

City Council Chamber, City Hall, Tuesday, February 8, 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, February 8, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Chris Bell and Carroll G. Robinson; Mr. Anthony Hall, City Attorney, Mr. Paul Bibler, Senior Counsel, City Attorney's Office, Mr. Gerard Tollett, Director, Convention & Entertainment, Mr. Jesse Cantu, Director, Citizens Assistance Office, Ms. Martha Stein, Agenda Director present. Council Member Jew Don Boney, Jr. absent due to being ill. Council Member Orlando Sanchez absent on business.

At 2:01 p.m. Mayor Brown called to order the meeting of the City Council, and Council Member Castillo led everyone in prayer and pledge of allegiance.

At 2:02 p.m. Mayor Brown requested the City Secretary to call the roll. Council Member Boney absent due to being ill. Council Member Sanchez absent on city business. Council Member Vasquez absent.

Council Members Quan and Tatro moved that the minutes of the preceding meeting be adopted. Council Member Boney absent due to being ill. Council Member Sanchez absent on city business. Council Member Vasquez absent.

At 2:03 p.m. Mayor Brown requested the City Secretary to call the list of speakers.

Council Member Galloway moved to suspend the rules to hear Mr. Ed Wendt out of order, and was seconded by Council Member Parker. All voting aye. Nays none. Council Member Boney absent due to being ill. Council Member Sanchez absent on city business. Council Members Todd and Vasquez absent. MOTION 2000-0166 ADOPTED.

Mr. Ed Wendt, 8007 Lorrie, Houston, Texas 77025 (713-916-0589) appeared and stated that he was present to talk about Hepatitis C, that in Biblical terms there was a plague upon the land and the king and his jesters were blind to the suffering, that from the president and his cabinet to the Governor of Texas and his presidential ambitions Hepatitis C was not getting the attention it deserved from the public officials, that he was not casting stones at the City of Houston cause it was just like every other major city in the world, that here in Houston the Health Department was doing virtually nothing to provide outreach and education on the escalating health crisis, that Mayor Brown recently called for all candidates running for president in both political parties to make their positions known on Houston's alleged air pollution crisis, that he joined in that call but also call upon them to let the American people know what they would do, if they win the White House, about Hepatitis C, that he received a life saving liver transplant at St. Lukes Episcopal Hospital on January 14, 2000, that he had inoperable liver cancer that developed from Hepatitis C which he likely contacted in 1978 from a blood transfusion during surgery at the VA Hospital, that he was given 6 months to live when he was diagnosed with cancer in June 1998, but thanks to God and a lot of friends in the right places he was able to work the system and get the treatment he needed to save his life, that St. Lukes Liver Transplant Program was one of the best in the world, that sadly many Houstonians, especially minorities and the poor, were not as fortunate as he was, that the lack of education and outreach programs on the killer virus was preventing

Houstonians from learning that they had this disease before it reaches the stage where it could not be controlled with interferon and other therapies, that most victims ended up with in stage liver disease and their only hope was a transplant, that statistics by the American Liver Foundation showed that 1.8% of the U.S. population was Hepatitis C positive, that 12% – 14% of those affected were veterans, that African Americans at 3.2% were the largest affected ethnic group, followed by Hispanics with 2.1% and 1.5% for most Caucasians, that over 4 million Americans had Hepatitis C, that it was estimated that 300,000 of those who had tested positive contacted the virus through blood transfusions they received before 1992, that it was conservatively estimated that there were 300,000 Texans affected by Hepatitis C and an estimated 80,000 cases and carriers in Houston, that the Governor of New York recently signed into law legislation that directed the Commissioner of Health to develop education materials on diagnosis, treatment and prevention of Hepatitis C, that if New York could do it so could Houston and Texas, that the time to act was now, that when he received his transplant from a 21 year old accident victim who donated his organs so others could live he vowed to God and to his memory that he would dedicate the remainder of his life working to bring awareness to Hepatitis C and to helping find a cure for the killer virus, that it was the least he could do and during his crusade he intended to raise public attention for the need of organ donations, and urged in the name of God and humanity to join him in this cause, that they could begin by naming a joint public private sector task force on Hepatitis C, that the task force could be made up of Hepatitis C victims, the St. Luke's Hospital Liver Transplant Team and other citizens who would like to participate, that if for nothing else do it for the children.

Council Member Todd thanked Mr. Wendt for coming down and for having the courage to speak out on a issue he knew was a very personal one for him, that he supported Mr. Wendt enthusiasm for the City being more involved in the process, that he was trying to schedule a meeting with Dr. Kendrick to go over the issue in a little more detail and see exactly where she was coming from on it, that the initial reaction that he got from the City was that they were waiting for the Federal Government and State to take the lead on it and if it was not for the fact that this was Houston he could understand that response, but being that Houston was known as being the center of medical technology around the world he thought that it was important for Houston to take the lead on the issue and prove to the world that Houston was a City that was known for it's quality of life and health care.

Upon further discussion Council Member Galloway concurred with Council Member Todd and stated she was elated to see Mr. Wendt back on his feet and was glad that he was taking up the Hepatitis C issue and thought that it was an issue that as a city they needed to take up in their Health Department just like HIV, and Council Member Parker stated that in the newspaper today the Texas Department of Health had set aside a new appropriation to do testing to determine the prevalence of Hepatitis C, that while the City may not be where they wanted it to be, it was not ignoring the problem, that she had met with Dr. Kendrick who would be making a complete presentation to the Neighborhood Protection and Quality of Life Committee, which included the Health Department, in the next few weeks, that the department was working on a response and the particular problem was that there was some confusion because there were various forms of Hepatitis, some of which had vaccines and Hepatitis C did not, and Council Member Bell stated it was great to see the new Ed, that it was wonderful that he was making that commitment and was curious if he had an opportunity to talk to representatives from the

Health Department himself and Mr. Wendt stated he had a call that morning which he missed but would be glad to talk to them, and Mayor Brown stated that they were all glad to see him in better health.

Mr. Charles Trinh, 8326 Domer, Spring, TX (281-496-7598) appeared with Mr. Tom Hoang who stated that he was present with Mr. Trinh as his spokesperson the reason was that Mr. Trinh was hearing impaired and handicap and spoke broken English, that he had handed out some copies entitled Republic Parking System, that he was present as a friend of a subcontractor for the City of Houston as well a community activist, that what they were talking about was the garage under the Federal Courts Building, that Mr. Trinh was the owner of Security Pro and basically by the end of the month his contract would be up, however he was not given notice that he could bid on the contract and understood that on the agenda, Item 40 was set for approval on a contract that basically cut Mr. Trinh out of a City contract, that he had been with the City for 5 years and he was not given an opportunity to bid on the contract, that if they looked at the numbers, the proposal of another contractor who was supposedly up for approval was actually \$474,000 more than the existing contracting so basically they were here on two points, that (1) Wackenhut, who was the contractor that was supposed to be approved was a corporation out of Florida, that Mr. Trinh was local and lived here and owned businesses here and had been doing business with Houston for the last 5 years and the City had been satisfied with his service, that basically somehow something got slipped in and he was going to be out with no contract, that in fact his proposal was actually \$474,000 less than what the City would approve and was saving the City \$474,000 and they would ask that the Mayor and City Council reconsider the approval of the contract with Wackenhut and allow Mr. Trinh to bid on the contract.

Council Member Ellis asked if they excluded Mr. Trinh from the bidding process or did he just not bid, and Mr. Hoang stated that he was told that there was no bidding process, that basically Wackenhut had a large contract and now were expanding to take over the little contract because before there was more than one contract and Mr. Trinh had a small contract for the underground parking and was basically what he had been doing for the last five years, that the City had signed a contract with Wackenhut to have a larger contract, that they basically consolidated the contract and Mr. Trinh was excluded and by the end of the month he would be out.

Council Member Ellis moved to suspend the rules to hear Mr. Jordy Tollett, Director of Convention and Entertainment Facilities Department at this time, and was seconded by Council Member Parker. All voting aye. Nays none. Council Member Boney absent due to being ill. Council Member Sanchez absent on city business.. MOTION 2000-0167 ADOPTED.

Mayor Brown asked Mr. Tollett to explain what had transpired on the security contract and Mr. Tollett stated that Council approved Wackenhut as their security company and they were asking Council to include their parking garage so they would have one security company doing all of their security, that they were everywhere except the garage, that they allowed Mr. Trinh to finish out his contract even though Purchasing and Legal basically had enough complaints a year ago to go ahead and cancel the contract with Mr. Trinh, that Mr. Trinh voluntarily got out of the Convention Center and the Theaters because he did not want them to cancel his contract, that they asked the parking operator if they would continue to work with them and had allowed Mr. Trinh to

finish his contract, that in good faith they had agreed to it verbally, all of them, that they had a lot of trouble with the contract and Mr. Trinh's operations and they allowed him to complete it only in the garage, that they honored that commitment and to be honest with them he did not know who typed the number on the letter which Mr. Trinh had passed out, that they were trying to track down the guy with Republic Parking to talk to him about it and have him give them something in writing because as they could see that was not the typed number that was in the letter before, that they had followed policy and procedure and worked through Legal, but it was actually an amendment to the existing security contract that they had in all of their venues and were including the parking as another part of that security contract.

Council Member Quan asked if their agreement was with Wackenhut and they had subcontracted a part of that contract to Security Pro, and Mr. Tollett stated no, that their security contract was a sub to Central Parking and those contracts were to expire at the end of the month, that they were on the agenda and went through competitive proposals for parking operator and Republic Parking was the low proposal who met the qualification and they recommended Republic for the parking, that they had gone out, because they were having problems, instead of eliminating Mr. Trinh last year from their entire security Mr. Trinh asked if he could continue the garage until his contract expired so that it would not embarrass him and they agreed that he could handle that as long as Central would work with him and they agreed to do that, that the rest of the buildings Mr. Trinh let go and they bid those and Wackenhut got the bid, that now they were asking that Wackenhut be included in securing the garages so they were dealing with a single security contract company and that was how they go to where they were today, that Security Pro at one point was working with them in the Convention Center and the theaters, that Mr. Trinh could talk to Wackenhut about being a sub, absolutely, they would love that, but Mr. Trinh had admitted that he could not handle their complex and that was why they eased out of the Convention Center and the theaters and allowed him to stay in the garage.

Mr. Hoang stated that Mr. Trinh had basically told him that the previous contract where he backed out was because there was pressure and a lot of politics involved in that contract and the big company was coming in and he did not want to disturb what was going on and asked to keep his little contract and now they were eating up his little contract too, and Council Member Quan stated that it was obvious that the number on the letter was modified and did he know who typed in the different number, and Mr. Hoang stated that the number was corrected with the knowledge of Mr. Scott Titmus, that Mr. Titmus was aware of the numbers and they would not have brought a letter with white out and corrections to City Council, and Council Member Quan stated that it questioned the credibility of the document, that Mr. Tollett mentioned that there had been several complaints against Security Pro and asked if that was correct, and Mr. Trinh stated that he had the contract with the theaters for five years in the garage, that he had been under a lot of pressure, that Mr. Tollett had agreed to renew his contract for up to three years, that he wanted to keep the contract in the garage.

Upon questions by Council Member Robinson, Mr. Tollett stated that Mr. Trinh had a stand alone contract for the buildings, that the stand alone had expired and the one that he had through the parking garage would expire at the end of the month, and was under Central as a subcontractor, that he had complaints of doors unlocked, guards asleep and not showing up, that they had worked with Mr. Trinh and his friend and he

overruled his staff's recommendation along with Purchasing and Legal more than a year ago, that they worked with Mr. Trinh for another year and they decided that the theaters and the Convention Center were too important to them and they were having too many complaints and at Mr. Trinh's request, that he would like to go ahead and finish the security in the garage and walk away from the other, he agreed to do that, that they were not one of the subs to Republic's bid package, that he assumed by the letter that Mr. Trinh had approached them, that they would be going with Wackenhut if they wanted them as a subcontractor to their security contract, and Council Member Robinson requested Mr. Tollett to send him a copy of what was permissible in terms of the complaints, and Council Member Quan stated he wanted a copy too. Council Member Keller absent.

Council Member Castillo stated that he had read the memo that they had spoken about earlier and it related to the same contract, and asked if that was the difference in the unit cost between Wackenhut and Mr. Trinh, the benefits and the salary, and Mr. Tollett stated that it was Republic versus Central, and Council Member Castillo asked why there was a difference in the unit cost, and Mr. Tollett stated that he would have to go back and analyze it and get an answer to it because it was the first time he had seen the letter, and Mr. Hoang stated that Security Pro paid less per hour to their security than Wackenhut. Council Member Keller absent.

Mr. Jason Yoo, 7807 Long Point Ste. 200, Houston, Texas 77055 (713-956-1599) appeared and stated that he was the owner of the HBS National Corporation and was also serving on the Olympic Committee 2000, that his company had submitted a bid for janitorial service for Conventions, Bureau and Entertainment Center which was the George Brown Convention Center, the Wortham Theater and Jones Hall and came in the third lowest bid, that they were the incumbents and were doing the current janitorial service there, that he had concerns on the two lowest bids which were LJ Maintenance and DEMA Services and provided a handout of documents and reviewed document 4 which was "Attachment A", that he did not know how they were going to be able to perform the job, that the \$6.00 per hour would barely cover the cost of the tax, and he referred to document 1, that he had concern about LJ Maintenance experience, that they were HBS's subcontractor and had provided temporary labor to George R. Brown Convention Center and reviewed document 2 which was a complaint letter from George R. Brown Convention Center management which complained that the temporary labor was late and tardy, that they had gone to the City Department of Affirmative Action Program to terminate their contract with LJ Maintenance and spoke with Ms. Lisa Kingsbury, Contract Compliance Officer and she asked them to give LJ Maintenance a chance through the arbitration process, that LJ Maintenance could not even perform the small size jobs and here they were the lowest bid, that DEMA was second lowest and they had some outdoor facilities they serviced which was the Outdoor Miller Theatre and they provided a few employees for those services, that the George R. Brown Convention Center was way over 60 or 70 employees, that they needed to hire vendors based on their performance and evaluations, that DEMA Service and LJ Maintenance were not qualified as far as he was concerned, that they had good relations with Mr. Tollett and the operations group, but their due diligence was overly optimistic about LJ Services, that they were not capable to do the job.

Council Member Parker stated that Mr. Yoo had the current contract and LJ Maintenance was a subcontractor to him and for the contract renewal had bid against

him and he was the third lowest bidder, that the City would have to disqualify two other companies to award the bid to Mr. Yoo and was his contention that the two lowest bidders were actually bidding below cost, and Mr. Yoo stated yes, and Council Member Parker stated that looking at the numbers that Mr. Yoo had provided it appeared to her that the other two bidders were bidding below cost, but there was not anything illegal about making a bid that was a lost leader, that they had under bid the contract. Council Member Todd absent.

Council Member Parker moved to suspend the rules to hear Mr. Jordy Tollett, Director of Convention and Entertainment Facilities Department at this time, and was seconded by Council Member Ellis. All voting aye. Nays none. Council Member Boney absent due to being ill. Council Member Sanchez absent on city business. Council Member Todd absent. MOTION 2000-0168 ADOPTED.

Council Member Parker asked Mr. Tollett that if they had underbid and according to the document numbers they did not calculate in uniform cost and bond price and so forth, but she would assume that they would have already shown the ability to make their bond, and Mr. Hall stated that to assure performance the contract had a 10% performance bond on it and would have already been submitted from the low bidder, and Council Member Parker stated that it was not the first time that they had companies that underbid and put a lost leader in just to get a City contract and they were required to stick with that contract even if they determined that it was losing them money, and Mr. Hall stated that was the purpose of the bond requirement generally, that as Council Member Parker stated there was nothing illegal about losing money on a contract, because some companies did it for a variety of reasons to varying extents, that if they were the lowest responsible bidder then the law required the City to award it to them, and Council Member Parker stated that it took them to the next word, responsible bidder, who would be responsible for making sure that they were turning out the required number of workers on each shift and how much time would they get if they were not performing before the plug got pulled, and Mr. Tollett stated that would be the Convention and Entertainment Department, that it would be the supervisor responsible, that the City supervised, that they were the administrators of the contract, that this was not the first time they had this and it would not be the first time if someone could not actually do it, but he would not want to say that they could not handle it, because there had been others that had been subs that eventually bid, got the low bid and were happy with the two or three years that they had it and it was for a variety of reasons and he could not say that they could not handle the job, that if they did not work out then they would immediately seek the assistance of Purchasing and Legal. Council Member Todd absent.

Mr. Yoo stated that LJ Maintenance had already proven that they could not get the job done and he had a letter about that and now they were trying to award the contract to them, was that logical to do, and Mr. Tollett stated that the letter was addressed to HBS and he was the general and would take all complaints, that the City would not deal directly with any sub, that the complaint was with HBS, that if he was allowing his sub to send people or not send people and they were getting to them on the floor of the Convention Center or theater it really was the fault of the general contractor and should never had gotten to them, that Legal told them not to deal with the subcontractor they were to deal with the general contractor which would be HBS and so they took the

compliant they were having and did not know that LJ Maintenance was at fault and did not actually interact with them. Council Member Keller absent.

Council Member Goldberg asked if there were any other complaints other than what their subcontractors did, and Mr. Tollett stated that they did not know, that HBS was responsible for providing the labor, that he had no complaints with HBS that they were one of the best contractors they had but they were just following procedure with the bidding process, and Council Member Goldberg asked Mr. Yoo if there were any other complaints with HBS other than those committed by LJ Maintenance or any other subcontractor and Mr. Yoo stated no, that as he had mentioned they only had a problem with LJ Maintenance, that they had gone through the arbitration process, and could no longer use a large number of their labor just the reduced amount, and Council Member Goldberg asked what kind of qualifications did they give when they bid it out, that there was a letter complaining about subcontractor LJ Maintenance in not performing properly and now they were the lowest bidder and Mr. Tollett stated that they did not have a letter from Affirmative Action stating that there were complaints or been disqualified and he could not draw that conclusion, and in fact Affirmative Action had endorsed their recommendation of LJ Maintenance, that the qualifications were that they had to have similar or like venues that they had operated in, square footage, but not exactly, if they did then HBS would have never gotten the contract, that there were not too many 1.2 million square foot convention centers in Houston with three theaters so they had to say so many thousands of square feet, similar or like venues, that what happened was that as a subcontractor began to work in City buildings they could now say that they were providing labor and assistance, that they added that to their resume and kept adding and adding to their resume until they could bid as a prime and virtually that was what happened here and LJ Maintenance was just the low bid, that he was not saying that they were going to loose money, and Council Member Goldberg asked if what Mr. Tollett was telling him was that the qualification was that they had just performed those services before, not that they performed them well, and Mr. Tollett stated that they checked out their references and even from the Parks Department, that they gave them rave reviews so it was very difficult to say they were doing a lousy job, and Council Member Goldberg stated that LJ Maintenance had to loose money according to Mr. Yoo's figures, and Mr. Yoo stated that yes, that as he laid out in the attachment. Council Members Keller and Robinson absent.

Council Member Castillo stated that they had some items last week where they had a surety take over a job that could not be performed and they had some this week and it seemed like they could come up with some pretest where they could insure to some degree that the work could get done, that being simply just the low bidder just did not cut it and then the City had to take on the extra cost of rebidding, loss of quality service, that there ought to be a way that they could check out that the work could actually get done, that he knew that Mr. Tollett ran a shop by the book, that sometimes they had to use their own common sense to know that things could not get done the way they were, and Mr. Tollett stated that besides Miller Outdoor Theater they also were responsible for the cleaning of the Cynthia Woods Mitchell Pavilion which was very first class and a very large open indoor and open outdoor space, that the references they checked for LJ Maintenance came out excellent and he wanted to say that he was not looking to have to cancel this and start all over, that this was not the first time that they had a sub get to the level of a general, that they had looked at it for the last three months and he did not have a comfort level saying that they were not capable of producing the

best results because they were the supervisors. Council Members Keller and Robinson absent.

Council Member Quan stated he was not familiar with a lot of the maintenance contracts and when they talked about 150,000 hours how many employees were they talking about, was that regular staff that they kept on board or did they hire people at different times, how did they break up the man hours, and Mr. Yoo stated that this was sometimes temporary labor, that they had steady employees stationed day and night, that they always had to have some standby employees ready, that they had different facilities, and the uniforms that they purchased about two months ago were all their uniforms, and Council Member Quan stated that one of Mr. Yoo's documents was a letter of award and asked if Mr. Yoo was told that he had received the contract, and Mr. Yoo stated yes, that they were notified by the City Purchasing Compliance Officer, Zack King, that if they met the MWBE compliance, and Council Member Quan stated that DEMA Services had also stated that they actually received the contract, and Mr. Yoo stated that City Purchasing the way they handled this was very contradictory, that one day they said DEMA Services and another day HBS, that now they said that the letter was no good, that he did not understand their process. Council Members Ellis, Castillo and Bell absent.

Council Member Goldberg asked if LJ Maintenance was the prime at the other contract did they have to do a subcontract out for a MWBE Program, and Mr. Tollett stated yes, that they had the same MWBE goals set for everyone, that he did not know if they were losing money on their other contracts. Council Members Ellis, Castillo and Bell absent.

Mr. Henry Pham, 281 Plaga Vere, Houston, Texas 77038 (281-931-4106) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Castillo and Bell absent.

Mr. Robert Young, 8644 Lipan, 77063 (713-782-3320) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Castillo and Bell absent.

Ms. Antonette Asp, 4845 Homestead Ste. 520, Houston, Texas 77028 (713-676-2726) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Castillo and Bell absent.

Mayor Brown recognized Council Member Keller. Council Members Ellis, Castillo and Bell absent.

Council Member Keller stated that their friend Mr. Felix Fraga was going to have a bus for Council Members to visit the YES School on Wednesday after the meeting and urged everybody to do it if they could, that they would have a small lunch prepared and the bus would return Council Members to the City Hall Annex immediately following, that it was a great mission that those people were on, and wonderful that Mr. Fraga was part of it, that they would be overwhelmed at seeing how many lives those people had actually touched. Council Members Ellis, Castillo and Bell absent.

Mr. Rick Jordan, 1311 Sagehill, Houston, Texas 77089 (281-484-6254) appeared and stated that a week ago he had gotten a City Ordinance about his mobile units which he had several of them, that it stated that he had to take his mobile unit every single day and dispose of the waste water which he washed his hands with, that he had liners on his crock pots and steam tables and every night he threw them away, that he had two gallons of water each day to dispose of, that it would take him from 2:00 a.m. to 5:00 a.m. to get it all done, that he thought it was wrong to have to do it everyday when once a month would be proper, that the ordinance also said that he could not put anything on his mobile units, signs, flags or lights, that would increase his sales and thought that was totally wrong, that there were thousands of them in the mobile unit business and by putting them on the road every night they would add more pollution to the City and they were number one in pollution right now, that he did not know why the City Council and the Health Department would want to put thousands of them on the road every single day to dispose of maybe two gallons of water, that it did not make any sense, that he did agree they should be regulated, but once of month to dispose of water, that he had two hundred gallon tanks and they wanted him to take two gallons of water each day to dispose of, that some had 60 gallons and some had 200 gallon tanks of waste water and it did not seem right and he had passed out handouts to Council. Council Members Parker and Bell absent.

Council Member Todd stated that Mr. Jordon had contacted his office on the issue, that it was his understanding that Mr. Jordon's carts were actually parked permanently in front of Home Depot and Mr. Jordon stated Home Depot, Lowe's Home Improvement, Sam's Wholesale and the new County Courthouse and had been there four years, and Council Member Todd stated that his carts, even though they were on wheels, did not have to move everyday, that the Health Department was analyzing it to try to find out that since he was operating on a contract basis with those entities if perhaps he did not follow under the ordinance and had he heard back from them on that issue, and Mr. Jordon stated they called him that essentially he was wrong and had to abide by all the rules also, that he did not mind dumping the water but thought that once a day for a couple gallons of water and driving 50 miles to his commissary and 50 miles back did not make sense, and Council Member Todd stated to Mayor Brown that he was surprised to find out that it even fell under the ordinance because they had a contract with an established business, Home Depot or others and would have assumed that the spirit of the ordinance was designed for the entities that were traveling from job site to job site to deliver goods and that was where most of the concern was. Council Members Parker and Bell absent.

Council Member Castillo stated that Council Member Todd was right, that the type of establishment that Mr. Jordon had came under another definition, which was fixed mobile food establishment or something. Council Member Bell absent.

Council Member Castillo moved to suspend the rules to hear Ms. Gloria Moreno, Health and Human Services Department, at this time, and was seconded by Council Member Todd. All voting aye. Nays none. Council Member Boney absent due to being ill. Council Member Sanchez absent on city business. Council Member Bell absent. MOTION 2000-0169 ADOPTED.

Ms. Moreno stated that they had done a review of Mr. Jordon's permit and basically he was permitted to do mobile vending as opposed to a fixed location, that

because it was a mobile unit permit the requirement then did come into play to actually take it back to the commissary on a daily basis to not only exchange the waters that were used but to also get rid of any grease and things that accumulated during the day, so it did depend on the kind of permit that was awarded, and Council Member Bell asked if the definition of mobile anything that had a wheel anywhere on the building and Ms. Moreno stated that there was an additional requirement, that currently a fixed mobile location had very specific size requirements and Mr. Jordon's units would totally exceed those size requirements and in addition to having the wheels and having that capability his size exceeded the fixed location, and Council Member Bell asked how immobile did something have to be to not be a mobile food court, if he anchored it to the ground would it be considered a mobile food cart, and Ms. Moreno stated yes and some of the things that were taken into consideration for that for example would be bathroom facilities, that if it was anchored to the ground they had to meet a lot of other requirements that a full scale restaurant would have to meet, ADA requirements, bathrooms, et cetera so that also came into play, that right now the size of the unit determined the kind of permit he was authorized for and the kind of activity that was provided and whether or not there was a specific contract in place, but that would go back to the size of the unit. Council Member Todd stated that he would urge the Health Department to take another look at the issue because this did not really seem to be the sort of restaurant that he was thinking of when he voted for the Mobile Food Cart Ordinance. Council Member Bell absent.

Council Member Castillo suggested that Council Member Todd and Ms. Moreno or someone else from the Health Department meet with Mr. Jordon and see if there was an accommodation that could be made because obviously he was neither one or the other, and Council Member Todd stated that if he was anchored in front of a Home Depot and under a contract, and since they were already abiding with the rules for restrooms and ADA and such that it looked like a non issue and Council Member Castillo stated he thought the director had the authority to provide for special exceptions and Ms. Moreno stated that those exceptions had to do with size of sinks and not necessarily the size of the unit, but she would verify, that when they had the discussions on the mobile units many of the concerns that were raised were making sure that the units that had just stayed there for years and years were not moving so how mobile were they, that this was a measure that had been in the ordinance for a while, but basically requiring that commissary visits helped them in the enforcement of the actual mobile unit, and Council Member Todd stated that he would like to meet further on the issue. Council Member Bell absent.

Upon questions by Council Member Quan, Ms. Moreno stated that there were a list of identified commissaries that were able to handle any of the daily commissary visits, it was not just one location per se, that detaching the water storage tank from the unit so it could be taken without having to haul the whole unit was currently not possible under the ordinance as it was written, that the reason being was that it was not just the water that needed to be disposed, it may be food that had not been consumed, grease that as a result of food that was used, that water was what people most likely thought of but there were other things that would be disposed of, that she did not have an exact number of commissaries but could say that it was over 10 or 20, that the ordinance had not taken affect until next week and the ordinance had taken them almost 20 years to basically update it to the State and Federal requirements, that the ordinance was passed in

December 1999, and they were in the process of the having the ordinance take effect February 13, 2000. Council Member Bell absent.

Upon questions by Council Member Robinson, Ms. Moreno stated that if mobile vendors were part of the Houston Restaurant Association as well as some of the other stake holders they were included to participate and review the ordinance draft that was proposed, that it was brought a couple of times to the Health Departments Council Committee and was on the web site for people to have an opportunity to make comments on the proposed draft, and Council Member Robinson asked for a list of who got notice on it and asked what was the health purpose for the disposal, and Ms. Moreno stated that if the requirement was not put in place, at times, especially as Mr. Jordon suggested that people could go once a month, they did not know what kind of things would be growing in the waters that were used or not disposed, and basically it was just a public health requirement, that they were trying to minimize the risks that were out there for people that were stopping and buying at those carts and units, and Council Member Robinson stated that in a broader context, one of the things that crossed his mind was Hepatitis, and what were all the methodology means of transmission, and Ms. Moreno stated that Hepatitis C was basically a blood borne transmission and Hepatitis A could be an airborne transmission, that they did not want the water disposed of in the streets right now, that in the past people would dispose of grease just out in the open and they did not want to happen again, that they were trying to minimize any health risks with any of the disposals, and Council Member Robinson asked if people could change the kind of permits they had, because Mr. Jordon had a mobile permit, and Ms. Moreno stated that people could change their permits as long as they met the requirements of the permit they were changing to, that permits were changed and applied for everyday, and Council Member Robinson asked if there was a greater cost to be a fixed site as opposed to a mobile site, and Ms. Moreno stated that off hand she did not know but would get that information for him, and Council Member Robinson asked if there were any different standards significantly in terms of going from mobile to fixed and Ms. Moreno stated that the fixed kind of locations were popcorn carts at malls, et cetera, that those were what they really called fixed locations, that they were smaller and did not really have the water capabilities. Council Members Goldberg, Vasquez and Bell absent.

Council Member Parker stated that Mr. Jordon was caught in an unfortunate situation and sounded like he was more of a fixed site operator because he was on the site of Home Depot which could provide the restrooms and the other things he needed, but not to forget why the ordinance was changed and that was particularly in poorer neighborhoods where someone would just park a truck in a vacant lot, run an extension cord to a nearby building and at the end of the day just dump whatever was left in the nearest trash can or on the street, and that was actually what the ordinance was designed to prevent. Council Members Goldberg, Vasquez and Bell absent.

Council Member Todd wanted to clarify that they could not get Hepatitis from barbecue and Ms. Moreno stated no, and Council Member Robinson stated that they could get sick from dirty utensils, and Council Member Todd stated that the point of the grease dumping was more of a TNRCC issue than a Health Department Issue, and Ms. Moreno stated that yes and no, that it became a Health Department issue if there were health risks involved, like the preparation of food or the disposal of food, that TNRCC came into play when they were permitting establishments that were trying to get

rid of grease, such as grease trap facilities, like the cooking grease would be a Health Department issue as opposed to oil and other kind of greases, and Council Member Robinson stated he would like to meet on the issue to discuss it further, that surely there had to be some flexibility designed into the ordinance so that when they had a situation where it appeared to be a hybrid type of restaurant and had a contract, and was operating as an independent contractor with a reputable establishment, and Ms. Moreno stated that they had a Consumer Health Division and would put someone who intimately knew the ordinance and looked forward to meeting with him and getting all his questions answered, that they were allowing for a transition period to educate the vendors as to what the new requirements were, that no one would be shut down on day one that the new ordinance would take effect, that they were expecting about a year to make sure that everyone had an opportunity to get familiar with the rules and come into compliance, and Council Member Todd asked if they took part in the condom give away program would it help. Council Members Goldberg, Vasquez, Parker and Bell absent.

Mayor Brown asked Ms. Moreno to meet with Mr. Jordon and listen to all of his concerns and see if there was a necessity to do anything differently. Council Members Goldberg, Vasquez, Parker and Bell absent.

Council Member Robinson stated that he would like for someone to visit him also, and was also interested in how many of those permits were out there, that he wanted to be clear that he was concerned about Hepatitis, but was also concerned about every other kind of disease and was not going to joke around on the issue, that dirty utensils, bad food and dirty waste water could get people sick, that it might not be Hepatitis, but he was interested in the public's health and safety and was also interested in trying to be flexible, but his flexibility was not going to extend to a owner with a permit that had to comply with health requirements, that he wanted to find out how many other people were in this position because he did not think that they had to be in the business of bending and contorting ordinances for an individual, that if there was a class of people out there across the board that had a problem with it and did not get notice or did not have an opportunity to bring there concerns at the time the ordinance was drafted he was surprised, but just in case it did happen he wanted to find out and if everybody else was out there complying then he wanted everybody to comply with the ordinance, and would like to see the report when whoever the in house expert was who took a look at it in terms of health concerns, and assumed that the Health Department, no withstanding Council Member Todd's jovial mood about condoms and HIV and the like, had some serious and significant concerns about the public's health. Council Members Goldberg, Vasquez, Parker and Bell absent. Council Members Goldberg, Vasquez, Parker and Bell absent.

Mr. Anthony Hall, City Attorney, stated that Mr. Michael Moss who practiced law with the Legal Department for about 13 years, passed away that morning, that most of them knew that he was the lawyer who handled most of the special district work for the City, TIRZ's and that kind of thing, that he represented the best of Houstonians in both the way he did his work and the dignity in which he lived as a citizen, and asked for their prayers and sympathy for his family, and Mayor Brown asked that they all keep Mr. Moss's family in their prayers, that it really was a loss to the community, City, and Law Department. Council Members Goldberg, Vasquez, Parker and Bell absent.

Mr. R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77028 (202)FA34511 had reserved time to speak, but was not present when his name was called. Council Members Goldberg, Vasquez, Parker and Bell absent.

Mr. Jacob Padilla, 7418 Alderson, Houston, Texas 77020 (no phone) appeared and stated that he was present to discuss the Cliff Tuttle Library, and showed Mayor Brown his Power Card and stated that his kids had their Power Card's and were excited when they were issued to them, that it was said to say what had happened out there in Denver Harbor, that it was his understanding that it was just supposed to be a roof job and he thought that it would be six months to a year, but now it had been four years, that due to the three bid system, and not to take anything away from the minority vendors, he thought that they had to create some type of committee to investigate the vendors before they gave them the opportunity that they could not provide, that he was present after four years to say enough was enough, that late March or early April the construction should be complete, the interior and exterior of the library, that now their concerns, from his understanding, that the budget had been there for Cliff Tuttle Library for books and computers, but that might not be enough, that they wanted to make sure they received the maximum that they deserved in Denver Harbor, for the kids, teenagers and seniors who were going to be using the library, that they were equipped with the state of the art computers, up to date software, best books so his kids could do their book reports and research papers, that not only his kids, that they had 5 elementary schools, 1 middle school, and had numbers of private schools, that those kids were going to use that library so they wanted the maximum and best for their kids out there, that the Mayor's campaign was to support the youth and kids of the City, and he was present supporting the kids of Denver Harbor and also the seniors that were retired and could go and enjoy a book at a library that had been under construction for the past four years, and also one of his questions was the air conditioning system, that the library had been there a number of years and now they were saying that it was fine, that they could go ahead and use the same one, that the library had been out there for more than 20 years and had been under construction for 4 years and the air conditioning unit had just been sitting there and he knew that there was not preventive maintenance program out there for that system, that he was told by a representative from Council Member Castillo's office that it was like when you wreck your car, you do not buy a new engine you just fix the dents, that no, they were not going to take that, and was also told that if they brought out a new air conditioning unit that was under contract they would have to loose a computer or books that would benefit their kids and seniors, that it was sad to say and sad to hear from a representative. Council Members Goldberg and Bell absent.

Mayor Brown stated that as of that day he had been informed that the project was on schedule, that there would be a walkthrough inspection for February 17 and a certificate of occupancy was expected to be in place by February 19, that they installed the carpet over the weekend and the shelving was delivered that day, that all the inspections were complete except for the electrical systems, so substantial work had been done, that he appreciated Mr. Padilla's interest and keeping on the issue to make sure that they got what they needed out there for the children, he agreed with him 100%. Council Members Tatro, Goldberg, Keller and Bell absent.

Council Member Vasquez thanked Mayor Brown and knew that he had made Cliff Tuttle Library one of his priorities to make sure that the construction was situated and finished on time and budget, that they had been working with Richard Lewis to make

sure that it happened and recognized Mr. Padilla's parents who were very active in the Denver Harbor Community, that this particular library from the very first week as being sworn in as a Council Member was something that he had been paying attention to, that he recognized that there was a strategic master plan for the libraries, however there was no assurance as to when that may or may not occur, that their interest was in maximizing the resources within the existing constraints of the building and had at least one discussion with Ms. Barbara Gubbin and she had made some recommendations on how to maximize the services within the exiting structure, and he would like to visit with somebody from the administration on seeing about making that happen prior to the reopening of Cliff Tuttle Branch Library, and Mayor Brown stated that someone from the library would meet with him. Council Members Tatro, Goldberg, Keller and Bell absent.

Council Member Castillo stated that he appreciated Mr. Padilla's comments, but wanted to categorically deny on what he had said, that his office did not deal with him, that Cliff Tuttle Library had been a concern of his because of a personal interest in it, that it was not in his district and he would not meddle in another Council Member's district on any subject, and he personally checked with his office and nobody had told Mr. Padilla that. Council Members Tatro, Keller and Bell absent.

Mr. Edward Simmons, 5242 Bungulow Ln., Houston, Texas 77048 (713-731-1165) appeared and stated that he was with MSY International and was present to speak on traffic control and the lack of, that they had construction job sites going on at Intercontinental Airport, Southeast Houston, Astrodome, South Main and Downtown and there was no traffic control, that all the contracts were calling for traffic control and none of them were being fulfilled, that every time they asked someone about it no one wanted to talk about it, that all the contracts were calling for either certified flagmen or police officers and none were there, that what did they have to do in order to get someone to enforce the contracts, who did they have to see about getting the contracts enforced, that safety should be one of the first things involved with the construction going on, that the accident that happened out at Intercontinental Airport could have been prevented, did some have to be killed before someone would even decide to look into this. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mayor Brown asked if it was Mr. Simmons interest to provide training, and Mr. Simmons stated that he was a trained instructor but that was secondary to what he speaking about, and Mayor Brown asked Mr. Wes Johnson to meet with him, answer his questions and give him directions as to what needed to be done to accomplish the objective that he wanted to be accomplished. Council Members Tatro, Goldberg, Keller and Bell absent. (NO QUORUM PRESENT)

Council Member Quan stated that he had a concern too, that often times a lot of the construction sites would just come upon them before they even knew it was there and traffic had to merge and there were no people directing traffic, that he was glad that Mr. Simmons had brought this to their attention and was happy that the Mayor was going to take some action to investigate it, that he would like to see what was discovered and would like to follow-up to see that it happened. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Council Member Robinson stated that someone from his staff had the opportunity to meet with Mr. Simmons and wanted to share with Council that one of the items on the February agenda for the Transportation Committee would be this issue as a follow-up to the presentation that the Mayor had to the full Council, that they had extended an invitation to Mr. Simmons and anybody else to come and share specific safety concerns so they could discuss those and try to work with Public Works and Engineering or the relevant organization on that issue, and Mayor Brown stated that they would have Mr. Johnson report back to them with the recommendation that Public Works would have on this. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. Steven Williams, no address, no phone had reserved time to speak, but was not present when his name was called. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. Joseph Young, 5803 Harrisburg, Houston, Texas 77011 (713-921-7520) appeared and stated that he was present regarding an ongoing problem that he had, that he had been constantly intimidated and harassed by some religious groups, that he had not been able to get any help from the authorities, that he had been referred to as some type of ungodly person by these people, that some of the intimidation had led to some assaults against him and confrontations with other people, that he had been to the Houston Police Department several times, written letters and contacted other officials, even members of Mayor Browns staff and had not been able to get help, and Mayor Brown stated that Chief Stewart from the police department would meet with him and see how they could be helpful. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Ms. Annie Vaughn 270 North Carolina Street, Houston, Texas 77029 (713-675-8192) appeared and stated that she was present because an HPD officer had chosen sides in a 3 year feud between her daughter, Cleopatra Vaughn and Tramone Thomas over a man, that the police officer picked up her daughter and arrested her on February 3 and was let out on February 7, that Judge William T. Harmon and the Assistant District Attorney dismissed the case against her, that she just wanted Mayor Brown to know that her complaint was not racial, and Mayor Brown asked if she was complaining against a police officer and had she filed a complaint with the Police Department Internal Affairs Division and Ms. Vaughn stated yes and Mayor Brown stated that they would conduct the investigation and get back with her telling her the results of the investigation and appreciated her bringing it to their attention. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. Charles Stoneham, 11806 Mill Valley, Houston, Texas 77048 (713-733-5219) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Ms. Joyce Smith, 4814 Larkspur, Houston, Texas 77033 (713-734-0114) appeared and stated that she was present because she saw that there had been a summit on hate crimes, that it appeared not in the City but in the nation; that they did not get media attention about those crimes unless it was a White person doing something to a Black, or if anybody did something to a homosexual, but she wanted to know why it was that

they would go out of their way to constantly bring up Mr. James Bird, that since Mayor Brown had become Mayor she had started a folder and displayed a number of cutout articles, that most of them were Black on Black crime, that she was present because crime had touched her family to, that the young lady that was murdered in a car jacking at the Sharpstown Mall was her niece, and she suggested that they have a summit on Black on Black crimes. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. Willard Hunter, 4801 Scott No. 3, Houston, Texas 77004 (713-527-9654) appeared and stated that he had gotten something off the Internet that was very disturbing, that it was about the year 2000 where a White Supremacy Group would start going around and killing Blacks and Non-Whites, that it had been going on, that just like on the waterfront, they were dropping containers on Blacks and poisoning Blacks, that it really had to stop and did not make sense, that it been going on since slavery and was still going on now, that he was looking for justice on the waterfront. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. Arthur Moore, Jr., 8800 Broadway No. 5328, Houston, Texas 77061 (713-645-3056) appeared and stated that he wanted to talk again about the Port of Houston, that April would be 17 years that they had merged with the White Union, that they had lost everything, they lost seniority and property, that the only crime that had not been committed against them was kidnapping, that when they killed men on the job that was not a homicide that was an accident on the job, that stealing union funds, bigotry, prejudice, Klan involvement and no one wanted to do anything about it, and Mayor Brown stated they had a Transportation Committee that covered the Port and Council Member Robinson was the chair and if there was information that he wanted Council to pursue he could share the information with Council Member Robinson and he could look into it for them, and Council Member Robinson stated that he was involved in a lot of controversial things and would be more than happy to look at Mr. Moore's information. Council Members Goldberg, Todd, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. Ricky Hurt, 2500 W. Mount Houston No. 142, Houston, Texas (281-448-0959) appeared and stated that he had pictures to be passed around, that he attended all nine hours of the festival hearing and heard complaints from some people of the neighborhood but they brought no evidence, that with the idea that it took nine hours of the testimony for the hearing officer to make a decision there must have been enough reason to cancel the festival and that was the spin, but the truth was that the hearing officer was not satisfied with the police officers who appeared during the first hearing and he wanted someone who had worked the festival, so he called the second and still not satisfied he called the third, that much of the hearing was a rehash of the previous hearings, that it was the same rehash that they had heard in Council for the past 15 years during the public session and of course with no evidence, that they did have evidence that the HPD Near Town Store Front Police did not enforce illegal parking laws in Montrose at Ralph and Westheimer on non festival days since June 1999, that he had pictures and dispatch records, letters from the Mayor and Council in October, and from the Chief of Police who was supposed to take care of it.

Council Member Parker stated that she had seen Mr. Hurt on television a couple of weeks ago as the sign bandit and wanted to compliment him for his efforts to remove

illegal signs, particularly illegal campaign signs, that they did not have enough City employees to enforce the sign ordinance and depended on citizens to collect the sign litter and wanted to thank him for doing that; that he was mixing apples and oranges, that the festival was one issue and the valet parking issue that he was raising was another, that she had written a letter on his behalf when he first complained and some of her colleagues did, that she understood that they had a valet parking ordinance coming up and did not know if it was coming to her committee or Council Member Todd's committee and wanted to work with him on this because it was a continuing problem and wanted him to meet with the Assistant Chief who was in the audience. Council Members Goldberg, Todd, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. Ken Okorie 12003 Merewood, Houston, Texas 77071 (713-772-0000) had reserved time to speak, but was not present when his name was called. Council Members Goldberg, Todd, Vasquez and Bell absent. (NO QUORUM PRESENT)

Ms. Gladys Yvonne Carter, 5034 Pershing, Houston, Texas 77033 (no phone) had reserved time to speak, but was not present when her name was called. Council Members Goldberg, Todd, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that it was Tuesday, February 8, 2000, www.galvan.org, Happy Birthday to Louis Gonzales in the City Secretary's Office on Friday, February 11, that Happy Valentines Day 2000 to all, that he would like to remind everyone that next week was also the full moon in Virgo and in this new age the true ruler of the Virgo's was the planet Vulcan, that he loved the art work downstairs in the basement, especially Waltinet Lewis piece, the black and blue one, that City Hall needed more art. Council Members Todd, Castillo, Bell and Robinson absent.

Mr. Trent Winters, 7967 West Airport, Houston, Texas 77071 (713-729-1153) appeared and stated that since Council Member Boney was not present he wanted to let him know that if he wanted people to follow him he needed to start answering for the money that he got from the people, that during the African American Summit there were a lot of good speeches made, that Mayor Brown made one and Council Member Boney made one, that he really felt that if Council Member Boney wanted people to back him, he needed to answer up for what he was doing with the money, that it was not that he had done anything but it appeared that he was doing something and people were going to start looking at him funny, and wanted that to be passed on to him. Council Members Todd, Castillo, Bell and Robinson absent.

Mr. John Florez, 524 Westheimer, Ste. B, Houston, Texas 77006 (713-522-6548) appeared and stated that he had been present before, that he wanted to show them the three binders that made up the 3 1/2 hours of hearing that they had sometime ago, that he did not believe that there was a single person present who had the time to go through them, that what they had done was to condense and pull a number of items from the records and provided some of the sampling and the many reasons why the hearing was, in their opinion, not held within the rules, that the rules were very simple and provided to them minutes before the hearing and that in itself was unfair, that they did not have a chance to prepare, that when they asked Traffic and Transportation several days before the hearing they were told that it was going to be done several different ways, that they tried to prepare but were not able to prepare, that the first day should have been time to

be ready, that the package that he brought yesterday, if they looked at nothing else from the record, there were seven pages, that for them to look at the rules and what was done to them, that it was not fair, that they were looking at possibilities and considering maybe doing the festival once down on Westheimer and once on South Main, that they had approached the Parks Department for some answers, that they wanted the event to be peaceful. Council Member Todd, Castillo, Bell and Robinson absent. Council Member Todd, Castillo, Bell and Robinson absent.

Council Member Parker stated she was glad that Mr. Florez was back to the bargaining table, and was glad that there were still some possibilities. Council Member Todd, Castillo, Bell and Robinson absent.

Mr. Dwight Burton, 3721 Seabrook, Houston, Texas 77021 (713-709-6773) had reserved time to speak, but was not present when his name was called. Council Member Todd, Castillo, Bell and Robinson absent.

President Joseph Charles, P.O. Box 53831, Houston, Texas 77052 (713-710-1715) appeared and stated that he was President Joseph Charles of Royalty and also a certified volunteer deputy registrar of Harris County and certified booster member in good standing of the Houston Police Patrolmen's Union and one of the only official presidential candidates for the coming presidential election, that he was present again to address his crime victim case, that he did need more time, that he wished to salute and pay tribute to Black History Month, that it was also his birthday on the 22nd, and one of the only official presidential candidate for the coming presidential election, and he requested emergency protection that he was being criminally denied of, that he case was an official crime victim case, that he also had payment for the rent or lease of an apartment and was being denied action to be taken on his case. Council Member Todd, Castillo, Bell and Robinson absent.

At 4:01 p.m. upon motion by Council Member Robinson and seconded by Council Member Quan, City Council recessed until 9:00 a.m. Wednesday, February 9, 2000.

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, February 9, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney, Mr. Paul Bibler, Senior Counsel, City Attorney's Office and Ms. Martha Stein, Agenda Director, present.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

HEARINGS

1. **PUBLIC HEARING** regarding the request to extend the western boundary of the **LOWER WESTHEIMER BANNER DISTRICT - DISTRICT D - BONEY - 9:00 A.M.** – was called.

The City Secretary stated that no speakers had signed up to speak on the matter and Ms. Sandy Stone of Public Works would make opening remarks. Council Members Tatro, Galloway, Ellis, Keller, Parker and Robinson absent.

Ms. Stone stated that the hearing was for the extension of the banner district on lower Westheimer; that the Department of Public Works had received a petition to expand the district which as established by Council in 1995; that the lower Westheimer District was presently located between Taft and Yoakum and this was to extend from Yoakum to Commonwealth, approximately one block; that the Department of Public Works and Engineering along with Reliant Energy, HL&P, had reviewed the request and all requirements had been met in accordance with the ordinance and Reliant Energy's policies and procedures. Council Members Tatro, Galloway, Ellis, Keller, Parker and Robinson absent.

Council Member Boney moved to close the hearing, and was seconded by Council Member Castillo. All voting aye. Nays none. Council Members Tatro, Galloway, Ellis, Keller, Parker and Robinson absent. MOTION 2000-0170 ADOPTED.

MAYOR'S REPORT

Briefing on the Status of the Olympics Bid by George DeMontrond, Chairman of the Board, 2012 Foundation – was called.

Mayor Brown invited Mr. George DeMontrond to the podium to give a briefing on the progress of getting the 2012 Olympics for Houston. Council Members Tatro, Galloway, Ellis, Keller, Parker and Robinson absent.

Mr. George DeMontrond appeared, presented a video regarding his presentation and stated that during the last update to Council they had stated that this was not a pipe dream and the Olympics could be brought to Houston and since then nothing had changed their mind and there had been encouraging developments. Mr. Demontrond discussed the bid process for Houston; Houston's chances to win the games and that they were clearly expected to be one of the finalists; how Houston would benefit from the Olympics with a generation of \$200,000,000 in tax revenue and a large creation of jobs, increased long-term economic activity and an opportunity to showcase the "New" Houston.

Mr. Demontrond stated that a City-wide referendum was needed to accomplish it as the state required it for the legislation they setup for funding and passing the referendum was essential to the bid effort and the Mayor and Council's input and help was critical to their ultimate success. Council Member Todd absent.

Upon questions by Council Member Bell, Mr. DeMontrond stated that regarding the amount of money needed for being in a position to attract the games was that the city a year and a half ago put up \$1.5 million and the business community had put up about \$2,000,000 and they had about another \$1,000,000 to go to get to the final phase of the

bidding for the national and then they would need about the same for the international phase, but compared to the \$3.5 billion impact or higher it was a minor amount; that the federal government provided \$200,000,000 to Atlanta to improve their infrastructure for the games and that was typical. Council Members Todd and Keller absent.

Council Member Robinson stated that he was supportive as best he could be, but he wanted to make sure they would visit with him and anyone else appropriate to lay out for him how the effort for the referendum would play; relative to what to him were the two more important issues, the Downtown multi venue arena and the city preparing for what was around the corner the 2000 Super Bowl, so until he had more clarity on how it would impact those two events he was skeptic; and Mr. DeMontrond stated that if the city hosted the Olympics with no increase in the tax structure they would automatically generate an additional \$200,000,000 in taxes because of the additional activity; that the trust fund in any case was limited to \$100,000,000, but the figure by the state was that \$80,000,000 of the \$200,000,000 would be sales tax. Council Member Robinson asked how much of that was state versus city; and Mr. Lewis stated that it was about 75% but he could get an actual calculation for the Council Members. Upon further questions by Council Member Robinson, Mr. DeMontrond stated that after the Olympics were successful and had come and gone whatever money was left was divided back to the city and state in their respective shares. Council Member Robinson stated that he would like someone to itemize what specific things constituted preparation; and Mr. DeMontrond stated that he would get that for him.

Mayor Brown thanked Mr. DeMontrond for coming; and stated that he appreciated his leadership on the project and thanked all his colleagues for their hard work also; and Mr. DeMontrond stated that he believed it was going to be a good thing for Houston.

Council Member Castillo moved to suspend the rules to take Items 62 through 62D out of order, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0171 ADOPTED.

HOTEL MATTERS HELD - NUMBERS 62 through 62D

The City Secretary stated that Item 62 was the proposed amendments recommended by the Economic and Community Development Committee.

Council Member Robinson stated that 62b were standalone amendments that he proposed and had been incorporated and he would withdraw 62b.

62b. Withdrawn by Council Member Robinson.

Council Member Robinson presented the following proposed written amendments to Item 62D:

- A. Appointment and Removal of Directors: regarding articles and bylaws and providing for removal and appointment of director.
- B. Term of Office for Directors: regarding time the director would serve.
- C. No Services by Board Members: regarding no board of director providing services to corporation.
- D. Meetings of Board of Directors: regarding with complying with both open meetings and open records acts in the State of Texas.

- E. Board Composition: regarding calculating the number of board of members of the board.
- F. Governance Matters: regarding instruments requiring City consent before the corporation may undertake them.
- **(This was Items 47a on Agenda of February 2, 2000 POSTPONED BY MOTION #2000-137)**

Council Member Tatro stated that he had recommended 62c and he was happy to see the new versions of the bylaws and subsequent changes proposed with Council approval and he would now withdraw 62c.

62c. Withdrawn by Council Member Tatro.

Council Member Tatro presented the following proposed written amendments to Item 62D:

Article II, Section 2.01 General Powers: Number, Appointment: Qualifications (complete replacement for the section) regarding its board of directors and being recommended by the Mayor with approval of City Council

Section 2.02. Tenure (complete replacement for the section) regarding term set, removal from office with approval of City Council and replacement with approval of City Council

Section 4.06. Audits changing the word Comptroller to Controller.

Article IV Paragraph 5 (partial replacement) regarding entering into agreement pursuant to which developer, architect or operator is granted their right to do so

Article VI (complete replacement for the section) regarding its board of directors and being recommended by the Mayor with approval of City Council, term set, removal from office with approval of City Council and replacement with approval of City Council

Article VIII regarding deleting reference to ex-officio members of the board

Article X regarding deleting the last sentence

Article XI regarding deleting the last paragraph.

- **(This was Items 47b on Agenda of February 2, 2000 POSTPONED BY MOTION #2000-137)**

Council Member Castillo moved approval of Items 62 and 62a as shown below, and was seconded by Council Member Robinson.

62. Proposed amendments recommended by the Economic and Community Development Committee

(NOTE: Substitute for Articles of Incorporation and the Bylaws contained in Item 62D) – **(This was Items 47 on Agenda of February 2, 2000, POSTPONED BY MOTION #2000-137)** - had been presented, moved by Council Member Castillo, and seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2000-0172 ADOPTED.

62a. Proposed amendments recommended by the Administration

(NOTE: This is not a Matter Held but relative to Item 62D) - had been presented, moved by Council Member Castillo, and seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2000-0172 ADOPTED.

Council Member Keller stated that he wanted to reiterate they had had talked about a development analysis being submitted to Council and about rearranging the order of selection noted previously as 3 and 8 which included a selection of the developer in 3 and 8 and in the timeline it would take place before selection of the architect and he hoped others would consider that as important as he.

NOTE: Revised documents for Items 62 and 62a were distributed to Members of Council prior to Council Action.

A vote was called on the motion to adopt Items 62 and 62a. All voting aye. Nays none. MOTION 2000-0172 ADOPTED.

62d. RESOLUTION approving the creation of a Local Government Corporation for purposes related to the construction and operation of a Convention Center Hotel; approving the Articles of Incorporation and the Bylaws thereof; confirming the appointment of the Initial Directors - **(This was Items 47c on Agenda of February 2, 2000 POSTPONED BY MOTION #2000-137)** – was presented as amended. All voting aye. Nays none. RESOLUTION 2000-2 ADOPTED AS AMENDED.

Mayor Brown stated that the chair, former Mayor Lanier, was present and invited him to the podium; and thanked him for his services on the matter. Mayor Lanier stated that they were doing the best job they could to deliver a product they could be proud of.

Council Member Robinson thanked Mayor Lanier and all those working with him, the Administration and the Legal Department for bringing it to this conclusion and he was confident they were on their way to something this city needed.

Council Member Castillo thanked Mayor Lanier for his service; and Mayor Lanier stated that it was attractive to him because it could help with the Olympics, the Super Bowl and it was a part of the redevelopment of the downtown area and that in turn was an intricate part of the redevelopment of the entire inner city and it would be beneficial to all neighborhoods.

Mayor Brown acknowledged the other members of the board, Ms. Karen Barth, Ms. Charles Drayton, Mr. John Garza, Ms. Janice Longoria, Mr. Don Wang, Dr. Judith Craven and Dr. Malcolm Gillis and thanked them for their service.

Consent Agenda (Items 2 through 51) were considered as follows:

MISCELLANEOUS - NUMBERS 2 through 5A

3. Recommendation from Chief of Police for extension of Leave of Absence without pay for Police Officer **STEVEN C. JACKSON**, Employee No. 101698 – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez . All voting aye. Nays none. MOTION 2000-0173 ADOPTED.
4. RECOMMENDATION from Chief of Police for approval of Law Enforcement Agreements between **HARRIS COUNTY** and **WOODSIDE CIVIC CLUB, WILLOW MEADOW CIVIC CLUB** and **WILLOWBEND CIVIC CLUB** for Law Enforcement Services of Harris County Constables from Precinct 7 and Sheriff Deputies for a

period of twelve months - **DISTRICT C – GOLDBERG** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez . All voting aye. Nays none. MOTION 2000-0174 ADOPTED.

DAMAGES - NUMBER 6

6. RECOMMENDATION from City Attorney for settlement of lawsuit styled **JUAN VICENTE PEREZ** v. City of Houston and John Robinson; in the 190th Judicial District Court of Harris County, Texas; Cause No. 98-37705 - \$60,000.00 - Property & Casualty Fund - – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez . All voting aye. Nays none. MOTION 2000-0175 ADOPTED.

PROPERTY - NUMBERS 10 through 12A

10. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Paul Homeyer, on behalf of Steven Mafrige and Don Mafrige Real Estate Company (Don Mafrige, Jr. Co-Owner and Property Manager), for encroachment agreement for a ±8.6 foot by 34-foot canopy encroachment into the Fannin Street right of way, adjacent to Lot 12, Block 46, South Side Buffalo Bayou, Parcel ENYO-03 - **DISTRICT I – CASTILLO** – was presented, moved by Council Member Boney, and seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0176 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 13 through 25

LOW BIDS

14. **INDUSTRIAL AIR TOOL** for One Concrete Mixer with Trailer Transporter for Houston Airport System - Replacement - \$24,280.00 - Enterprise Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0177 ADOPTED.
15. **V. H. BLACKINTON & CO., INC** for Apparel, Badges, Caps and Emblems for Police Department \$31,937.50 - General Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0178 ADOPTED.
17. **PEEK TRAFFIC SYSTEMS, INC** - \$329,542.85 and **TRAFFIC ENGINEERING & CONTROLS, INC** - \$146,448.00 for Pedestrian Signals for Department of Public Works & Engineering METRO Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0179 ADOPTED.

OTHER

22. **SHRIEVE CHEMICAL COMPANY** - \$522,979.94 and **BAY CHEMICAL AND SUPPLY COMPANY** - \$1,516,560.00 for Chemicals, Aqua Ammonia and Liquid Ammonium Sulfate for Department of Public Works & Engineering - Enterprise

Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0180 ADOPTED.

24. **BROOKSIDE EQUIPMENT SALES, INC** for Equipment, Tiger Tractor Repair Parts for Department of Public Works & Engineering - \$52,300.00 - METRO and Street & Drainage Maintenance Funds– was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0181 ADOPTED.
25. **AMEND MOTION #98-1197, 7/22/98, TO EXTEND** expiration date for 12 months from July 22, 2000 to July 21, 2001, for Hydraulic Hose and Coupling Contract for Various Departments, awarded to **HOSE & FITTINGS, INC** and **LINDALE AUTO SUPPLY** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-182 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 26 through 51

27. RESOLUTION authorizing the City of Houston, Texas to seek party status in proceedings relating to **RELIANT ENERGY, INC'S** Business Separation Filing Proceedings; authorizing the City Attorney to represent the City and to take appropriate actions relating to such proceedings; making certain findings related thereto – was presented. All voting aye. Nays none. Council Member Keller absent. RESOLUTION 2000-3 ADOPTED.
28. RESOLUTION approving the creation of the Southwest Houston Redevelopment Authority; approving the Articles of Incorporation and the Bylaws thereof; confirming the appointment of the Initial Directors and Chairperson - **DISTRICT F – ELLIS** – had been pulled from the Agenda by the Administration, and was not considered.
29. ORDINANCE issuing a permit to **EPEC REALTY, INC., A Delaware Corporation**, for maintaining, using, occupying, operating and repairing, a basement within McKinney Avenue, Milam Street, Lamar Avenue and Travis Street abutting Block 140, S.S.B.B., Houston, Texas; such areas being within 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 Revenue - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-84 ADOPTED.
30. ORDINANCE issuing a permit to **EPEC REALTY, INC., A Delaware Corporation**, for maintaining, using, occupying, operating and repairing (i) a basement within McKinney Avenue, Louisiana Street, Lamar Avenue and Milam Street abutting Block 143, and (ii) a Pedestrian Tunnel within Milam Street between Blocks 140 and 143, S.S.B.B., Houston, Texas; such areas being within 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 Revenue - **DISTRICT**

I – CASTILLO – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-85 ADOPTED.

34. ORDINANCE approving and authorizing sponsorship agreement between the City and **BRIARDALE CIVIC CLUB** for Garbage Collection Service for the respective subdivisions 24 Months - \$2,736.00 - General Fund - **DISTRICT G – KELLER** – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-86 ADOPTED.
36. ORDINANCE approving and authorizing Third Amendment to contract between the City and **WELLS FARGO BANK, N.A.** and **WELLS FARGO MERCHANT SERVICES, L.L.C.** for Charge Card Processing Services – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-87 ADOPTED.
40. ORDINANCE approving and authorizing first amendment to contract between the City and the **WACKENHUT CORPORATION** for Security Guard Services for the Convention and Entertainment Facilities Department; amending Ordinance No. 99-223 to increase the maximum contract amount - 4 Years - \$4,468,287.72 - Enterprise Fund - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
41. ORDINANCE approving and authorizing agreement between **HARRIS COUNTY** and the City of Houston related to Reconstruction of Anderson Road from South Post Oak to Hiram Clarke GFS N-0644-07-2 (N-0644-07) - **DISTRICT D – BONEY** – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-88 ADOPTED.
42. ORDINANCE appropriating \$33,825.00 out of Street & Bridge Consolidated Construction Fund 437 and approving and authorizing agreement between the City of Houston and the Texas Department of Transportation (TXDOT) for reconstruction of Dixie Drive from Almeda to Bowling Green, GFS N-0611-36-2 (SB9019) - **DISTRICT D – BONEY** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
43. ORDINANCE approving and authorizing first amendment to contract between the City and **CLAY POPE** (approved by Ordinance No. 98-1257) for assistance on Water and Wastewater Issues in the Texas Legislature and various State Agencies - \$316,000.00 - Enterprise Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
44. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **A E S DEEPWATER, INC** - Through December 31, 2020 – Revenue – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-89 ADOPTED.

45. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **CHEMSEP, INC** - Through December 31, 2020 – Revenue – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-90 ADOPTED.
46. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **DSI TRANSPORTS, INC** - Through December 31, 2020 – Revenue – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-91 ADOPTED.
47. ORDINANCE appropriating \$5,095.12 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City and **PERRY HOMES** for construction of an 8-inch water line on Rosalie Street, CIP S-0800-15-3 **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-92 ADOPTED.
48. ORDINANCE appropriating \$550,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing professional engineering services contract between the City of Houston and **SYLVA ENGINEERING CORPORATION** for Design of Ten Neighborhoods to Standard Projects in various areas, CIP Q-1300-01-2 (OL2001); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY; D - BONEY; G - KELLER and H – VASQUEZ** – had been pulled from the Agenda by the Administration, and was not considered.
50. ORDINANCE appropriating \$333,300.00 out of Storm Sewer Consolidated Construction Fund, awarding contract to **JIMERSON UNDERGROUND, INC** on low bid of \$286,052.00 and approving and authorizing a professional services contract for engineering testing services with **HERCULES ENGINEERING & TESTING SERVICES, INC** in the amount \$10,000.00 for construction of Martin Luther King Drainage Improvements; GFS No. M-1000-01-3; providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund - **DISTRICTS D - BONEY and E – TODD** – was presented. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-93 ADOPTED.

Items removed from the Consent Agenda were considered as follows:

2. RECOMMENDATION from Finance & Administration Department for approval of payment of membership dues for the City of Houston membership in the **ALLIANCE FOR INTERSTATE 69 TEXAS** - \$25,000.00 - General Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Keller absent. MOTION 2000-0183 ADOPTED.
5. RECOMMENDATION from Director Planning & Development Department to accept the January 2000 Semiannual Report and Recommendations of the

Planning Commission, acting as the Capital Improvements Advisory Committee, relating to the implementation of the Water and Wastewater Impact Fees Program Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and tagged by Council Member Robinson. Council Member Keller absent.

- 5a. RECOMMENDATION from Director Department of Public Works & Engineering to transfer revenues and interest generated by the Water and Wastewater Impact Fees in the amount of \$5,958,615.39 to Revenue Bond Debt Service as recommended in the January 2000 Semi-annual Report of the Capital Improvements Advisory Committee (CIAC) – was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez, and tagged by Council Member Robinson. Council Member Keller absent.

Council Member Robinson stated that he would like someone from F & A to visit with him on Items 5 and 5a; and Mayor Brown stated that someone would visit with him. Council Member Keller absent.

Council Member Quan stated that he would like someone to visit with him on Item 2 as he had been trying to get an answer for two days; and Mayor Brown stated that someone would visit with him on Item 2. Council Member Keller absent.

ACCEPT WORK

7. RECOMMENDATION from Building Services Department for approval of final contract amount of \$90,560.00 and acceptance of work on contract with the Surety, **GULF INSURANCE COMPANY** for Reroofing of Tuttle and Young Branch Libraries, GFS E-0038-10-3 - 01.43% over the original contract amount - General Improvements Consolidated Construction Fund - **DISTRICTS E - TODD and H - VASQUEZ** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Keller absent. MOTION 2000-0184 ADOPTED.
8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$921,649.95 and acceptance of work on contract with **BITUMINOUS CASUALTY CORPORATION** for Tamworth Lift Station and Furay Sewer Diversion, GFS R-0267-13-3 (4276-7) - 00.63% under the original contract amount - Enterprise Fund **DISTRICT B – GALLOWAY** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Keller absent. MOTION 2000-0185 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,179,865.46 and acceptance of work on contract with **CALCO CONTRACTING, INC** for Construction of Water Main Replacement in Freedmen’s Town, GFS S-0455-02-3 (10378-2) - 15.13% under the original contract amount - Enterprise Fund - **DISTRICT I – CASTILLO** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Keller absent. MOTION 2000-0186 ADOPTED.

PROPERTY

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Jonathan Schenck, for abandonment and sale of Florence Street, from Teetshorn Street north to its dead end at Lot 9, Block 10, Woodland Heights, Parcels SYO-032, SYO-035 and SYO-036 - **STAFF APPRAISERS DISTRICT H – VASQUEZ** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0187 ADOPTED.
12. ORDINANCE appropriating \$19,900.00 out of Water & Sewer System Consolidated Construction Fund Number 755 to pay the amount of the Agreed Final Judgment in connection with the eminent domain proceeding styled City of Houston v. Paul R. Biggs, et al., to acquire Parcel Number D96-35, for the WCID Number 47 Clarifier (Buffer), Project File Number 4637-1; GFS/CIP R-0018-06-1- **DISTRICT E – TODD** – was presented. All voting aye. Nays none. ORDINANCE 2000-94 ADOPTED.
- 12a. RECOMMENDATION from City Attorney to settle a lawsuit styled City of Houston v. Paul R. Biggs, et al, Cause No. 676,298, in connection with eminent domain proceeding for acquisition of Parcel D96-35 and payment of appraisal invoice for **WCID NUMBER 47 CLARIFIER (BUFFER)**, Project File Number 4637-1; GFS/CIP R-0018-06-1- **DISTRICT E – TODD** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0188 ADOPTED.

PURCHASING AND TABULATION OF BIDS

LOW BIDS

13. **AVES AUDIO VISUAL SYSTEMS, INC** for One Betacam System for Houston Airport System New - \$35,625.00 - Enterprise Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez.

Council Member Parker stated that this was the audio/visual equipment for the Houston Airport System; that they had received a letter from F & A describing the efforts to consolidate their video production capabilities and yet the response begged to question why they were adding to those capabilities separately at the airport system; and she was going to tag Item 13 for more information.

Mayor Brown stated that the answer to the question was that the Municipal Channel did not have the capacity to serve the entire city and that was why this was on the Agenda; and Council Member Parker stated that she understood that but she also understood there was a consolidation move going on and the memo she received said the production equipment was being pulled back from Public Works and some other departments; and Mayor Brown stated that was accurate, there was a consolidation of some departments.

Council Member Sanchez stated that for some time before Mayor Brown was elected there was always question about audio/visual equipment and at one time the city was spending a lot on that; that the city was spending hundreds of thousands and some departments did not use the equipment daily so one idea was to have a centralized audio/visual department that would lease or loan equipment to the departments; and he felt that was what Council Member Parker was talking about. Mayor Brown stated that he might add with Aviation the equipment was used on a regular basis, consistently.

16. **UNDERGROUND, INC** - \$410,094.00 and **SEWER EQUIPMENT COMPANY OF AMERICA** \$79,865.00 for Seven Cabs & Chassis with Sewer Wash Bodies for Department of Public Works & Engineering - New and Replacement - Enterprise and Equipment Acquisition Funds – was presented, moved by Council Member Boney, seconded by Council Member Vasquez, and tagged by Council Member Todd.

OTHER

18. **REJECT** all bids received November 18, 1999 and return bidders bond in connection with Light Aircraft Hangars & A/G Building Expansion At Ellington Field; Project 515; CIP A-0347, A-0386 and A-0424 - **DISTRICT E – TODD** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and was tagged by Council Member Robinson.
19. **PUBLIC AGENCY TRAINING COUNCIL** for Professional Educational Services for leadership training for the Fire Department - \$16,000.00 - General Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and was tagged by Council Member Robinson. **(Note: Council Member Robinson released his tag later in the meeting.)**
20. **TEXAS DEPARTMENT OF INFORMATION RESOURCES** for Software Maintenance Services through the State Of Texas Cooperative Purchasing Program for the Planning & Development Department - \$34,955.09 - General Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0189 ADOPTED.
21. **DEPARTMENT OF INFORMATION RESOURCES (DIR)** for Hardware, Software, License and Maintenance from the State of Texas General Services Commission's contract for the Legal Department - \$141,519.09 - Enterprise and Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and was tagged by Council Member Tatro.

Council Member Keller stated that he had been asking questions about the software from other departments and he wanted to compliment the Legal Department in knowing what it was for, how much it was and why it would save money; that they were very prepared for questions and he hoped others would take note.

23. **U. S. FILTER CORPORATION** for Fittings and Appurtenances for the Department of Public Works & Engineering - \$2,845,762.00 - Enterprise Fund – was presented,

moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0190 ADOPTED.

RESOLUTIONS AND ORDINANCES

26. RESOLUTION authorizing the City of Houston, Texas to seek party status in proceedings relating to **ENTERGY GULF STATES INC'S** Business Separation Filing cases; authorizing the City Attorney to represent the City and to take appropriate actions relating to such proceedings; making certain findings related thereto – was presented. All voting aye. Nays none. RESOLUTION 2000-4 ADOPTED.
31. ORDINANCE issuing a permit to **GR PIPING COMPONENTS, INC., A Texas Corporation**, for constructing, maintaining, operating and repairing an aerial communications cable over, across and along the 4500 block of Fowler Street, a Public Street right of way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - Revenue - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2000-95 ADOPTED.
32. ORDINANCE approving and authorizing contract between the City of Houston and **BREAD OF LIFE, INC** to provide a grant of \$595,240.00 of Federal “HOPWA” Funds for Rental Assistance and other services to AIDS/HIV affected persons and their families – was presented. All voting aye. Nays none. ORDINANCE 2000-96 ADOPTED.
33. ORDINANCE approving and authorizing contract between the City of Houston and **TAIWANESE HERITAGE SOCIETY OF HOUSTON** to provide \$293,165.00 of Federal Community Development Block Grant Funds in connection with the Renovation of a facility located at 5885 Point West Drive under the Neighborhood Facility Renovation Program - **DISTRICT F – ELLIS** – was presented. All voting aye. Nays none. ORDINANCE 2000-97 ADOPTED.
35. ORDINANCE amending Ordinance No. 97-1090 (that authorized contract between the City and **DISABILITY MANAGEMENT ALTERNATIVES, LLC** for Third Party Administrative Services for the City's Long Term Disability Plan) to increase the maximum contract amount - Through August 31, 2000 - \$60,000.00 - Health Benefits Fund – was presented. All voting aye. Nays none. ORDINANCE 2000-98 ADOPTED.
37. ORDINANCE awarding contract to **L. J. MAINTENANCE** for Cleaning and Janitorial Services for Convention & Entertainment Facilities Department; providing a maximum contract amount 3 Years with 2 one-year options - \$8,126,382.50 - Enterprise Fund - **DISTRICT I – CASTILLO** – was presented, and was tagged by Council Members Bell, Goldberg, Parker, Robinson, Quan and Vasquez.
38. ORDINANCE approving and authorizing amendment No. 2 to the contract between **SOUTHWESTERN BELL TELECOM** and the City of Houston for Northern Telecommunications Equipment Maintenance for Department of Aviation -

DISTRICT B – GALLOWAY – was presented. All voting aye. Nays none. ORDINANCE 2000-99 ADOPTED.

39. ORDINANCE approving and authorizing contract between the City and **REPUBLIC PARKING SYSTEM, INC** for Parking Operations and a management concession agreement for the Convention and Entertainment Facilities Department - Revenue – was presented, and was tagged by Council Members Quan and Vasquez.
49. ORDINANCE appropriating \$485,700.00 out of Street & Bridge Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **DANNENBAUM ENGINEERING CORPORATION** for Design Services associated with seven (7) Neighborhood to Standard Projects; Sunnyland, Meyerland, East Lawndale, Gulf Palm/Genoa Area, Gulf Meadows, Parkwood and Alief/Bellaire, CIP Q-1200-01-2 (OL-2000); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Construction Fund - **DISTRICTS C - GOLDBERG; D - BONEY; E - TODD; F - ELLIS and I – CASTILLO** – was presented, and was tagged by Council Member Vasquez.
51. ORDINANCE appropriating \$4,328,500.00 out of Water & Sewer System Consolidated Construction Fund as additional appropriation for Hydraulic Modeling and Infiltration/Inflow Correction Services; CIP R-0543-01-03 under engineering services contract with **RATNALA & BAHL, INC** (approved by Ordinance No. 99-0011); providing funding for contingencies relating to construction of facilities financed by Water & Sewer System Consolidated Construction Fund – was presented, and was tagged by Council Members Tatro and Keller.

The Non Consent Agenda (Items 52 through 56) were considered as follows:

MISCELLANEOUS

52. MOTION to set a date not less than seven (7) days from February 9, 2000 to receive nominations for Positions 12 and 14 of the **CITY HALL PRESERVATION COMMITTEE**, for terms to expire December 31, 2001 and Position 15, for a term to expire December 31, 2000 – was presented, Council Member Parker moved to set next Wednesday to receive nominations, and was seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0191 ADOPTED.
53. MOTION to set a date not less than seven (7) days from February 9, 2000 to receive nominations for Positions 5 and 7 of the **ETHICS COMMITTEE**, for terms to expire December 31, 2001 – was presented, Council Member Boney moved to set next Wednesday to receive nominations, and was seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0192 ADOPTED.
54. MOTION to set a date not less than seven (7) days from February 9, 2000 to receive nominations for Positions A through I of the **HOUSTON CLEAN CITY COMMISSION**, the one year terms to expire February 1, 2001 - was presented, Council Member Boney moved to set next Wednesday to receive nominations, and was seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0193 ADOPTED.

55. MOTION to set a date not less than seven (7) days from February 9, 2000 to receive nominations for Positions 19 and 22 of the **HOUSTON READ COMMISSION**, the three year terms to expire January 1, 2003 - was presented, Council Member Boney moved to set next Wednesday to receive nominations, and was seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0194 ADOPTED.

PROPERTY

56. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, **TO AMEND MOTION #92-2926, 12/2/92**, to include the conveyance to the City of a ±38-square foot fire hydrant easement and **APPOINT** two independent real estate appraisers - **APPRAISERS - DISTRICT F – ELLIS** – was presented. Council Member Ellis named Mr. Michael D. Copland and Mr. Eric Stanley as the appraisers and moved approval of the recommendation, and seconded by Council Member Boney. All voting aye. Nays none. MOTION 2000-0195 ADOPTED.

MATTERS HELD - NUMBERS 57 through 61

57. ORDINANCE appropriating \$2,158,580.00 out of Parks Consolidated Construction Fund, awarding construction contract to **PRIME CONTRACTORS, INC** on low bid of \$1,994,000.00 and approving and authorizing professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** in the amount of \$25,000.00 for Parks to Standard Program Bid Package No. 9 - Cherryhurst, Forum, Nieto, West Little York, and Hartman Parks, GFS F-0363-O9-3 (10561); providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - **DISTRICTS A - TATRO; D - BONEY; F - ELLIS; H - VASQUEZ and I – CASTILLO - (This was Item 43 on Agenda of January 26, 2000, POSTPONED BY MOTION #2000-124)** – was presented. All voting aye. Nays none. ORDINANCE 2000-100 ADOPTED.
58. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **SAFETY SHOE DISTRIBUTORS, INC** for Footwear, Safety for Various Departments \$1,345,000.00 - General, Enterprise, Fleet Management, METRO and Street & Drainage Funds – **(This was Item 16 on Agenda of February 2, 2000, TAGGED BY COUNCIL MEMBERS ROBINSON and QUAN)** – was presented.

Council Member Quan stated that he had been trying to get an answer for a week; and moved to postpone Item 58 for one week, and was seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0196 ADOPTED.

Mayor Brown stated that he would make sure someone visited with him to answer his questions.

59. ORDINANCE approving and authorizing submission of the budget for sexually transmitted disease prevention and control to the Texas Department of Health; (TDH Contract No. 7460011640-00-02); authorizing the Director of the Health and Human Services Department to accept related applicable contract change notices and to accept any supplemental change notices during the grant period; declaring the City's eligibility for such grants; authorizing the Director of the Health and Human Services Department to accept and expend such grant funds and to accept and expend subsequent awards, if any; creating 3 new staff positions \$966,714.00 - Grant Fund – **(This was Item 19 on Agenda of February 2, 2000, TAGGED BY COUNCIL MEMBER SANCHEZ)** – was presented.

Council Member Todd moved to postpone Item 59 for one week, and was seconded by Council Member Robinson.

Upon questions by Council Member Boney, Council Member Todd stated that he was postponing as he had been unable to meet with the director.

Council Member Boney moved to suspend the rules to hear from a representative of the Health Department, and was seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0197 ADOPTED.

Ms. Gloria Moreno appeared at the podium and upon questions by Council Member Boney, Ms. Moreno stated that a delay would have no impact on the city receiving, they were still waiting for contracts from the state.

60. ORDINANCE amending Ordinance No. 93-851, passed July 7, 1993, which approved and authorized submission of the 1993 Final Statement of Community Development Objectives and Projected Use of Funds (for the 19th Community Development Block Grant Year) to the United States Department of Housing and Urban Development under the authority of Title I of the Housing and Community Development Act of 1974, as amended, such ordinance having been previously amended by Ordinances Numbered 93-1203, 94-684, 95-262, 95-1023 and 96-1244 \$285,372.00 – **(This was Item 20 on Agenda of February 2, 2000, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented.

Council Member Ellis stated that last week he had tagged Items 60 through 60d because of the Community Development Block Grant moneys, the procedure taking place; that he had met with Ms. Bingham and she had reassured all District Council Members that she would provide them with all moneys available from the CDBG Program on a timely fashion and he was satisfied and looked forward to the report.

A vote was called on Item 60. All voting aye. Nays none. ORDINANCE 2000-101 ADOPTED.

- 60a. ORDINANCE amending Ordinance No. 94-675, passed July 6, 1994, which approved and authorized submission of the 1994 Final Statement of Community Development Objectives and Projected Use of Funds (for the 20th Community Development Block Grant Year) to the United States Department of Housing and Urban Development under the authority of Title I of the Housing and Community Development Act of 1974, as amended, such ordinance having been previously

amended by Ordinances Numbered 95-1024 and 96-1245 - \$218,396.00 - **(This was Item 20a on Agenda of February 2, 2000, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. ORDINANCE 2000-102 ADOPTED.

60b. ORDINANCE amending Ordinance No. 95-743, passed June 28, 1995, as subsequently amended, which approved and authorized submission of the 1995 Consolidated Plan and the grant application for the 21st Community Development Block Grant (“CDBG”), among others, to the United States Department of Housing and Urban Development (“HUD”) under the authority of Title I of the Housing and Community Development Act of 1974, as amended - \$1,112,294.00 - **(This was Item 20b on Agenda of February 2, 2000, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. ORDINANCE 2000-103 ADOPTED.

60c. ORDINANCE amending Ordinance No. 96-665, passed June 26, 1996, as subsequently amended, which approved and authorized submission of the 1996 Consolidated Plan and the grant application for the 22nd Community Development Block Grant (“CDBG”), among others, to the United States Department of Housing and Urban Development (“HUD”) under the authority of Title I of the Housing and Community Development Act of 1974, as amended - \$593,370.00 - **(This was Item 20c on Agenda of February 2, 2000, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. ORDINANCE 2000-104 ADOPTED.

60d. **NOTE: CONSIDERATION OF THIS ITEM IS CONTINGENT UPON THE PASSAGE OF ITEM NOS. 20, A, B AND C**

ORDINANCE approving the purchase of approximately 11.96 acres of land (Parcel No. B92-3), out of the Luke Moore Survey, Harris County, Texas, for Park and Recreational uses by the Parks and Recreation Department; authorizing the Mayor to execute a purchase and sale agreement with the Billy H. Gragg, et al., to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed \$834,000.00 out of Community Development Block Grant Funds - **DISTRICT I – CASTILLO - (This was Item 20a on Agenda of February 2, 2000, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. ORDINANCE 2000-105 ADOPTED.

61. MOTION by Council Member Boney/Seconded by Council Member Tatro to adopt recommendation from Finance & Administration Department to award to **SOFTWARE HOUSE INTERNATIONAL** for Novell Software License Maintenance Agreement from the State of Texas General Services Commission's contract through the State of Texas Cooperative Purchasing Program for Police Department - \$70,748.00 - General Fund – **(This was Item 40 on Agenda of February 2, 2000, POSTPONED BY MOTION #2000-165)** – was presented.

Council Member Keller stated that it was his hope this would pass today, it was something he wanted to bring to light in contrast to the previous statement when he complimented the Legal Department; that two or three weeks ago he had questions and thanks to Mr. Wells two weeks later he received a very clear, concise, serious answer;

that he hoped when anyone had an item on the Agenda the amount of sweat equity was paramount and he hoped all would be prepared for any question anyone had regardless of how simple it would be and he hoped all departments would have their backup documentation. Mayor Brown stated that he would pass the message on to all directors.

A vote was called on Item 61. All voting aye. Nays none. MOTION 2000-0199 ADOPTED.

Items received during the meeting were considered as follows:

42. ORDINANCE appropriating \$33,825.00 out of Street & Bridge Consolidated Construction Fund 437 and approving and authorizing agreement between the City of Houston and the Texas Department of Transportation (TXDOT) for reconstruction of Dixie Drive from Almeda to Bowling Green, GFS N-0611-36-2 (SB9019) - **DISTRICT D – BONEY** – was presented All voting aye. Nays none. ORDINANCE 2000-106 ADOPTED.
43. ORDINANCE approving and authorizing first amendment to contract between the City and **CLAY POPE** (approved by Ordinance No. 98-1257) for assistance on Water and Wastewater Issues in the Texas Legislature and various State Agencies - \$316,000.00 - Enterprise Fund – was presented, and was tagged by Council Member Todd.

Council Member Robinson stated that he had asked the city lobbyist coordinator to insure that Mr. Pope would visit with the folks working on the regional water planning because they had needs to visit with the TNRCC and felt they would be coming to Council in the not too distant future for the extension of the contract and he wanted to make sure everyone representing the city and that had any jurisdiction over water were working together and that had not yet happened as far as he knew; and Mayor Brown stated that he would make sure that happened.

Council Member Robinson stated that he would withdraw his tag on Item 19.

19. **PUBLIC AGENCY TRAINING COUNCIL** for Professional Educational Services for leadership training for the Fire Department - \$16,000.00 - General Fund – which was presented, moved by Council Member Boney, seconded by Council Member Sanchez – was again presented. All voting aye. Nays none. MOTION 2000-0200 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Robinson stated that he wanted to thank the Mayor, Administration and everyone at the table for what they did relating to the Convention Center Hotel, it was a worthwhile project and they were well on their way to getting done what had taken this city some time to do; that with all the efforts being made to revitalize downtown and attracting the major events on the horizon it would be a major benefit.

Council Member Robinson stated that he was trying to find out if Human Resources had the authority to veto promotional decisions from other departments; that he received a number of calls from various individuals where promotions were held up or rejected by them and he would like something in writing; and Mayor Brown stated that he

had seen a memorandum that he (Council Member Robinson) had prepared and he would get him an answer.

Council Member Robinson stated that he and the Mayor were at a press conference about ten days ago regarding his affordable housing effort and he would offer a suggestion, there were several tax increment financing zones that generated the one-third increment for affordable housing and he would appreciate asking F & A to do an analysis on the revenue stream, on that one-third, and how much debt in possible bonds it could service because he thought it would give an additional revenue stream to help in their effort; and Mayor Brown asked that Mr. Haines handle that.

Council Member Robinson stated that in the same regard if he could get an update, a couple of months ago they had voted on the land bank and he was not sure what was going on with it and referred people to Mr. Litke, but he would like an update on that also; and Mayor Brown stated that at this time they were waiting for the county to take the action they needed to take.

Council Member Quan stated that there was an article on the news the night before regarding an emergency dispatcher and the Kingwood area and he knew that had been a big concern and hoped action was underway to address the concerns; that he had a scheduled meeting with the Fire Chief for Monday, but he knew those who lived in Kingwood had expressed concerns about the level of services being received; and he knew Council Member Todd was on the issue, but he wanted to express his concern for the city to take action and respond in a more efficient manor; and Mayor Brown stated that Chief Britt was present if Council would like to suspend the rules to hear from him at this time.

Council Member Boney moved to suspend the rules to hear from Chief Britt, and was seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2000-0201 ADOPTED.

Chief Robert Britt appeared and stated that as seen on television it was kicked back and forth between Harris County and Montgomery County 911 and when the city finally got it into their dispatch center the calltaker took the call and there was some confusion from the caller on the cellular phone, he could not give a good cross street for Rivergrove Park and they tried to work on that about a minute and a half and then had to resort to a key map; that if they looked at it the dispatcher had done a yeoman's job in getting the dispatch completed and the apparatus on the scene and as a matter of fact after the city dispatcher's made the dispatch the apparatus was on the location in less than two minutes; that one thing they wanted to work on was to put in the water bills for those in Kingwood to notify when placing a 911 that they were in the city even if they were in Montgomery County and that way they would not try pulling it up on their screens; that with cellular phones they needed to identify their location, there was a problem and the enhanced system needed to be moved forward.

Council Member Vasquez stated that 20th Street continued to be a safety and traffic hazard in front of Hamilton Middle School where the bikeways were striped and he would like it looked at; and Mayor Brown stated that he would have someone from Public Works follow-up on it.

Council Member Keller stated that earlier in the week he called to have a complete audit done on the budget and finance division; that before the new Council Members came on board there was an issue for Council wanting to have the right to have an item on the Agenda and to have Controller do an audit; that he hoped one would consider doing the audit and saw it as a win/win situation; that if they found something then they were doing the job entrusted to them and if they did not find anything then it brought to light all was in good order; and if it was done as a request by the Administration it would probably neutralize Council wanting the Controller to autonomously have the right.

Council Member Sanchez stated that he was present when the Kingwood matter came up and was beginning to regret his affirmative vote in the annexation, prior to the City of Houston taking over the services in Kingwood they had a premiere EMS service and it was troubling when there was a loss of life that could or could not have been exacerbated by a delay; that one problem he got from the Fire Department was there continued to be problems with the 911 Dispatch System in the Kingwood area due to the cell phone repeater towers and more troubling to him was that there continued to be a need to develop an education program for this specific problem, perhaps the notification in water bills; that he did not think the burden should be on citizens to educate themselves on how to request emergency vehicles for their loved ones and it was incumbent on the City of Houston and Harris County to ensure technology was in place to provide the basic service citizens expected when they paid taxes; that he thought the City of Houston needed to sit with Harris County 911, the City of Houston Fire Department and all other agencies and figure out how to provide services; and Mayor Brown stated that he agreed they needed to do whatever they could to provide safety for citizens and he would follow-up on it.

Council Member Parker stated that to follow-up on Council Member Keller's petition she knew he had eleven pieces of paper each signed by a Council Member and she would like a resolution as to whether they could all sign a sense of Council Petition or if they had to do individual petitions; that she hoped they could kill fewer trees in the future by doing that.

Council Member Parker stated that on another question posed by Council Member Keller was his trip to the YES College Preparatory School which she applauded, but some may remember she tried to get a trip to the Port to educate Council Members on the port and they could not have a rolling Council Meeting and she wondered if the trip to see the school was considered as a social outing for Council or a briefing; and upon questions, Mr. Bibler stated that there was a significant distinction, the proposal last year was to conduct a Council Committee Meeting which they expected a quorum of Council to attend and the issue was how would the press attend a rolling meeting; that the second issue was how you gave notice. Council Member Parker stated that she would take exception to that as the public was going to be invited on the trip, it was completely open except they had to get on at the beginning of the meeting and stay on until the end; and Mr. Bibler stated that they had contacted the Attorney general and no one had done anything like that and the concern was it might not be valid; that here it was his understanding a quorum would not be participating and as far as he knew no city business would be discussed; and anytime two Council Members met and then maybe talked to someone else it was a possibility the D. A. would launch an investigation; that the D. A. launched an investigation last year of actions of Council Members circulating the petition and he did not think there was a violation but he was

not the one that would try putting them in jail if there was a violation. Council Member Robinson absent.

Council Member Castillo stated that he had attended a meeting of the Overbrook Civic Club last night and there was voiced concerns which raised an interesting question, the Corp of Engineers had been doing work along Sims Bayou and consequently in the widening of it they took land that was used for park purposes by the community and now they did not have the park and he would raise to Mr. Spellman the question of what, if anything, the city could do to replace or to offer an alternative to the community for the loss of the only park they had in their neighborhood; and Mayor Brown stated that he would ask Mr. Spellman to address that and get back to them. Council Member Robinson absent.

Council Member Castillo stated that the City's Census 2000 Office was looking for employees for the census count and anyone interested could call 713-COUNTUS for information. Council Member Robinson absent.

Council Member Castillo stated that he was recently appointed to the aviation Committee and he was starting to get correspondence from those with concerns on the Aviation Committee; that he understood tomorrow the City would open bids on an airport project, the Expanded Fuel Farm Capacity at Bush International Airport, and it was the first of the ROCIP Projects at that facility; that he was notified there was a section in the bid item, Section 13051 - Item D2, which required subcontractors to be awarded mechanical work and it set qualifications on the subcontractors which was basically that they had to have done at least three Aviation fueling projects greater than or equal to \$5,000,000 each for the last seven years and that narrowed the field to basically two to three people outside of Texas; that when some local general contractors contacted the potential subs they were told they were bidding on the project as primes so it basically excluded the local general contractors because the only subs available were out of state and they were bidding as primes; that he could not imagine why there was such a limiting provision in the set of specifications and he would like a response; and Mayor Brown stated that he would like to know also and asked that Mr. Haines look into it. Council Member Robinson absent.

Council Member Ellis stated that he wanted to applaud the Administration for moving forward with the NPC for the Convention Center Hotel and wanted to thank Council Members Robinson, Tatro and Keller for their work on amending the articles of incorporation; that he felt it was extremely important for them to have the nonprofit corporation and thought it helped insulate them from certain liabilities; and he looked forward to watching Mayor Lanier and his approach on how they would go forward.

Council Member Goldberg stated that he wanted to announce his CIP Meetings which would be at the end of the month, February 29, 2000, at the Braeswood Assembly of God located at 10611 Fondren from 7:00 p.m. to 9:00 p.m. and the following day at the Rice School located at 7550 Seuss from 7:00 p.m. to 9:00 p.m.

Council Member Todd stated that he wanted to follow-up on the discussion about the EMS incident in Kingwood; that it was a continual situation and it seemed there was a chronic problem with the outlying area of the city when it came to cell phones; that putting notification in water bills was a positive move to make, but he agreed with

Council Member Sanchez that if someone was in a crisis they may not think to give their county; that the 911 operator should be the one to ask; and he agreed with Chief Britt that the cell phone locator technology was there and he understood 911 had legally until the year 2003 to install it, but he did not think they should procrastinate and it should be done now; that he would also suggest giving a basic geography quiz to 911 operators because one question asked on the tape by 911 was, "I guess Rivergrove Park is in the City of Kingwood?"; and any third grader in Kingwood knew he was in the City of Houston and he felt that was salt in the wound for anyone who did not want to be annexed and for anyone who paid taxes and was not recognized.

Council Member Todd stated that he would like Mayor Brown to check with the Library Department; that as a result of the city and county partnership on the library in Clear Lake they now had a piece of land on Space Center Boulevard just sitting there and it was deed restricted and he would like the city to decide what was going to be done with it; that perhaps they should sell the land and use the money to help pay for the library; and Mayor Brown stated that they would find out about that and have someone from the Library get with him regarding the space; and on his first issue he would assign someone to work with 911 and see how it could be resolved.

Council Member Galloway stated that on Monday night she met with the Jensen Neighborhood Council and the Tidwell Park Activity Council and last night held her CIP Meeting and it seemed that throughout District B there was a common desire of citizens and that was weeded lots, dangerous buildings and it seemed illegal dumping was one of the most significant and hard to address issues; that she believed in November Council approved a Solid Waste Implementation Program contract between the city and the Houston/Galveston Area Council for funds to purchase video surveillance equipment to monitor the illegal dumping and from what she understood the cameras cost \$19,000 plus and the HGAC grant funds were used and without compromising the work being done she wondered if there was someone who could confirm how many cameras there were and how they had been placed in her district and how many doing illegal dumping were caught and prosecuted as a result of the cameras; that she also wanted to know if there was consideration for additional funding for cameras and if those would be placed in her district also; that she would suggest stiffer fines for those dumping and the penalties stricter such as when they were caught they would have a stiff fine, a shirt to wear saying, "I am an illegal dumper" and they would have to clean from four to ten dumpsites and then she believed they would quit and taxpayers would be saved money and she would appreciate meeting with someone from Neighborhood Protection or the Rat On A Rat Program after Council; and Mayor Brown stated that someone would visit with her.

Item received during the meeting was considered as follows:

40. ORDINANCE approving and authorizing first amendment to contract between the City and the **WACKENHUT CORPORATION** for Security Guard Services for the Convention and Entertainment Facilities Department; amending Ordinance No. 99-223 to increase the maximum contract amount - 4 Years - \$4,468,287.72 - Enterprise Fund – was presented, and was tagged by Council Members Quan and Vasquez.

There being no further business before Council, the City Council adjourned at 10:29 a.m. upon MOTION by Council Member Robinson, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Castillo absent. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary