other expense that they were incurring with the contract, that she was aware of, was that they were paying for the mainframe programming to implement the contract, that she knew of there was no hardware or software that they needed to invest, that at the end of two years once the ICMS system was up they would have the tools, if the Mayor and Council chose, for delinquent collections to be done in house, 50%, otherwise the contract was null and void, that she had no idea what the programming would cost but would get that for them, that she would not have the capacity for two years because the system would go live on February 2005 and then she would have to pass final acceptance so that was why they had negotiated a two year contract to give the City the ability to then be in a position to even consider. Council Member Goldberg absent.

After further discussion Council Member Khan stated that he would release his tag on Item No. 20-1. Council Member Goldberg absent

A vote was called on Item No. 20-1. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2004-0561 ADOPTED.

Council Member Galloway moved to suspend the rules to consider Item No. 19 out of order, seconded by Council Member Green. All voting aye. nays none. Council Member Goldberg absent. MOTION 2004-0639 ADOPTED.

At 9:32 a.m. Mayor White stated that they would move to the Mayor's Report and invited Mr. William Sharman, Chair of the Mayor's Conventions, Tourism and Entertainment Task Force to the Council table for a briefing.

**MAYOR'S REPORT** - Briefing on Mayor's Conventions, Tourism and Entertainment Task Force  
William Sharman, Chair

Mr. Sharman stated that they had handed out a brief report to each Council Member titled "Mayor's Task Force Conventions, Tourism and Entertainment" Executive Summary and reviewed the summary, a copy of which is on file in the City Secretary's Office for review. Council Members Goldberg and Berry absent.

Mr. Sharman was questioned at length by Members of Council and Mayor White thanked him and all of the people who worked on the task force for all of their hard work. Council Members Goldberg and Berry absent.

19. ORDINANCE approving and authorizing an agreement between the City of Houston and **TX ALDINE-BENDER HOUSING, L.P.** to provide a \$1,500,000.00 loan of Federal "HOME" Funds for eligible costs in connection with the construction of an apartment building to be located in the 100 block of Aldine-Bender Road, Houston, Texas, to house low and very-low income elderly residents - **DISTRICT B – GALLOWAY** - was presented. Council Member Ellis no, balance voting aye. Council Members Goldberg and Berry absent. ORDINANCE 2004-0562 ADOPTED. (Note: Later in the meeting Council

Member Berry advised that it was his intention to vote “no” on Item No. 19.)

**CONSENT AGENDA NUMBERS 1 through 31**

**MISCELLANEOUS** - NUMBERS 1 through 3

1. RECOMMENDATION from Chief of Police for Injury on Duty status for Police Officer **PAUL PEREZ** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-0640 ADOPTED.
2. RECOMMENDATION from Chief of Police for Injury on Duty status for Police Officer **SHEILA PORTER** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-0641 ADOPTED.
3. RECOMMENDATION from Chief of Police for Injury on Duty status for Police Officer **GREGORY WATSON** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Members Goldberg and Berry absent. MOTION 2004-0642 ADOPTED.

**ACCEPT WORK** - NUMBERS 4 and 5

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$345,154.00 and acceptance of work on contract with **ALBERTI DESIGN, INC** for Renovation of Shower Areas Metropolitan Multi-Service Center, GFS H-0062-01-3 - **DISTRICT D - EDWARDS** – was presented, moved by Council Member Alvarado, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0643 ADOPTED.
5. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,500,515.27 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Construction of Westview Drive Paving: Shadowdale to Gessner Road, GFS N-0549-03-3 (SB9022) - 14.26% under the original contract amount - **DISTRICT A - LAWRENCE** – was presented, moved by Council Member Alvarado, seconded by Council Member Khan. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0644 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 8 through 15

8. **KITCHEN EQUIPMENT FABRICATING COMPANY** for Two High-Capacity Dishwashers for Convention & Entertainment Facilities Department - \$102,500.00 minus a commission fee (3% for Internet-based reverse auction services) for a net award amount of \$99,425.00 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0645 ADOPTED.
9. **ENCO SYSTEMS, INC** to Furnish and Install a Security System at the Wortham Theater Center for the Convention & Entertainment Facilities Department - \$201,369.00 and contingencies for a total amount not to exceed \$211,437.45 - Enterprise Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0646 ADOPTED.
10. ORDINANCE appropriating \$177,376.32 out of City of Houston Subordinate Lien Hotel Occupancy Tax and Parking Revenue Commercial Paper Notes Series A for the Structural Repair of the Fannin Garage for the Convention & Entertainment Facilities Department -

was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0563 ADOPTED.

- 10a. **CENTURY WEATHERPROOFING, INC** for Structural Repair of the Fannin Garage for Convention & Entertainment Facilities Department - \$168,929.83 and contingencies for a total amount not to exceed \$177,376.32 – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0647 ADOPTED.
11. **MULLEN ASPHALT PAVING CO., INC** for Parking Lot Rehab for Health & Human Services Department - \$82,000.00 and contingencies for a total amount not to exceed \$86,100.00 - Health Special Revenue Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0648 ADOPTED.
12. **TOTER INCORPORATED** for Automated Refuse Carts from the State of Texas Building and Procurement Commission's Contract through the State of Texas Cooperative Purchasing Program for Solid Waste Management Department - \$164,998.30 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0649 ADOPTED.
13. **AMEND MOTION 2001-747, 7/3/01, TO EXTEND** expiration date from July 12, 2004 to July 11, 2005, for the Detroit Diesel Replacement Parts Contract for Various Departments, awarded to **STEWART & STEVENSON SERVICES, INC** – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0650 ADOPTED.
15. **BROOKSIDE EQUIPMENT SALES, INC** - \$33,940.00 and **CONROE GOLF CARS (Bid No. 2)** \$43,788.00 for Utility Carts for Various Departments - Enterprise Funds – was presented, moved by Council Member Khan, seconded by Council Member Alvarado. All voting aye. Nays none. Council Member Berry absent. MOTION 2004-0651 ADOPTED.

**ORDINANCES** - NUMBERS 17 through 30

17. ORDINANCE finding and determining that public convenience and necessity no longer requires the continued use of a portion of Henke Street, from Armour Drive South to its dead-end containing 18,210 square feet of land, more or less, being out of the Harris & Wilson Two-League Grant Survey, A-32, Harris County, Texas vacating and abandoning said tract of land to Clorox Products Manufacturing Company, the abutting owner, in consideration of the payment of \$62,849.00 and other consideration to the City - **DISTRICT I - ALVARADO** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0564 ADOPTED.
22. ORDINANCE approving and authorizing an interlocal agreement between the City and **ALIEF INDEPENDENT SCHOOL DISTRICT** for the Construction of High Star Drive from Dairy Ashford Road to Kirkwood Road; CIP N-0694-01-2 (SB9115) - **DISTRICTS F - KHAN and G - HOLM** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0565 ADOPTED.
29. ORDINANCE appropriating \$474,954.70 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approve a second amendment with **CHARLES D. GOODEN CONSULTING ENGINEERS, INC** for Design of Britmoore Road from Hammerly Blvd. to Clay Road, GFS N-0597-01-2 (SB9035), (approved by Ordinance No. 99-0055 on January 27, 1999); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A** -

**LAWRENCE** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0566 ADOPTED.

30. ORDINANCE appropriating \$414,000.00 out of Street & Bridge Consolidated Construction Fund No. 437, awarding contract to **JERDON ENTERPRISE, L.P.** for Gessner Road Detention Facility, GFS N-0658-02-3; (SB9024); providing funding for engineering, testing, contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund No. 437 **DISTRICT A - LAWRENCE** - was presented. All voting aye. Nays none. Council Member Berry absent. ORDINANCE 2004-0567 ADOPTED.

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

**ACCEPT WORK**

6. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,490,938.72 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, L.P.** for Neighborhood Sanitary Sewer Systems Improvements; Tilfer/Fairway, Cullen Boulevard, Woodhead and Yellowstone Boulevard Relief Projects, GFS R-2011-19-3 (4808) - 02.07% over the original contract amount - **DISTRICTS D - EDWARDS and I - ALVARADO** – was presented, and tagged by Council Member Garcia.

**PROPERTY**

7. ORDINANCE appropriating \$13,637.00 out of Street & Bridge Consolidated Construction Fund Number 437 to pay the amount needed to settle this case and pay the City's costs of court in connection with the eminent domain proceeding styled City of Houston v. Beverly Edelman, et al, to acquire Parcel Number L98-13, for the Almeda-Genoa Road Paving Project (Almeda Road State Highway 288); GFS/CIP N-0493-00-1 - **DISTRICT D - EDWARDS** – was presented, and tagged by Council Member Wiseman.
- 7a. RECOMMENDATION from City Attorney to settle eminent domain proceeding styled City of Houston v. Beverly Edelman, et al., Cause No. 731,631; for a total amount of \$107,000.00 and pay all costs of court, in connection with **ALMEDA-GENOA WIDENING PROJECT (Almeda Rd. State Highway 288)**; CIP/GFS N-0493-00-1 - **DISTRICT D - EDWARDS** – was presented, and tagged by Council Member Wiseman.

**PURCHASING AND TABULATION OF BIDS**

14. **AMEND MOTION 2001-792, 7/11/01, TO EXTEND** expiration date from July 23, 2004 to July 22, 2006, for the Beverage, Electrolyte Replenishment Contract for Various Departments, awarded to **GOLD LABEL, INC (formerly HOGAN'S GOLD LABEL, INC)** – was presented, moved by Council Member Alvarado, seconded by Council Member Sekula-Gibbs. MOTION 2004-0652 ADOPTED.

**ORDINANCES**

16. ORDINANCE authorizing the issuance of Non-Recourse, Variable/Fixed Rate City of Houston Note in the amount of \$25,000,000, approving a \$25,000,000 contract for Loan Guarantee Assistance between the City of Houston and the United States Department of Housing and Urban Development under the provisions of Section 108 of the Housing and Community Development Act of 1974, as amended, for HUD's Guarantee of the \$25,000,000 Note, and related Loan Documents, including amended and restated Master Fiscal Agency Agreement, Trust Agreement and related Trust Supplement, Letter Agreements and Blocked Account Control Agreement, Security Agreement and related

financing statement, and City of Houston Closing Certificate, the proceeds of which \$25,000,000 Note shall be used to provide further funding of four loan programs previously established by the City under its Section 108 Initiative, including the Micro-Enterprise Loan Program, the Small Business Development Loan Program, the Single Family Home Improvement Loan Program and the Multi-Family Housing Rehab Loan Program; authorizing the allocation of \$5,975,000 of previously unallocated EDI Grant Funds for use in connection with the Section 108 Loan to be allocated pro rata among the four Section 108 Loan Programs; authorizing the City to enter into a fifth amendment to Subrecipient Loan Agreement and related loan and modification documents between the City of Houston and Houston Small Business Development Corporation, as the City's Subrecipient, to provide additional funding from the \$25,000,000 Note in the amount of \$13,500,000 for the continuation of the Micro-Enterprise Loan Program and the Two-Tiered Small Business Development Loan Program, to modify certain terms of the Subrecipient Loan Agreement, and to provide a pro rata amount of such EDI Grant Funds in connection with such loan programs; authorizing the City to provide additional funding from the Section 108 Loan in the amount of \$11,500,000 for the continuation of the Single Family Home Improvement Loan Program and the Multi-Family Loan Program, and to provide a pro rata amount of such EDI Grant Funds in connection with such loan programs; authorizing a Document Custodian Agreement between the City of Houston, HSBDC, and Southwest Bank of Texas, N.A., as document custodian, to provide custodial services with regards to the City's Section 108 Initiatives for the benefit of HUD; authorizing the Director of the City's Department of Housing and Community Development, with HUD's approval, to reallocate Section 108 Loan Proceeds from the \$25,000,000 Note and to reallocate such EDI Grant Funds among HSBDC's Micro-Enterprise and Small Business Development Loan Programs, the Single Family Home Improvement Loan Program, and the Multi-Family Loan Program; authorizing the Mayor, at the request of the Director of the Department of Housing and Community Development from time to time, to seek HUD approval for additional allocations of EDI Grant Funds in an amount up to fifteen percent (15%) of the aggregate face amount of the \$25,000,000 Section 108 Loan plus all prior Section 108 Loans previously made by the City, to be used in association with the \$25,000,000 Section 108 Note and the City's other existing Notes previously issued in connection with the City's Section 108 Initiative; and approving related actions and documents relating to the proposed Section 108 Contract and the City's Section 108 Initiative - was presented. All voting aye. Nays none. ORDINANCE 2004-0568 ADOPTED.

18. ORDINANCE approving and authorizing agreement between the City of Houston and **LITTLE YORK VILLAS, L.P.** to provide a \$441,600.00 Loan of Federal "HOME" Funds for eligible costs in connection with the acquisition and rehab of an apartment building located at 6900 block of Nuben and W. Little York, Houston, Texas, to house low and very-low income residents **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2004-0569 ADOPTED.
20. ORDINANCE approving and authorizing Amendment No. 1 to engagement letter between the City of Houston **CONNELLY, BAKER, WOTRING, JACKSON, LLP** for the provision of Environmental Legal Services for the Houston Airport System; providing a maximum contract amount; 3 Years - \$350,000.00 - Enterprise Fund - was presented. All voting aye. Nays none. ORDINANCE 2004-0570 ADOPTED.
21. ORDINANCE approving and authorizing contract between the City of Houston and **GREENBERG TRAUIG, LLP** for Professional Legal Services, providing a maximum contract amount \$110,000.00 - Property and Casualty Fund - was presented, and tagged by Council Member Wiseman.
23. ORDINANCE appropriating \$862,000.00 out of Airport System Subordinate Lien Revenue Bonds Series 1998B AMT (535); authorizing purchase of land and improvements thereon

out of Greenview Manor Section Two and Beeler Subdivision, McAuley Survey, A-577, Houston, Harris County, Texas, for a Noise Compatibility Program at Bush Intercontinental Airport, CIP A-0476-36.1; approving purchase and sale agreements with the owners of the land (Cosme E. Ramirez and Delva V. Ramirez; George Wayne Grifno and Mary Grifno; Sergio Montelongo and Sandra Montelongo; Salvador M. Rodriguez and Maria Isabel Rodriguez; Joe Alfred Umana and Elizabeth Umana; and Arthur M. Mann and Pamela Mann - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2004-0571 ADOPTED.

24. ORDINANCE appropriating \$163,300.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing Advance Funding Agreement between the City and **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Construction of Airport Boulevard from Hiram Clark Road to FM 521 under the Principal Arterial Street (P.A.S.S.) Program, CIP N-1310-01-2 (SB9187); providing funding for contingencies relating to the construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT D - EDWARDS** - was presented. All voting aye. Nays none. ORDINANCE 2004-0572 ADOPTED.
25. ORDINANCE appropriating \$100,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Professional Environmental Consulting Services contract between the City of Houston and **SEPARATION SYSTEMS CONSULTANTS, INC** for Environmental Assessments, CIP R-0019-30-2; providing funding for project management - was presented, and tagged by Council Member Wiseman.
26. ORDINANCE awarding construction contract to **COLT UTILITIES, INC** for Water, Sanitary Sewer and Storm Drainage Systems to serve Section Four for the Tierra Glen Subdivision; approving and authorizing assignment of construction contract to **BEAZER HOMES TEXAS. L.P.**, CIP S-0800-80-3 and R-0800-80-3 (DPC-35) - **DISTRICT E - WISEMAN** - was presented, and tagged by Council Member Wiseman.
27. ORDINANCE appropriating \$463,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **WCW INTERNATIONAL, INC** for Design of Water Line Replacement in the Holcombe Area, CIP S-0035-C1-2 (WA10783); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. ORDINANCE 2004-0573 ADOPTED.
28. ORDINANCE appropriating \$250,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing a first amendment to a professional surveying services contract between the City and **RODS SURVEYING, INC** for Survey Control; CIP N-0645-04-2; N-0645-04-3; (SB9028); providing funding for contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund - was presented, and tagged by Council Member Wiseman.
31. ORDINANCE appropriating \$1,067,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS BRIDGE, INC** for Rehabilitation of Two and Replacement of One Ground Storage Tank at Three Pumping Stations, GFS S-0600-33-3; (WA10675-33); providing funding for engineering, testing, contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; E - WISEMAN and G - HOLM** - was presented. All voting aye. Nays none. ORDINANCE 2004-0574 ADOPTED.

## **PROPERTY**

33. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Valerie Sarrazola, on behalf of Francisco Sarrazola, for abandonment and sale of ±4,259 square feet (±0.0978 acre) of excess, fee-owned Westpark Drive right of way, out of a ±10,691 square foot (±0.2454 acre) tract, located in the S. Smith Survey, Abstract 1049, Parcel SY4-035 - **APPRAISERS - DISTRICT G – HOLM** – was presented.

Council Member Holm named Mr. Robert Jones and Mr. Tom Kvinta as appraisers and Mr. William Kvinta as alternate appraiser and moved approval of the recommendation, seconded by Council Member Green. All voting aye. Nays none. MOTION 2004-0653 ADOPTED.

## **MATTERS HELD** - NUMBERS 34 through 42

34. MOTION by Council Member Khan/Seconded by Council Member Quan to adopt recommendation from Finance & Administration Department for **AMEND MOTION #2001-867, 8/1/01, TO INCREASE** spending authority from \$217,415.21 to \$271,769.01, for Vehicle Console Systems Contract for Police Department, awarded to **SMC/ADVANCED PRODUCTS – (This was Item 4 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. MOTION 2004-0654 ADOPTED.
35. ORDINANCE issuing permit to the **UNIVERSITY OF TEXAS SYSTEM** for constructing, maintaining, using, occupying, operating and repairing an aerial pedestrian walkway within the 6900 Block of Bertner, and the 1500 Block of Holcombe, 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 D - EDWARDS – (This was Item 9 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER EDWARDS)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0575 ADOPTED.
36. ORDINANCE approving and authorizing contract between the City and **ARTS COUNCIL OF HOUSTON/HARRIS COUNTY REGION** for the Support of the Arts Community – **(This was Item 11 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. Council Member Alvarado absent.

Council Member Goldberg stated that he was working on an amendment to Item No. 36 and moved to consider Item No. 36 at the end of the agenda, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Alvarado absent. MOTION 2004-0655 ADOPTED.

37. ORDINANCE approving and authorizing first amendment to contract between the City of Houston and **ALLPRINTING** for Printing Services for Various Departments (as approved by Ordinance No. 99-282) – **(This was Item 19 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBERS GREEN and GALLOWAY)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0576 ADOPTED.
38. ORDINANCE appropriating \$359,700.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **ROLANDO H. BRIONES, JR. D/B/A BRIONES CONSULTING** for Design of Waterline Replacement in the Cliffwood Area, CIP S-0035-B8-2 (WA10781); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT C – GOLDBERG – (This was Item 30 on Agenda of June 2, 2004, TAGGED BY COUNCIL**

**MEMBER GOLDBERG**) - was presented. All voting aye. Nays none. ORDINANCE 2004-0577 ADOPTED.

39. ORDINANCE appropriating \$526,860.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **TSC ENGINEERING COMPANY** for Design of Waterline Replacement in the Jensen-610 Area, CIP S-0035-C4-2 (WA10786); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H – GARCIA** – **(This was Item 31 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER GARCIA)** - was presented. All voting aye. Nays none. ORDINANCE 2004-0578 ADOPTED.
40. ORDINANCE appropriating \$305,900.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **LBG-GUYTON ASSOCIATES** for Design of Water Well at District 184 and Site Selection and Preliminary Engineering Report for a Water Well in the Park Glen #1 Pump Station Service Area, CIP S-0100-15-2 (WA10807); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT F – KHAN** – **(This was Item 32 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER KHAN)** - was presented.

Council Member Khan stated that Item No. 40 called for a new water well and if they all remembered Mr. Vanden Bosch in his presentation a few weeks ago addressed subsidence, that it was a major problem in all of Houston and what he recalled from the presentation if they did not move away from ground water to surface water they would lose a lot of land due to subsidence, that with this well he thought it would made the subsidence worse, that when he tried to find out what plans they had to move from ground water to surface water he really did not find out if they had any plans, that he did not think they should be digging more water wells because they would make the subsidence problem worse than what it already was, that maybe they should put more focus on expediting the surface water supply, and Mayor White stated that he would like to provide some briefing perhaps in connection with the committee on Transportation and Infrastructure, that he agreed with Council Member Khan that it was an appropriate topic and suggested that it occur and get some briefing on the regional impact. Council Member Wiseman absent.

After further discussion a vote was called on Item No. 40. Council Members Khan, Lawrence and Edwards voting no, balance voting aye. ORDINANCE 2004-0579 ADOPTED.

41. ORDINANCE appropriating \$4,861,000.00 out of Water & Sewer Contributed Capital Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, L.P.** for 48-inch Water Line and 30-inch Well Collection Line along Wickchester Lane, Moorwick Lane, Wickhollow Lane and proposed City of Houston Water Line Easements along Turkey Creek from Well Site No. 2 Private Access Drive to Katy Addicks Pump Station, GFS S-0900-87-3 (WA10624-05); providing funding for engineering testing, construction management and contingencies relating to construction of facilities financed by the Water & Sewer Contributed Capital Fund - **DISTRICT A - LAWRENCE** – **(This was Item 35 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. All voting aye. Nays none. Council Member Wiseman absent. ORDINANCE 2004-0580 ADOPTED.
42. ORDINANCE appropriating \$3,720,300.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **REDDY ENGINEERS & CONTRACTORS, LTD.** for Clinton Park Wastewater Treatment Plant Improvements, GFS R-0265-26-3 (WW4760-06); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund -



**DISTRICT I – ALVARADO – (This was Item 36 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. Council Member Wiseman absent. ORDINANCE 2004-0581 ADOPTED.

**Item Postponed to the end of the agenda**

Council Member Goldberg stated that the amendment was ready but it was being copied and as soon as the copies were ready they would be distributed to the Council Members, and Mayor White stated that they would take remarks from some of the Council Members until the amendment was ready. Council Members Wiseman and Alvarado absent.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Galloway stated that she wanted to recognize an intern working in her office, Mr. Eric D. Goodwine, that he would be taking care of all the calls for weeded lots and abandoned buildings. Council Members Alvarado and Ellis absent.

Council Member Galloway stated that she wanted to thank Mayor White for all the assistance that the Mayor's office had given her, that she was still waiting on a report on some of the weeded lots where the inspectors go out, that they needed to expedite those and she would like a report as to where they stood on the weeded lots in District B, and Mayor White stated that he did get a report on how they were doing on both the weeded lots and tearing down the abandoned houses and maybe there was a way they could share that report with the Council Members. Council Members Wiseman, Alvarado and Ellis absent.

Mayor White stated that by unanimous consent they would now consider Item no. 36 and Council Member Goldberg has proposed an amendment to the item and the administration was in agreement with the amendment. Council Members Wiseman, Alvarado and Ellis absent.

36. ORDINANCE approving and authorizing contract between the City and **ARTS COUNCIL OF HOUSTON/HARRIS COUNTY REGION** for the Support of the Arts Community – **(This was Item 11 on Agenda of June 2, 2004, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was again before Council.

Council Member Goldberg offered the following written motion to amend Item No. 36:

“That the contract between the City of Houston and the Arts Council of the Houston/Harris County Region, Item 36 on the June 9, 2004 Council Agenda be amended as follows:

Subsections (1) through (4) of Article X are deleted and replaced with the following:

(1) The City's Office of the Mayor shall submit proposed CI applications to the CACHH chair, who shall have five business days to object in writing to any proposed project. Proposed CI projects must comply with the requirements of Tex. Tax Code Ann. Section 351 .101 (a) (Vernon Supp. 2004), and any amendments thereto, including, but not limited to, specific purposes of promoting one-time special events and small organizations. If the CACHH chair does not object in writing to a proposed CI project within five business days from receipt, CACHH shall immediately allocate funds for the project.

(2) If the CACHH chair objects in writing to a CI project proposed by the City's Office of the Mayor, the chair shall submit the proposal to the CACHH board for a vote, as soon as reasonably practicable. If the board approves the proposed CI project, CACHH shall immediately allocate funds for the project . If the board rejects the proposed CI project, CACHH shall not allocate funds therefore.

(3) CACHH shall not be held responsible for the proper application of grant funds awarded under the CI.

(4) CACHH shall expend funds allocated to approved CI projects at and upon the direction of the City's Office of the Mayor. All CI grantees, prior to receiving a grant payment must provide CACHH with the following information: organization's full legal name, mailing address, telephone number federal tax identification number, a copy of any IRS Letter of Determination, and a complete IRS Form W-9.

(5) The City's Office of the Mayor shall provide a written report of CI projects to City Council every six months.”

After discussion by Council Members a vote was called on Council Member Goldberg's motion to amend Item No. 36. All voting aye. Nays none. Council Members Wiseman and Alvarado absent. MOTION 2004-0656 ADOPTED.

After further discussion by Council Members, Council Member Lawrence requested a list of projects or art and cultural items that were not accepted, and a vote was called on Item No. 36 as amended. All voting aye. Nays none. Council Members Wiseman and Alvarado absent. ORDINANCE 2004-0582 ADOPTED.

Council Member Berry stated that he was out when Item No. 19 was voted on, he thought it was going to be tagged, that he intended to vote no and would like to request a courtesy from his colleagues if his “no” vote could be recorded. Council Member Wiseman absent.

Mayor White stated that he would recommend that they do by unanimous consent, and he directed the City Secretary, that by unanimous consent the statement that Council Member Berry just made be put in the minutes of the meeting immediately at the time that the vote was recorded.

Council Member Berry stated that if the Mayor would indulge him he would actually like to vote against it because he did have some concerns, if that was permissible.

After further discussion by Council Members, Mayor White stated that he had directed the City Secretary to indicate as follows and thought the record would also reflect, he would like it to be reflected in the minutes at the time of the vote that Council Member Berry requested that his vote be reflected as no and that there was one objection.

Mayor White stated that they would ask that City employees and all Houstonians observe a moment of silence at 10:30 a.m. to coincide with the beginning of the national funeral service for President Reagan. Council Member Goldberg absent.

Council Member Green stated that he wanted to compliment Reverend Bill Lawson who had announced his retirement and wanted to tip his hat to Reverend Lawson for making it possible so that many of them would be able to achieve the positions they had achieved and for all the work he had done in the entire City. Council Members Lawrence and Goldberg absent.

Council Member Green stated that State Representative Rick Noriega had gotten his orders to go to Afghanistan, he was a major in the National Guard and would be leaving in August, that they wanted to pray for him and his family. Council Members Lawrence and Goldberg absent.

Council Member Green stated that yesterday the Houston Port Authority had a reception honoring their small business program, that it encompassed all small businesses and he wanted to congratulate them because it was giving a great opportunity to many businesses who the City used as MWBE providers but also that were small and under utilized businesses throughout the City, that he thought they needed to do all they could to support it. Council Members Lawrence and Goldberg absent.

Council Member Green stated that he wanted to congratulate the City and County on the opening of the Clear Lake City County Freeman Branch Library that opened on Tuesday, which was a great collaborate between the County and the City and hopefully the beginning of many more collaborations between the County and City. Council Members Lawrence and Goldberg absent.

Council Member Green stated that as to the water line break in the Windsor Village area, certainly they wanted to do all they could to help the citizens in that area to recover from the ravaging water that flooded the homes in that area. Council Members Lawrence and Goldberg absent.

Council Member Edwards stated that she too wanted to commend Reverend Lawson for his work through the years, his local, national and international presence, that Reverend Lawson's church was one of the first churches to have hospitals and centers in Haiti and in parts of Africa and he had been a long time fighter for human rights in the Country. Council Members Lawrence and Goldberg absent.

Council Member Edwards stated that she wanted to commend the Public Works Department for their work on Darlinghurst and the streets in the Windsor Village area. Council Members Lawrence and Goldberg absent.

Council Member Edwards stated that she wanted to request a meeting with Mr. Fontaine regarding the U Call We Haul program extension. Council Members Lawrence and Goldberg absent.

Council Member Edwards stated that she did not know what the policy was when they had constituents who came to their offices or City Council and reported what they called a nuisance in their community or a violation of the deeds and they sent a City employee to check it and she did not think it was appropriate for that employee to tell that constituent that only reason they were there was because Council Member Edwards said for them to come out, she did not have a problem being very clear to people when she thought they were being abusive in the community but did not think that was the employees position to make that statement. Council Members Lawrence, Goldberg and Sekula-Gibbs absent.

Council Member Edwards stated that regarding Freedman's Town she was still concerned that they were losing a very precious gift to the City, that she would like for the Tourism and Entertainment Task Force to also look at how do they help preserve, because that would be a great tourist attraction as well as an attraction for the City if they developed it right; that she would like to know the status of the bones that Dr. Brown had in his office that had been unearthed and they were going to be working to see if they could get them back, and requested that the Mayor's staff get her a report on that as to where they were. Council Members Lawrence and Green absent.

Mayor White stated there were many different responses to respond to some of her items after the meeting and on the particular City employee if there was information she could share with his staff regarding the identity of the employee, that people were there on behalf of the public and they would make sure that the employees got that message. Council Members Lawrence and Green absent.

Mayor White stated that they were fortunate to have Commissioner Steve Raddick in the audience and wanted to thank him for being present.

Commissioner Raddick stated that it was his pleasure to be present and wanted to thank them for the 2,000 acres to Precinct 3, that they were freeing up money to begin development of the 2,000 acres, and Mayor White stated that it was a huge deal and he liked the way a lot of

the innovative ideas that Commissioner Raddick had brought about in the maintenance of parks and recreation facilities and the aggressiveness with which he had pursued that, that they could learn a lot from what he had done in that particular respect. Council Members Lawrence and Galloway absent.

Council Member Garcia stated that he wanted to thank Mayor White for visiting the officer at the hospital, Mr. Mathew Richard from the South Central Command Patrol Division; that he knew the Mayor was very instrumental in the development of the shoot house and was curious to see if they were increasing the use of that in terms of training police officers, that he thought it was a great tool for the officers to have access to. Council Members Lawrence, Galloway and Green absent.

Council Member Garcia stated that he wanted to recognize two new staff members to his office, Mr. Tomas Castillo, a student intern and Mr. John Daniel, a retired City employee, formerly a 911 and 311 staff member. Council Members Lawrence, Galloway and Green absent.

Council Member Garcia stated that he wanted to invite everyone to the grand opening of Fire Station #27 on Thursday at 10:00 a.m. at 6515 Lyons, that it was a beautiful facility, that he would like to give special thanks to the community who had been very active and the civic group out there as well, in particular he wanted to thank Ms. Daisy Stiner's office for helping to fund that program. Council Members Lawrence, Galloway and Green absent.

Council Member Garcia stated that on Friday they would be initiating, in partnership with the Health Department and some other folks, the "Don't Wait Vaccinate! - Viva La Vacuna!" initiative that would start on Friday, they would be holding a press conference on it at La Nueva Casa Health Center at 1809 North Main at 10:00 a.m., that vaccination of their school age children was below par and Houston was not up there with the national standards, the intent was to have a series of vaccination days so that families throughout the City could bring their children and receive not only vaccinations for the children but also good health information for the whole family. Council Members Lawrence, Galloway and Green absent.

Mayor White stated that following the Council meeting he intended to offer a statement concerning recent developments that were of tremendous significance to all the citizens of Houston concerning the applications in Austin by Centerpoint to increase electrical rates for the citizens, that was something that the City did not want the rates raised excessively. Council Members Lawrence, Galloway and Green absent.

Council Member Holm stated that week after week at the public session and day after day in their offices they were continually addressing Neighborhood Protection issues, that she was trying to figure out how to go about to facilitate their need and they would have a joint meeting with Regulatory Affairs to address the specific issues on deed restrictions, that she would like to meet with Mr. Latham from the Mayor's Office and Mr. Litke and come up with a proposal to submit to the Mayor and Council of an effective way that they could make recommendations and work through a committee with a possible task force to address some of the Neighborhood Protection issues, that it may be as comprehensive as really defining what Neighborhood Protection meant because she thought that was what a lot of the confusion was, and Mayor White stated that the request was reasonable and asked Council Member Alvarado to give Council Member Holm and others some guidance, that they would make sure that department heads and staff members were available to her. Council Members Lawrence, Galloway, Edwards and Green absent.

Council Member Holm stated that she wanted to introduce Ms. Katy Mize who was interning with them and they were happy to have her as a part of their staff. Council Members Lawrence, Galloway, Edwards and Green absent.

Council Member Alvarado stated that she wanted to send her thoughts and prayers to Mr. Eloy Garza, the firefighter at Station No. 20 who suffered a heart attack several days ago while battling a fire, that he was recovering and she wanted Mr. Garza and his family to know they were thinking about him. Council Members Lawrence, Galloway, Edwards and Green absent.

Council Member Alvarado stated that she wanted to thank the Mayor and his office for taking on the issue of cell phones and pagers, that she understood there was a memo that went out to all the directors ceasing directory assistance and roaming charges unless it was approved by a director, that she applauded the Mayor for taking it on. Council Members Lawrence, Galloway, Edwards and Green absent.

Council Member Sekula-Gibbs stated that she wanted to thank Mr. James Molar and his team of inspectors from Neighborhood Protection who had worked very diligently with her office to resolve a heavy trash issue, that a constituent called about heavy trash violations in her area and they responded quickly and issued some citations to the violator. Council Members Lawrence, Galloway and Green absent.

Council Member Sekula-Gibbs stated that she wanted to bring attention to the need to get to the bottom of the vandalism at the Veterans Memorial Park on Tidwell, that there was a \$5,000 reward through the Crime Stoppers Network and if anyone had information about the vandalism to please call 713-222TIPS and give them that information to help solve that and put a stop to the crime. Council Members Lawrence, Galloway and Green absent.

Council Member Sekula-Gibbs stated that wanted to compliment and give recognition to the years of service from Reverend Bill Lawson and his lovely wife for their generous contributions to the community through their work at Wheeler Avenue Baptist Church. Council Members Lawrence, Galloway and Green absent.

Council Member Sekula-Gibbs stated that a dear friend and great community servant passed away today, a great scout leader from the Clear Lake area, Mr. John Pepperday, who died suddenly, that he and his wife had been scout leaders, especially in the disabled scout arena and Janet was scheduled to receive the Silver Beaver Award tonight, that it was a great loss and asked for a moment of silence. Council Members Lawrence, Galloway and Green absent.

Council Member Khan stated that he wanted to thank Exxon-Mobil for their Summer Intern Program, where this year about 50 students would be placed in various non profit organizations and Exxon Mobil was going to pay for their salaries, that it was a great corporate citizenship that they had shown, that he also wanted to thank Mrs. Andrea White who was also there and her presence made a huge difference to all the people, that he also wanted to thank Channel 13 for doing that program, that he wanted to thank all of the people involved in that. Council Members Lawrence, Galloway and Green absent.

Council Member Khan stated that he wanted to congratulate Council Member Holm that Citgo was moving into her district and thought it was a great testament to that whole energy corridor. Council Members Lawrence, Galloway and Green absent.

Council Member Khan stated that he wanted to thank the years of service of Reverend Lawson, that he had the opportunity to work with Reverend Lawson in the mid 1980's and had seen at that time what great leadership he was providing. Council Members Lawrence, Galloway and Green absent.

Council Member Khan stated that he wanted to introduce them to their summer intern, Mr. Zafir Khan. Council Members Lawrence, Galloway and Green absent.

Council Member Quan stated that he had been working with the American Institute of

Architects and they were ready to release their report on Tuesday at the Neighborhood Housing and Redevelopment Committee, that they had been looking at the Houston area for the past two years, at housing strategies and how they could be more proactive, what policies had worked in other cities, that Mr. Roger Lewis, the team leader would present that report to the committee and have a press conference afterwards to see how they could incorporate some of those ideas in the City of Houston. Council Members Lawrence, Galloway and Green absent.

Council Member Quan stated that he wanted to mention that this week they had the Consolidated Plan Meeting and that was very well attended and a number of community groups were present, that he wanted to acknowledge that Council Members Khan, Garcia, Green and Sekula-Gibbs were also present along with members of various staffs and believed there was a lot of good feedback to the Housing and Community Development Department about the plan, that the plan was not finalized it was in draft form and they had until June 19, 2004 to get any more suggestions in before the plan came to Council and the committee reports on it so he would encourage people who had ideas or suggestions of how to modify that plan to certainly submit those as soon as possible, that one of the main concerns was the Home Repair Program and as they knew they had a great deal of difficulty with HUD on that, that Congresswoman Shiela Jackson Lee was at the meeting and talked about how she would go back to Washington to try to get those funds released so they could begin to address home repair, that last week he was intrigued when the Mayor talked about the fact that they should look to alternative sources not just federal dollars, some of the TIRZ's funds for affordable housing, they had approximately \$8 million in that fund, also bond funds, \$20 million had been set aside for affordable housing, that he would like to work with the Mayor in seeing how they could utilize some of those funds to address needs immediately, that he knew that HUD had requested an audit and wanted to request that HUD allow them to at least work on home repairs while the audit was going on so everything did not stay in limbo. Council Members Lawrence, Galloway, Edwards, Holm and Green absent.

Mayor White stated that they reached an agreement last month and for that program, the Emergency Home Repair, those funds were accessible to them. Council Members Lawrence, Galloway, Edwards, Holm and Green absent.

Council Member Quan stated that next Thursday the Asian Pacific American Heritage Association along with the Houston Police Department would be having their Asian Orientation Class, that police officers were given the opportunity to tour various Asian communities in the City and meet with leaders and understand some of the problems in the community, that if anyone was interested in attending to let them know, that it was Thursday morning, June 17, 2004, that he thought Chief Hurtt would make some time to be there. Council Members Lawrence, Galloway, Edwards, Holm and Green absent.

Council Member Quan stated that on Saturday Congressman Gene Green would have his Citizenship Day Program at Northline Mall that was open to anyone interested in that and was at 8:00 a.m. Council Members Lawrence, Galloway, Edwards, Holm and Green absent.

Council Member Berry stated that tomorrow morning at 9:30 a.m. they had a very busy TIA meeting, that at the request of the Mayor's office they were going to hear from a green building representative, that they did need to hear from the On Street Plan with regard to their Parking Management Plan that Council Member Alvarado had been working on and also from representatives both from HGAC and the public regarding the Regional Transportation Plan. Council Members Lawrence, Galloway, Edwards, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that he wanted to say thank you to Mr. Chirag H. Bhatt the head of Health Inspections who never failed to be fair, reasonable and incredibly accessible and enforcing the rules, and the same thing was true of Mr. Bobby Oaks. Council Members Lawrence, Galloway, Edwards, Holm, Sekula-Gibbs and Green absent.

Council Member Berry stated that Mr. Richard Lapin of the Mayor's office got involved with two issues that they were working on, that he and Mr. Jose Soto hopped to it and in about a 48 hour turnaround what would have typically taken about two months was accomplished. Council Members Lawrence, Galloway, Edwards, Holm, Sekula-Gibbs and Green absent.

Council Member Goldberg stated that he wanted to thank the Mayor for the way they were going to honor President Reagan and thought it was appropriate and was very glad to see the City was also taking part in it. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs and Green absent.

Council Member Goldberg stated that he wanted to thank Mr. Michael Moore of the Mayor's staff for working on the amendment to Item No. 36. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs and Green absent.

Council Member Goldberg stated that the budget amendments were due on Friday, that he would encourage Council Members to go ahead and submit budget amendments early. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs, Green and Berry absent.

Council Member Wiseman stated that on February 11, 2004 she had brought up the issue of Bay Area Boulevard in Clear Lake and also El Camino Real and El Dorado Boulevard, that the roads were in poor condition, that the City did go out and repair a portion of Bay Area Boulevard however it was not the portion that she had identified, that portion was still in disrepair. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs, Green and Berry absent.

Council Member Wiseman stated that on May 12, 2004 she had also brought up the lights in Kingwood and had not heard back from the department as to why it was that the traffic signals in Kingwood started flashing for no apparent reason, that it occurred on a weekly basis and it increased the delays that they must deal with in their travel time, that they were frustrated about it and yet she had received no response from any representative of the administration on the issue. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs, Green and Berry absent.

Council Member Wiseman stated that she would like to congratulate the Kingwood Mustang Baseball Team on winning their division and for advancing to the State tournament, they would be playing in the semifinals on Friday against Corpus Christi Moody and wished them well and hoped they did a great job. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs, Green and Berry absent.

Mayor White stated that he saw a representative of Public Works and recollected the remarks by Council Member Wiseman and asked that someone give him a report on both of those things on what was done. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs, Green and Berry absent.

There being no further business before Council, the City Council adjourned at 11:25 p.m. upon MOTION by Council Member Alvarado, seconded by Council Member Garcia. Council Members Lawrence, Galloway, Edwards, Sekula-Gibbs, Green and Berry absent.

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

MINUTES READ AND APPROVED