

City Council Chamber, City Hall, Tuesday, April 18, 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, April 18, 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, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Mr. Paul Bibler, Senior Counsel, City Attorney's Office, Mr. Jesse Cantu, Director and Ms. Debra Dillard, Citizens Assistance Office; Ms. Martha Stein, Agenda Director and Ms. Linda Layton, Agenda Office present. Council Member Jew Don Boney, Jr. absent on personal business.

At 1:56 p.m. Mayor Brown stated that Council Member Castillo would begin the presentations.

Council Member Castillo stated that he was going to make a presentation to the cast of the new musical production called Selena Forever, that they were opening at Jones Hall, and joining him at the podium was Veronica Vasquez who played Selena Quintanilla, David Casanova who played Chris Perez, Maxx who played A. B. Quintanilla, and Jose Herrera, the assistant company manager, that the production was long in coming and they had auditions back in the fall of last year and after thousands of girls and young women who auditioned for the part of Selena, Ms. Veronica Vasquez was obviously the winner of the competition and was the principal player of Selena, that there was a young lady named Rebecca Valadez who played the alternate Selena, and read a proclamation that proclaimed that the Honorable Mayor, Lee P. Brown, proclaimed, Tuesday, April 18, 2000 Selena Forever Day in Houston, Texas. Council Members Goldberg, Todd, Keller, Vasquez, Sanchez, Bell and Robinson absent.

Ms. Veronica Vasquez stated that she sang 16 songs per night out of 27, that she was very happy to be present and on behalf of all of them she thanked them for proclaiming the day as Selena Forever Day, and they were very proud to be representing such a wonderful role model and were all very saddened that a lot of awareness had to be brought to them that way, and Mr. Casanova stated that 16 songs was a record, that no one had ever sang that many songs in a musical before. Council Members Goldberg, Todd, Keller, Vasquez, Sanchez, Bell and Robinson absent.

Council Member Vasquez stated that April was National Volunteers Month and volunteers in public schools or VIPS in the Houston Independent School District was celebrating 30 years of service to schools, that there were two VIPS founders that they were honored to share in the celebration and he invited Ms. Dolores Brune and Ms. Dolores Amos to come forward and stated that Ms. Dolores Brune was the founder and PTA president and created the organization in 1970 under the umbrellas of kindergarten screening and served as the PTA president until 1984 and held the position of president of VIPS from 1977 to 1979 and remained a faithful and dedicated volunteer in all levels of Houston Independent School District schools, that Ms. Dolores Amos, founder of VIPS in the high schools created a Save Our Students or SOS Center for the purpose of decreasing the number of students sent home due to suspension and was given a life PTA membership in 1980 and had served on the VIP Board and held various offices for the past 30 years and was currently the vice president of 1,100 VIPS seniors with 150 thirty year seniors and on behalf of Mayor Lee P. Brown they proclaimed April 18, 2000 Dolores Amos and Dolores Brune Day. Council Members Todd, Bell and Robinson absent.

Council Member Galloway stated that she had worked with Ms. Amos for many years and she was a real faithful servant at Booker T. Washington High School and really pulled people in to volunteer and offered congratulations to both of them. Council Member Robinson absent.

Council Member Parker stated that she had a presentation on behalf of the City of Houston Employee Health Fair, that each year the Employee Wellness Council encouraged City employees to think about health and fitness and encouraged them to participate in a Health Fair and it would be held on Wednesday at the George R. Brown Convention Center, that she had the official Wellness Council T-shirt with a really neat logo and had a challenge for the Council Members, that her staff was going to be participating in one of the two fun walks that would be from 611 Walker over to the George R. Brown Convention Center and there was one that would take off at 10:00 a.m. and another one that would take off at 1:00 p.m., that they were walks not runs, that she would give Council Member Sanchez a by on doing the walk since he had just completed the MS150 ride last weekend and that was a fine example of fitness and employee participation, that there would be health screenings for vision, skin cancer, cholesterol, glucose, osteoporosis, sickle cell and a number of vendors available for people to pickup information, and there would be other City Departments represented to talk about the bikeway program and the Fire Department would be there, and encouraged all City departments to release their employees to take part at some point to take part from 10:00 a.m. to 3:00 p.m. on Wednesday at the George R. Convention Center in the City of Houston Employee Health and Fitness Wellness Program. Council Member Robinson absent.

At 2:10 p.m. Mayor Brown called to order the meeting of the City Council, and Council Member Vasquez led everyone in the prayer and pledge of allegiance. Council Members Tatro and Robinson absent.

At 2:11 p.m. Mayor Brown requested the City Secretary to call the roll. Council Member Boney absent on personal business. Council Member Tatro and Robinson absent.

Council Members Sanchez and Castillo moved that the minutes of the preceding meeting be adopted. Council Member Boney absent on personal business. Council Members Tatro and Robinson absent.

At 2:13 p.m. Mayor Brown requested the City Secretary to call the list of speakers.

Mr. Paul Gilford, 245 W. 17th, Houston, Texas 77008 (713-868-1943) appeared and thanked Council for the chance to share the problem he was experiencing, that he was the Executive Director of a social service agency called Houston Achievement Place and they served children who were victims of physical abuse, sexual abuse, emotional abuse and neglect and had been doing so for 25 years and each year they touched the lives of thousands of Houston children, that this was the first opportunity to come before them to talk about a problem, that in January 2000 the City put in a new water main line behind their office in the Heights and their office housed 14 staff members, that from the time of the work in January they began to experience plumbing problems, specifically commodes unable to flush and backing up in the afternoons, that they were unsure

whether it was a problem that was just theirs because they did have kids in their facilities or whether it was a City problem caused by the putting in of the new water main, that they had their maintenance department check into it and the line was rotor rooted several times, that in the past when they had a problem where they were not sure whether it was their problem or the City's they knew to investigate first because the City's first response was were they sure it was the City's problem because they thought it was their problem, that they explored the problem in February and ended up digging up their sewer lines and discovered the nature of the problem and it was that when the City put in the new water main line they did not connect their facility to the line they connected a non working line instead, that in a nutshell they spent \$2,575 to fix the problem and had the City done it properly the first time they would have had to spend the \$2,575 serving children and zero dollars on the City problem and his view was that the Houston Achievement Place should be reimbursed the \$2,575, that they brought it to the attention of the City and the contractors and Kinsel Industries and Bryant Smith Construction came out and investigated and told him that they may have made a mistake and that it was possible that his version of the facts was indeed correct, but they also said that they were not 100% positive that was the case and as a result they intended to do nothing about it, that he could understand the behavior of his children when they did not take the responsibility for their behavior, but he had less tolerance for contractors and the City when this happened and what he would like to see happen was for Houston Achievement Place be reimbursed \$2,575 for the expenditure that they basically did not need to make. Council Members Tatro, Goldberg, Vasquez, Castillo and Robinson absent.

Mayor Brown asked if Mr. Gilford had made a formal claim to the City, and he stated that he had not made a claim yet, but had send correspondence to Gary Oradat and Harlan Heilman and City Council Member Vasquez office and had not filed a formal legal claim yet, but his intention was to do so, and Mayor Brown asked Mr. Bibler what were the legal rights and procedures. Council Members Tatro, Goldberg, Vasquez, Castillo and Robinson absent.

Mr. Bibler stated that they were in fact treating it as a claim, that Mr. Gilford filed a claim of sorts with Madeline Apel who was sitting in the audience and she referred it to the Legal Department and they had looked into it, that the City had no liability and they were looking at it from the perspective of the contractor and what they were telling Public Works as it related to the City was entirely different than the account that they heard from Mr. Gilford, that they had video from before and after the job to show that they hooked up the one and only connection that was there when they started and suggested that Mr. Gilford get with Public Works and look at the videos, and Mayor Brown stated that Mr. Dominic G'Benoba was present to meet with him and see what could be done. Council Members Tatro, Goldberg, Vasquez, Castillo and Robinson absent.

Upon questions by Council Member Bell, Mr. Gilford stated that the problem occurred in January and they fixed the problem in February and the information they had from Kinsel's Cecil Long was that he mentioned to him when he came out that he had looked at the video tapes and having seen the video tapes he admitted to him that it might be a problem that was indeed caused by not connecting the line, that they ran the video through the sewer lines and it showed where the connections were, that they brought in someone on their dime to take care of the problem and it cost \$2,575, and Council Member Bell asked Mr. Bibler what was the City's policy on it, did it just come down to if the contractor did not agree with the City's version of what happened did the

City usually take the stand that they were not paying for it, and Mr. Bibler stated that the City would not be paying for it in any case, but they were trying to determine whether or not the contractor had some liability and at least at the moment Public Works, in the communications that they were sending to them, it appeared to be persuaded that the contractor did right and they showed him a diagram of the Mr. Gilford's old and new sewer line and the so called new sewer line teed into the old one and Public Works seemed to agree that there was actually only one connection from his place of business to the City's main and that was restored, and Mr. Gilford stated that he was out there talking to the plumber and to the facilities maintenance person that worked for Houston Achievement Place and had done so for the past 15 years and they directly contradict what he was hearing, and Council Member Bell stated that hopefully when he met with some officials today they could get to the bottom of it. Council Members Tatro, Todd, Ellis, Vasquez and Robinson absent.

Mr. Ron Hanley, 3119 Masel, Houston, Texas 77080 (713-467-9790) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Todd, Ellis, Vasquez and Robinson absent.

Mr. Keith Cherry, 9235 Edgebrook, Houston, Texas 77075 (713-941-2924) appeared and stated that he was with Cherry House Moving Company and was present to ask for a variance in the current House Moving Ordinance and the variance that he requested was in Section 1050 of the House Moving Ordinance and had prepared a copy for all Council Members, that according to the section it was unlawful to move concrete slab foundations upon the public streets of Houston, he understood that section of the House Moving Ordinance was put into effect in 1968 and prior to that time it was an occasional practice for the concrete slab foundation houses to be moved on public streets, and for them to please understand that industry standards had changed since 1968 and equipment standards had changed also, that with the use of modern equipment the houses they were proposing to move at the time were 20 foot wide by 40 foot length and should not pose a problem to City streets, that they felt there were more houses like them that could also be salvaged and recycled, that the house and building moving industry had been around as far back as anyone could remember and they expected that it would be around as long as the streets were wide and new right of ways were cut for expansion and redevelopment of areas were prevalent, that the house moving industry had been beneficial to preservation as it saved the buildings from demolition which filled the landfills at a rate of 200 cubic yards for the average single family dwelling and prevented the buildings from being recycled and in turn prevented a good many folks the opportunity to purchase a used house at a lesser rate than they could purchase a mobile home, for example approximately half the Acres Homes Community was comprised of moved in houses, that lower income families really took advantage of it and the ordinance as it stood stifled the industry and stifled their industry locally as a whole, that the moving of concrete slab and masonry structures in other areas were common practices and he asked that the variance in the ordinance be granted and allow them to move concrete slabs, that it was well within everyone's boundaries. Council Members Tatro, Todd and Robinson absent.

Council Member Parker stated she was a big advocate of house moving and had visited in the Neighborhood Protection Committee last year, and asked if they took the whole slab with the house, and Mr. Cherry stated yes, that it really had never been developed a whole lot in the area with the ground being clay based and pretty humid, that

it was more popular where there was sandy soil such as Florida and California, and was common back into the 1950's and thought that the ordinance was put in there not move concrete slabs back in 1968 was because the equipment that was being used back then was a little different and put a lot of pressure in a single point, mostly the weight and the cumbersome of the load, that with modern equipment today it was not really a problem, and Council Member Parker stated she thought what Mr. Cherry wanted was a review of the ordinance rather than a variance to the ordinance, that Council reconsider the prohibition in the ordinance and would ask that the chairman of Regulatory Affairs allow Council to at least review the issue and check with City departments to see how they felt about it and would follow-up with him and visit with City departments. Council Members Tatro, Todd and Robinson absent.

Mayor Brown stated that Mr. Embry was in the audience and would meet with him and get all the details and explore the feasibility and desirability of amending the ordinance. Council Members Tatro, Todd, Bell and Robinson absent.

Upon questions by Council Member Quan, Mr. Cherry stated that other cities not only permitted transportation of slabs but it was common practice, that it was common practice to move buildings around Houston, Harris County and the Metropolitan area, but it was traditionally just wood frame buildings, but it was as common in other areas to move concrete masonry structures as it was wood frames in Houston, that Dallas and San Antonio were a couple of cities and Houston was the only place, that he was aware of, that specifically prevented it, and over the years he had tried to make it a point to go to the different associations and conventions and familiarize himself with the industry as a whole in other areas, that he did realize that as it was new to the area that Public Works may want to scrutinize at what they were doing and probably should see that they had a practice that was proven that might require a little less scrutiny, that they had a couple of yards in Houston and had work going on out of State but preferred to work at home, but they did travel as they needed to, and Council Member Quan asked Mr. Cherry to bring examples of other cities requirements which would be helpful as well. Council Members Tatro and Robinson absent.

Council Member Todd stated that he had received a letter from Mr. Cherry and made a notation on the letter to post it on the agenda, and it was too late to post it on the agenda that week, but he had raised some real good points, that the type of equipment had changed since the 1960's when the current ordinance was put into affect, and asked Mr. Cherry how far had they gone in terms of that equipment, and Mr. Cherry stated that it was night and day, that he was not going to say that the equipment that was used today commonly was not available back then, but it certainly was not cost effective to use it back then, that back then people used mechanical jacks and things like that and now people used hydraulic cylinders that were run by a hydraulic motor and gasoline powered, that those same jacks and cylinders did not accomplish that much in the actual transportation of it, but when they were moving a load like a building they could not move that building and expect to compete with traffic and it still be a building, it would still be a cumbersome load, that the same equipment would allow a person to correct any problems with the load in a quick manner and get off of the public street, and Council Member Todd stated that he had an old Latin saying that in English was, when the reason for the rule ceased to exist the rule ceased to exist and that particular ordinance was a pretty good application of that, that they ought to readdress it and if appropriate change the ordinance, that they would put it on the agenda, that it was a good time to

bring up Sunset review, that they had talked about Sunset review at the Council table before and why it was necessary to go through the ordinances on a regular basis and look at ordinances that were no longer called for. Council Members Tatro and Robinson absent.

Council Member Keller stated that he had also read Mr. Cherry's letter and that it was important to point out how beneficial it was to low cost housing and some of the cities that he checked into that had implemented that had been as concerned about low cost housing as this administration was, and thought that maybe in the 1960's they may not have been as focused on low cost housing at that time as they were now, so this had a chance of having a serious review and being implemented. Council Members Tatro and Robinson absent.

Mr. Steven William, no address, no phone, had reserved time to speak, but was not present when his name was called. Council Members Tatro and Robinson absent.

Mr. Timothy Bradley, P.O. Box 10262, Houston, Texas 77206 (713-694-6681) appeared and stated that he was present due to his problem concerning the parking ticket that he got that had still not been resolved, that he got no further than Judge Berta's secretary and she decided to make a decision for him and that there was nothing that they could do to help him to resolve his problem with the illegal parking ticket, that he got a call from Mr. Albright over the Parking Management and he wanted to know why he was going back to Council and that he told him that one of his employees gave him an illegal parking ticket and he felt that it was just as bad as going out and robbing a convenience store, that the hand held meter that they had was just like a weapon that was used against him and that was just like robbing, that if they were going to take money out of his pocket then he ought to be guilty of doing something, that the only offense that he was guilty of was going back and picking his wife up and he did not see why he should have been issued a ticket because he came back, that he did not stay there after being told to leave, that his wife paged him and he thought that if he went back there he would be doing nothing wrong, but the City had an employee that was giving out tickets, that he was entering it into the computer that he had and then they received them in the mail, that it was illegal to him, that when he went before the hearing officer the judge told him that it was just a privilege that they stick it on their car, that when he went with his wife to get a birth certificate in November 1999 he did not know that he had been given a ticket until February 2000 and if that was legal then he would like for the Council Members to tell him it was legal and he would not be coming back down to Council for it. Council Members Tatro, Ellis and Vasquez absent.

Mayor Brown asked if Mr. Brandley had a hearing before the hearing examiners on it, and did the hearing examiner not rule in his favor and Mr. Brandley stated yes, and Mayor Brown asked if at the time he was told that he had 30 days to appeal the hearing examiners decision and Mr. Brandley stated yes, and Mayor Brown stated that he did not act within 30 days and Mr. Brandley stated that he told the hearing examiner that he felt he had not committed any offense, and did not think they would rule in his favor, that he did not trust the process and Mayor Brown stated he was not sure that the Council could do much for him, that there was a procedure that he had to follow and was explained to him at least two times, one by the hearing officer and one by Judge Mejia in her office, but he chose not to follow the process, that there was a procedure that he had to follow and a thirty day period where he could have appealed and was advised of that on two

separate occasions but had chosen not to follow that procedure because he did not trust the process and did not know what more they could do for him, and if he felt there was procedural defect, Mr. Cantu was present to meet with him and to explain to Mr. Cantu what he saw as being a defect and they would take a look at that. Council Members Tatro, Ellis, Vasquez, Castillo, Quan and Sanchez absent.

Mr. Sam Platt, 9151 B2 South Main, Houston, Texas 77025 (713-668-1986) appeared and stated that he was present for Main Pawn and Jewelry Incorporated in reference to some outstanding false alarm bills that occurred over 15 years ago in which the City threatened not to give him police protection at Main Pawn and Jewelry, that he did not feel that it was fair, that the two companies that did business at 2718 Lyons Avenue and 2726 Lyons Avenue in Houston were no longer in business, that a hearing was held and at that time he tried to explain that a lot of the alarms were true alarms and there were false alarms, but the company that was responsible was no longer in business, that he paid the City \$810 at that meeting and paid also another \$810 to the City which should have never been paid because it was paid in error for the wrong corporation and felt that if there was any money coming back to Main Pawn and Jewelry for holding the wrong people liable and responsible then it should be donated to the 100 Club and did not feel that the bill that was over 18 years old should be held against Main Pawn and Jewelry, that his dad was 86 years old and only living party, except for himself and he had nothing to do with the false alarm billing, that they said it was for no permit but he did apply and got a permit and the other building did not have an alarm in it where he would have needed a permit. Council Members Tatro and Sanchez absent.

Mayor Brown asked if it went back a long time and Mr. Platt stated yes, and Mayor Brown stated that Mr. Platt some \$1,800 in unpaid burglar alarm response fees that were charged by the police department and it went from a period of 1980 to 1986, and Mr. Platt stated yes, and Mayor Brown stated that there was a hearing in 1986 and at that time the hearing officer made adjustments and Mr. Platt did not appeal, and Mr. Platt stated that he protested it at that time, that the held Main Pawn and Jewelry Incorporated liable for that bill and would not give Main Pawn and Jewelry police protection, that he appealed the decision of the hearing officer and tried many times to take care of the problem, even with the first City Attorney and they did not know how to handle it back when he was on Lyons Avenue, that nobody ever knew what to do about it, that they just said to wait until it got to court and then settle the problem, that the City offered to settle it for a lump sum, but Mr. Platt did not feel that they owed it, and Mayor Brown asked Mr. Bibler for his opinion if Mr. Platt did not appeal and it went back to a 1986 decision did he have any recourse at this time. Council Members Tatro and Sanchez absent.

Mr. Bibler stated that his information was the same, that Mr. Platt did not appeal and if he had some facts that indicated that what they had been told was incorrect he was certainly welcome to communicate those to Jim Sutherland who was the attorney handling it, but at this point if he and Mr. Sutherland could not work it out then they all needed to tell their story to a judge somewhere and let the courts resolve it, and Mayor Brown stated that Ms. Dillard would meet with him and help him walk through the process of determining exactly what could be done at this time. Council Members Tatro and Sanchez absent

Council Member Goldberg stated that they had discussed that Mr. Platt would fax him some of the documentation and he had not received it yet, but was willing to take a

look at it, that it was a serious matter and either a mistake or judgement in error that they essentially were penalizing him for property that at one time was in his parents name, and asked if he was not getting police protection, and Mr. Platt stated that he was getting alarm protection now and was up to date and never had a problem at his new location, that the problem went back to 1980 – 1986, that the police would currently respond to an alarm at his pawn shop, that if he did not pay the rest of the payment they would hold his dad responsible for it and he was 86 years old and did not feel that his dad should have to go through it, that he had said that he was billed for false alarms when in fact the store had been broken into and had some documentation to back it up, that it was Houston's baddest street, Lyons and Jensen and they got burglarized every night, that they had false alarms but they had plenty of reports that were also true alarms, and Council Member Goldberg stated that if Mr. Platt would get that information to his office he would take a look at it also, and Mayor Brown asked Mr. Platt to meet with Ms. Dillard and she would guide him through the process of getting the final resolution to it. Council Member Tatro absent.

Mr. Jack Terence, 2808 Morrison, Houston, Texas 77009 (713-861-1991) had reserved time to speak, but was not present when his name was called. Council Member Tatro absent.

Ms. Anna Elmore, 3910 Club Valley, Houston, Texas 77082 (281-496-5083) appeared and stated that she was present to speak about the proposal that Incident Management Services had put before them regarding the towing and storage industry in Houston, that the group did not represent nor speak for the vast majority of people in the industry, that the proposal was being brought to them by a small group of wealthy individuals who were trying to regain control over the towing and storage industry again, that she said again because most of the wealthy group were former E Tag owners that had been trying to find a way of controlling the working class of the towing industry since the E Tag system was ruled an illegal monopoly, that her husband had worked in the industry in Houston for 20 years and they had together owned and operated a towing service for over 8 years, that the IMS proposal would put them out of business along with literally thousands of other people who worked for or owned towing companies, body shops or storage facilities who refused to be controlled by the IMS, that they would loose everything, their children would go without, their house would be foreclosed, their business would be bankrupt and they would be destitute and only Council had the power to stop it, that it was their life and livelihood and was how they fed and clothed their children and paid for their education, that they had 3 children and one due in about two weeks, that their 17 year old would be starting college in the fall and she did not want to tell her she could not because Council decided that they wealthy few deserved to get their way and they must file bankruptcy, that they had the power to destroy them all and begged them not to. Council Members Tatro and Sanchez absent.

Council Member Todd stated he chaired the Regulatory Affairs Committee and they had a subcommittee that was looking into the wrecker issues and Council Member Ellis was involved with that, and asked which proposal was she talking about and Ms. Elmore stated that it was the one that was before Council from the IMS and believed it was regarding what would happen in the towing industry, that they basically wanted to have control, like put a contract before, and either they would accept or deny and put out bids for other proposals who had a larger sum of money, that they wanted to change the industry as it was now and have control over who towed cars, where they

were towed to on accident scenes and believed part of the proposal was that every tow that came of a police scene, such as an accident, would be considered a non-consent tow, would only go to the storage facilities designated by the IMS, and it was just absurd, that they had a small towing company, they had three trucks and as it was there was an overflow of participation in the wrecker industry and they all knew that, but this was not the answer, and Council Member Todd stated they had gotten in a number of proposals and it seemed to be a function of the wrecker industry and a couple of other industries that there was a lot of ideas floating around and concerns about suggested plots against the industry and could understand her concern and he did not think anybody in the City wanted to drive anyone out of business, that the committee was going to review the entire issue, including the effect it would have on small businesses and before any proposals were made by a committee or subcommittee those issues would have been well flushed out. Council Members Tatro and Sanchez absent.

Council Member Ellis stated he thought Ms. Elmore was a little bit confused with what was going on and the process of what was happening, that they were not having any votes on Wednesday and nothing was going to be happening and it would be months before something evolved from it, and asked Ms. Elmore if she had a chance to look at the proposal that Ms. Suzanne Poole had put before them, and Ms. Elmore stated that she had not had a chance to go over it, but was familiar with Suzanne and thought that she spoke for the majority of the industry than anyone else did, especially for the people who were actually working now, and Council Member Ellis asked if she had an opportunity to look at the IMS proposal and Ms. Elmore stated yes briefly and mainly the storage section and how that would work, and Council Member Ellis stated there were four different items in both proposals that completely agreed, and the fifth was probably going to become a mute point, it had to do with whether or not they started a wrecker court, and thought before she got all whipped up into a frenzy and knew that she felt they were attacking her livelihood and so forth which was not happening, all they were trying to look at was to look at a way that they would take care of the citizens of Houston and look at public safety, and Ms. Elmore stated she completely understood and thought there needed to be some kind of standards and things said, that with the abolishment of the E Tags the business had been flooded and there were a lot of fly by night companies coming that had been overcharging and it definitely needed to be brought under control and Council Member Ellis stated those were the issues that they were concerned with and were going to address and believed that IMS and Suzanne Poole were really not far apart on most of the issues and as far as whether or not the City was going to issue one contract to one group he did not think that was going to happen, that the administration may have something to say about that, but did not think that was where the Council was moving. Council Members Tatro and Sanchez absent.

Council Member Keller asked Ms. Elmore if she would make some comments and notes to the proposal that she was referencing, like what they could live with, and Ms. Elmore stated that she did not feel that any group should be able to come in and say they made the rules, that the people of Houston should have a choice where their car should be towed, that the biggest thing was the non-consent tow issue, and Council Member Keller stated it was not their intent to have the storage facilities monopolized by any one group, and asked if her family was involved in the storage side of it and Ms. Elmore stated they only owned a wrecker service and could still tow to somebody else's yard, that there were many regulations already on the industry and thought the main thing was, especially in certain areas which particularly were zoned, and Southwest

Houston was extremely over flooded because that was where the majority of the business was and when that many wreckers were there it was kind of cut throat and did not know how that could be regulated because that what it basically was doing with the E Tag system, that as a whole they had done a really good job of getting rid of the unsafe trucks and things that were on the road, that the new ordinances that were passed for the standards of industry were good, but people just needed to start looking at the amounts that they were towing for because that part of the issue definitely needed to be resolved. Council Members Tatro and Sanchez absent.

Council Member Castillo stated he had served on the Regular Affairs Committee since he had been on Council and had participated in the discussions on wreckers and knew for a fact that all of the members of the committee were committed to protecting the public, both from the standpoint of safety and price gouging, and knew that the processes that the committee followed and had followed was to have the process be transparent and be participatory and in the end the Council would determine what the policy was on wreckers and it would not be any group or any particular provider and was sure that they all shared one goal and that was to have those protections, so when the proper time was there and they had an actual proposal to consider he was sure that the chairman would make public comment a part of that consideration and agreed with Council Member Ellis that they were months away before they ever even look at changing even one period. Council Members Tatro and Sanchez absent.

Council Member Todd stated that the only proposal currently on the table was one that would state that if a driver had 10 or more moving violations pending at any given time their permit would be revoked, and that was the only proposal out there and being prompted by a very few number of the drivers that just had mass amounts of violations and were hiring attorneys to delay the things over and over again and run up their violations in the hundreds, that members of the committee were sent ideas from representatives of the industry on a regular basis asking to consider different things, and the proposals that she was talking about were just conceptual and had not been put on an agenda, and Council Member Parker stated that whoever told Ms. Elmore that Council was going to vote on it did not know what they were talking about. Council Members Tatro, Keller and Sanchez absent.

Mr. Darrell Scott, 8601 Broadway, No. 1275, Houston, Texas 77061 (713-649-5294) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Keller and Sanchez absent.

Ms. Dorothy Olmos, 420 Broadway, Houston, Texas 77012 (713-928-3538) appeared and passed out handouts to Council Members and stated that she was present to express her concerns as a community activist, and would like to address an important issue to them regarding the Lead Abatement Program, that it was her understanding that there was or had been a cutback on matching funds due to other programs that had been addressed, that it was with great respect that those other programs such as sidewalks, parks and after school programs were as important as she understood, but the need for stabilizing the Lead Abatement Program and keeping it in a 100% continual process the funding had to be maintained, that in doing so the same allotted amount was required or an increase in the match was needed, rather than just giving the minimum requirement of 10% which equaled \$300,000 as was being talked about, that as a community leader focusing on youth she would like to know if (1) there was a Letter of Commitment to

provide the matching funds and if so where was it, and (2) was there going to be a cut back of only 10% required match, or (3) was this program going to continue with the previous awarded amount at \$2 million dollars, with \$1.5 million of the program match and \$500,000 as the carry over amounts to keep the program in existence, that she needed their assistance to find out what was going to be done about the matter, that the importance of maintaining the program at the previous allotted amount of \$2 million dollars was evident, rather than only 10% of the match, that it was an immediate concern, that there was research and findings of children who had been exposed and poisoned by lead and before they could provide a safe place for a child to learn and develop their many talents, that child must be in a healthy state of mind, that she lived in the community everyday and worked with youth in different recreational and cultural activities and saw that the need was prevalent, that the symptoms were headaches, fatigue, anorexia, diarrhea, constipation, stomach nausea, vomiting, cramping abdominal pain, pain in the muscles and or joints, paranoia, depression and aggressive behavior, and this was just the beginning stages of the illness, the overall effect of lead poisoning was the erosion of brain tissue and sometimes brain tumors, cognitive deficits and sometimes physiological development, that she understood the process, that the grant was awarded in sequence of rounds and if they were awarded in odd number rounds they could not apply for even number rounds unless they were denied, that because of round 7 being denied due to lack of matching funds, there was the possibility of applying for round 8, but they needed to keep the \$2 million dollars in place for children to be tested, especially in the Hispanic Community near the East End Ship Channel area where there were more industrial businesses and more homes to be tested and renovated, that there was a mandate due in September 2000 to comply with Federal Government for childhood poisoning, and she asked Council to be conscientious of what was evident in their community and what children were faced with everyday, that she wanted to be kept informed about the immediate status in the continuation of the important program and its funding kept as it was previously in the past. Council Members Tatro and Sanchez absent.

Mayor Brown stated that Gloria Moreno, Health Department, was present in Council Chambers and would meet with her, and Ms. Olmos stated that she had spoken with her and asked her about the actual Letter of Commitment and did not know where it was and Ms. Moreno had not told her exactly, and she just wanted to know where and how fast the process was going because the deadline was coming up. Council Members Tatro and Sanchez absent.

Council Member Parker moved to suspend the rules to hear Ms. Gloria Moreno, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Boney absent on personal business. Council Members Tatro and Sanchez absent. MOTION 2000-536 ADOPTED.

Ms. Moreno appeared and stated that as Ms. Olmos had mentioned they had two conversations regarding the grant application, that the Health Department was in the process of putting together a new grant application for round 8 funding for the Lead Program, that the application was due to HUD on or about May 17, 2000, that they had put in a request to Community Development Block Grant Funds, Margie Bingham, so that she could assist them in providing some matching funds for it and that was under review and they had not gotten a commitment from Ms. Bingham, that she had just gotten off the phone to find out when in fact that was due back and basically they were just informed

that it was under review and as soon as they got something they could forward it to Ms. Olmos. Council Members Tatro and Sanchez absent.

Council Member Parker asked if at this point the City did not have funding for lead abatement and was it a process where they got Federal Funds and applied each year for new funds, and Ms. Moreno stated that they were currently receiving funds for the Lead Program and currently were providing services, that the application they were looking at was for services to being in 2001 so they were in the process and it was not like there was an interruption of inspections or lead abatement at all, they were just trying to make sure that they built up funds for later on down the road, that the application they were applying for now was to start in January 2001, and Council Member Parker stated that this was the day to get bad information cleared up at the Council table. Council Members Tatro and Sanchez absent.

Council Member Quan asked Ms. Moreno if the amount was \$2 million dollars as well or was there an anticipated reduction in the amount, and Ms. Moreno stated that she did not have any specifics but could tell him that they were asking the same amount from the federal government that they had asked in the past which was \$3 million dollars, that what the grant application required was that the City have a 10% match so at the minimum they had to come up with \$300,000 as part of the grant application process, that she knew that was the minimum and as far as what the actual amount would be she did not know but would get that information as soon as it was available, that they were asking the federal government for the same level funding that they had asked for in round 3 and 5 which was what their current programs were funded under, that of the \$3,000,000 those were the funds predominately that were going out for abatement, that was actually put out in the community, that as far as were they reducing the amount of the funds, to her knowledge it had still been the same request that they had been asking from the federal government in round 3 and 5, and Council Member Quan asked Ms. Moreno to get that information to him. Council Members Tatro and Sanchez absent.

Ms. Audrey Gassama, P.O. Box 131, Houston, Texas 77001 (281-546-8733) had reserved time to speak, but was not present when her name was called. Council Members Tatro and Sanchez absent.

Mr. Robert Dill, 10878 Westheimer, No. 197, Houston, Texas 77042 (281-933-2800) appeared and stated that he was present regarding the IMS proposals, that there were some problems in the industry, that they were not perfect and Council or no business was perfect and everybody could use a little bit of fine tuning all the time, that was what they were present to propose, that IMS gave them six systems to look at and was sure that Council had looked at it very responsively and was sure they realized that four of them were really unconstitutional, that the Bedford case they were trying to mirror was a town of 44,000 people not 4 million, that they were a diverse makeup and minority and their basis was nowhere near Houston's, that they had an industry in the wrecker business that was 65% plus minority owned and was regulated by the City in a deregulated industry and they were wanting and asking for Council's help, that they had given them the proposal to fix it through Ms. Suzanne Poole's options, through the Houston Professional Towing Association and the Houston Auto Wrecker Association and they had made sure to find a way to cost effectively and to realistically solve and fine tune the problems through the storage lot agreement that they already had in place with every City licensed contracted storage facility that handled a police tow in the City right

now, and all they had to do was protect the City, that it was in the amended section and they had given it to them and the only other proposal that they asked to add to it was a voluntary issue to make their own two tickets four part and give a copy of them to the police officer, the person being towed, leave one at the storage yard and to maintain one for their own records, that they were offering to do that freely and of their own time and energy, that if they wished to set up a City annex court they supported them, that anybody who had 10 moving violations behind the wheel of a tow truck needed to be off the street and they backed them 100% and enjoyed their efforts to try to make that happen, that Houston had worked really hard to create a diverse City and to make the Council look as different as it had, 20 years ago it did not look that way, that the wrecker industry did not look that way either, that they had a way to support it and administrate it and had police officers who had written more than 500 tickets on a municipal basis in the last six months and he certainly did not want to make those folks hero's because he could complain to, but they were doing a fine job of cleaning up the riffraff in their industry and thought it was only pertinent that Council pay attention to the outlined areas that were completely constitutional not unconstitutional, by taking the vehicle with a cracked tail light or bad headlight and making that person chase them to the storage facility to pickup their car so they could pay \$97, that the wealthy folks of the town got together and hired the best lobbyist to come to Council and tell them they had the best system, but no, just because they were the only ones that talked to them about it and brought their proposals meant that they were not the only ones with solutions, those in the industry had offered to help and they had given them a suggestion to fix it.

Council Member Bell stated that he was not on the Regulatory Affairs Committee and asked that the ten tickets that had been mentioned, why should it rise to that level, and Mr. Dill stated it should not but they used that number as one to just be able to mend it, that there was one or two in their industry and one or two probably had 100 or 200 tickets and they worked the system like everybody else and like the folks at IMS worked the system, and those folks had just made a habit out of making the police upset at their policing, getting a ticket and they walk out at court, that they needed a system to govern and regulate those people, and most importantly take their pocket license away from them for driving a wrecker, that their folks in the industry did not want it and they were all trying to pass the new rigorous standards of lemon busters and meeting with the City Regulatory Affairs Division over on Sawyer Street and try to make sure that their tow trucks were new, legal and well insured, that they were carrying more insurance now than they had to in 10 years and it cost more than ever, fuel was up by 60% and diesels cost a lot more, that they had tow trucks that cost more than houses, and some of the folks that ran the industry lived in a house that cost less than their tow truck because that was just what it took to do the job right and that was to buy the right equipment, that they were supporting it and doing it on a raise that two years ago even the City committed to look at and agreed to go over the economics figures that put the cost of towing a car, two years ago before all the increases, at \$126 and they had been waiting for two years to do it in the IMS proposal, and asked that they look at the economics numbers and raise their rates, that they needed the money, that they were basically offering them a flat rate at \$57 but in the same sentence they were asking them to raise the rates, that he was sure it was not the first or only time they had seen someone try to make a bid to work out a way to control an industry or the majority of an industry. Council Members Tatro, Castillo and Sanchez absent.

Council Member Ellis stated that Mr. Dill's ideas were exactly what Council Member Todd's committee wanted to look at and asked if he thought that it should be required that all wrecker drivers prove that they had insurance at the time that they went to get licensed with the City and Mr. Dill stated absolutely, that it would be a unsafe city without that, that no one got behind the wheel of a tow truck without insurance on it, that as to the individual drivers it would be a garage keepers policy that he was asking for and did not think it was something that they did currently, that he did not think that they asked for a garage keeper or individual driver to have their own liability insurance, that each driver had a truck that was driven with a medallion that already had a \$5,000 bond posted with the City, a guaranteed \$300,000 worth of insurance and TE0202A insurance form which guaranteed even at the extension of the policy or the time they stopped paying the City had guaranteed to maintain insurance with that company for 30 days in addition while they send out cancellations and go to pickup their medallion, that they had already found ways to administer it and had done a great job, so they were just fine tuning as opposed to making a sweeping change, and Council Member Ellis stated he hoped Mr. Dill would come forward with some more ideas when they did address it in Council Member Todd's committee. Council Members Tatro, Sanchez and Bell absent.

Council Member Castillo stated that Mr. Dill mentioned briefly the issue of storage lots and was not sure if he had gotten the full import of it and thought that the current ordinance and the way it was written required that cars that were picked up by tow trucks or police tow be brought to storage lots that were in the zone where they were picked up, and Mr. Dill stated yes, and Council Member Castillo stated that the reason it was written that way was because the outlying areas out by the airport and out by the southeast part of town and the far reaches of the City were not being served well prior to the amendments to the ordinance because everybody wanted to concentrate where more traffic and accidents occurred, and so they had to make a connection between where they picked up the tow and where they dropped of the tow. Council Member Castillo asked Mr. Dill if he was in favor of it and Mr. Dill stated that not only were they in favor of it but the issues that were before Council and the reasons that everybody was asking for questions to be answered was that there were too many wreckers on each scene, that the private properties were going to the west end of town, and heaven forbid that someone tow from Enron Field and take it out to 1960 and I45, that they did not want that, that their proposal kept the tow truck, even at the accident scenes, charges at \$75 and did not allow them to go outside of zone and did not allow them to charge a dollar more until they were actually outside of zone and with an actual owners request, and Council Member Castillo stated that they were on the same page. Council Members Tatro, Vasquez, Sanchez and Bell absent.

Council Member Todd thanked Mr. Dill for his support on the 10 ticket rule, that the reason that they were at 10 violations was because it was violations and not convictions and there were some serious due process concerns associated with anytime they were going to be taking away a property right for someone who only had a violation, that after all in the Country they were innocent until proven guilty and that applied whether or not they were O.J. Simpson or a wrecker driver, that applied to anybody in the United States, whether or not they were a citizen, that as to the ten ticket rule he was not even sure that it was even viable and that was the reason that they had the subcommittee to look into it to see if it was viable, that it was sort of a balance between the public's rights to be safe on the streets and at the same time a wrecker drivers right to have their day in court, so they were trying to arrive at that, and as he had mentioned

before that was the only proposal that was even on the table, that they got ideas in all the time from people, they got letters and proposals and tried to sift through them real carefully before they took any action on them, and with the wrecker industry in particular they got in a lot of ideas, and Mr. Dill stated they supported Council Member Todd 100% in his efforts to try and take the few not the majority of minority owned business off the streets, that they wanted those few guys out of there to. Council Members Tatro, Vasquez, Sanchez and Bell absent.

Mr. Jim Short, P.O. Box 188, Fulshear, Texas 77441 (281-346-2100) appeared and stated that he was present on the IMS proposal as it was being called and referred to, that some ideas had been given to City departments, including, Legal, Police and Finance and Administration to consider whether they had any ability first to be implemented because of whether or not they would be considered in the current legal framework that they had, and also whether they had any viability to control the problems about which Council was receiving the most complaints, which was price gouging and reckless driver behavior, that the set of ideas that had not really even reached a proposal stage yet had a lot of participation from people other than IMS and he knew that for purposes of vilifying it before they got started on it meant that it made good sense to call it the IMS proposal, but he would like to point out that a lot of other independent companies participated in the drafting of it and did support the ideas in it and felt that they had a lot of possibilities for cleaning up and addressing the problems in their industry, that the main thing that he would like to say to Council and to any others who wished to fault that proposal was that they keep their eye on the ball, that they did have problems which Council had received calls on daily about the people who signed consent tows at the scenes of accidents or \$150 and two days later after the vehicle had been transported back and forth between their storage facility and a dealership perhaps they end up facing a wrecker bill of \$600 to \$800 dollars and that was not right, that the citizens were being exploited in that situation, that they had documented situations including Chairman Todd who had been cut off and run off the road by a wrecker trying to respond to a scene and they simply felt if they did not work with the City to creatively self regulate, then the situation would progress to a point where it would require solutions that none of them could live with and they would like to work with them but they also invited Ms. Poole's group and any one else, that as Council Member Ellis had pointed out their proposal had six points, four of them were identical, one of them had been spoken to repeatedly by the City Legal Department, and the other one was an idea of Council with respect to the City's traffic court. Council Members Tatro, Galloway, Sanchez and Bell absent.

Council Member Ellis stated that they were all in agreement that four of the six items in the proposals were the same and the fifth one was somewhat of a mute point and may not be a mute point, but at this time most of the Council Members were in kind of in agreement that a traffic court was not the direction that they wanted to go, and he wanted to talk about the one issue where there seemed to be some difference, that if they could address that issue and everyone was able to hear what it was he thought that it may help them a little bit, and Mr. Short stated that the one issue that seemed to be most at odds was whether or not private property tows could be moved out of zone, that he could speak to that but it would not carry near the weight that Mr. Bibler would give to it because it was a legal issue and it went to an interpretation of the court cases that had come forward out of the deregulation statute, and Council Member Ellis stated that Mr. Short was not an attorney and if he explained it then maybe they could understand it, and Mr. Short stated that it was some peoples interpretation of the statute itself and the

court cases drawn out of it that non-consent tows from private properties could be towed in a totally unregulated environment and therefore they could not be required to stay within zone, that other people found a different interpretation or wished that they could be made to stay in zone, and Council Member Ellis asked if Mr. Short wanted to keep them within zone and Mr. Short stated that he agreed with Mr. Bibler's position that it was a totally unregulated tow as to destination, and Council Member Ellis stated that he was a little confused, that he knew that it was consent and non-consent issue that they were looking at, and actually it was the consent where the people were gouging and so forth, and Mr. Short stated that the private property was a non-consent private property tow as opposed to the wreck scene that could be a non-consent tow if the person was not able to make that decision at the scene of the accident then it became a non-consent tow if the police officer signed the tow ticket, that there were other situations where the person could be there and it would still become a non-consent tow if they were not able to make the decision or would not make the decisions and there were several situations like that, but they were dealing with non-consent and consent tows on the scene of an accident, that in the case of a private property more than likely they were dealing with a non-consent, a person parked illegally, that was a non-consent private property and that was what it referred to as being moved out of zone and currently it was the City's interpretation, he thought, that it was an unregulated tow as to destination not as to price. Council Members Tatro, Galloway, Sanchez and Bell absent.

Council Member Parker stated that she was still trying to work out why there were so many folks present about the issue and did have several proposals in her office and had actually met with Suzanne Poole a while back and had not seen Mr. Short in about a year, but looked forward to having him lobby since she evidently made up her mind about his proposals according to some folks, and was he under the impression that they were planning on voting on wreckers in the next week or so, that the normal process was that it would go through committees and there would be public postings, then it would come before Council and asked Mr. Bibler if there was a requirement for a public hearing on wrecker regulation as there was with taxi regulation where they actually had to invite the industry in, and Mr. Bibler stated no and that he imagined that they would invite themselves if they did not, and Council Member Parker stated she assumed Council Member Todd would do that and she assumed that they in the course of the committee, and she did serve on the committee, they would have a formal public hearing or at least devote part of the Council committee meeting to that and allow the public to come. Council Members Tatro, Galloway, Quan, Sanchez and Bell absent.

Mr. Short stated that to be more responsive to her question about why he was present, they had been visiting about those ideas with the Legal, Police and Finance and Administration and then they started providing copies of it to each of the Council Members who served on Regulatory Affairs, and that this was being talked about and they did not know yet if Legal would even say it was possible, but there were some ways to address the problems and they were present telling them that they wanted to address the problems, that meanwhile other factors or forces decided to describe the proposal or the set of ideas in ways that they did not feel were accurate so they felt that it was necessary to come forward and say what it was and what it was not and that was the only reason he was present. Council Members Tatro, Galloway, Quan, Sanchez and Bell absent.

Mr. Joe Lang, 6414 Teluco, Houston, Texas 77055 (713-647-0376) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Quan, Sanchez and Bell absent.

Ms. Jeanette Rash, 2104 Lyons Avenue, Houston, Texas 77020 (713-228-8872) appeared and stated that she was present responding to the misinformation campaign against her personally, that she wore three hats, first her towing company and storage facility of which she had 15 independent tow companies that stored with her that she cared very much about, that she also wore a hat as a IMS owner and also wore a hat as the legislative chairperson for Texas Towing and Storage Association, that she would not and did not support any limited entry or single provider contract for police towing, that the proposal that they had discussed with the Legal, Police and City Council Regulatory Affairs Committee was not a limited entry contract and it was, like Mr. Short said, ideas, that she wanted to make it very clear to the people present or watching the Municipal Channel, that the problems were real and coming up with a solution was very difficult and complicated and the Legal Department was carrying a big burden to accomplish that goal, that she hoped to find a way for the towing industry to be an asset to the community, to get respect for what they all did, that the campaign against her was destructive and misguided, that the issue was what was best for the public and how they could as a towing industry provide towing services in a professional way, that she hoped it was a mesh of all the lawsuit decisions, the litigations and the decisions that had been made and not just Bedford, that maybe something combined with New York or Atlanta and all the decisions that were out there, that they had to wait for those decisions to happen, that it was not only a local matter, that it was a State matter and it was also a National matter, that finding a way for the City's political subdivisions to be able to deal with Incident Management and provide towing services, and that was what it was all about and not anything more than that, that she had been coming to Council for 22 years and dared to tell the people that had started the campaign to bring out one thing that she had done that had been destructive and not supported the one truck operator, that even during the E Tag system she helped many one truck operators get E Tags when that system was there, that she went against the grain of a lot of people to do that and she totally supported the small independent operators and would continue to. Council Members Tatro, Sanchez and Bell absent.

Council Member Castillo stated that he had not been coming to Council for 20 years like she had, but long enough to remember that before there were many tow truck operators that were independently owned and operated most of the permits were held by dealerships and investor groups and they could count the number of owners on both hands, that now there was a tremendous number of wrecker owners and operators, and anybody that could meet the minimum requirement could enter into the field, that he also remembered the work that Ms. Rash had done to reduce the burden that owner/operators of wreckers and storage lots had, and he remembered in particular that she tried to cut back the work that owner/drivers and storage lot operators had to do in notification, where they would have to notify everyone every five days or whatever it was and so he knew that a lot of the work that she had done had been selfless and unpaid and unheralded and most of all unappreciated, but he for one appreciated what she had done to professionalize the industry and knew that she could make more money if she were not present. Council Members Tatro, Sanchez and Bell absent.

Council Member Ellis stated that he received the smear campaign on her and thought that most of the Council Members around the table and put them in the position that they were not sure they wanted to deal with individuals that were attacking one another, that he understood the pain that it had caused her and wanted to thank her for coming down and help and guiding them through the process and hoped she would keep working towards that goal. Council Members Tatro, Sanchez and Bell absent.

Council Member Galloway stated that as Council Members Todd and Castillo stated they did not believe in the smear campaign because they knew she had been working to make it better for the constituents in Houston and really wanted to applaud her and wanted her to keep working and giving them input, because someone who had the background experience that she had in the wrecker field certainly could be an asset to all of them. Council Members Tatro, Sanchez and Bell absent.

Council Member Todd moved to suspend the rules to hear Ms. Suzanne Poole out of order, seconded by Council Member Quan. All voting aye. Nays none. Council Member Boney absent on personal business. Council Members Tatro, Ellis, Sanchez and Bell absent. MOTION 2000-536-1 ADOPTED.

Ms. Suzanne Poole, P.O. Box 1035, Houston, Texas 77459 (281-438-5427) advised that she would not speak at this time. Council Members Tatro, Ellis, Sanchez and Bell absent.

Mr. Elbert Robertson, 8534 Guinevere, Houston, Texas 77029 (673-4418) appeared and stated that he was present about a year ago and wanted to speak about violence in the schools, that he wanted to know if some violence was tolerated and some violence would not be tolerated, that on April 29, 1998 he was called by the Pleasantville Elementary School to come and see about his son, that he had been attacked by a teacher and choked around the neck, that he took him to the doctor and he had a sprained cervical spine and until today there had been nothing done about it, that nothing had been said and the school district stated that it was still under investigation, that the Police Department said they were not going to file any charges and the District Attorney said that he was not going to accept any charges and he really would like to know just what the problem was supposed to be, was it because she was a white teacher and he was just a little Black boy, was that what it was, was racism going to rein in the school district, was it going to rein in the Police Department, was the District Attorney's office going to be filled with racism, was it going to be because it was a White on Black crime that there was nothing going to be done about it, they said that the children came first yet still his son was suffering right now and yet there was still nothing to be done about it, that he just wanted to know just exactly what kind of system did they have, did they have justice for some, that he knew they had just gotten through saying the Pledge of Allegiance with liberty and justice for all and he just wanted to know if it was justice for some or was it really justice for all, that was it justice for a few or was it justice for many, that was what he was trying to find out, what was his son supposed to do, that the school district said that if the teacher got arrested then she would have a felony and her career would be ruined, but what about his son's future, what about him, he had been introduced to racism at a young age, and look at the message that it sent, that White teachers could do what they wanted to Black students and nothing would be done about it, look at the message that it sent, that it sent a bad message, that Houston was the fourth largest city in the United States and it should not tolerate that kind of behavior, that the Governor

himself said that every individual should be responsible for their own action, that they could always make excuses and say that it would not have happened if it had not been for this or for that, but they had to be responsible for their own actions, that his son was laying up right now, that he was ten years old and had all kind of problems and it was just a shame that they had nothing to say or do about it, that it was all laid upon his shoulders and he was the villain in the case, and he had been blamed for his suffering and been blamed for the injustice that had been inflicted upon him, that they had President Kennedy, he was assassinated because of the stand he took against racial injustice, that his brother Bobby Kennedy was slain because of the stand he took on racial injustice, that they had Doctor Martin Luther King who died because of his stand on racial injustice, but still today racial injustice was still standing. Council Members Tatro, Ellis, Keller, Sanchez and Bell absent.

Upon questions by Mayor Brown, Mr. Robertson stated that it occurred on April 29, 1998, that he came down to the City Council meeting and he had a letter from Mayor Brown who asked him to see Dr. Paige, that he had been to Dr. Paige's office twice and made an attempt to talk to him to make an appointment and Dr. Paige said he had nothing to say; that he did not want to talk to him about a fishing trip, he wanted to talk to him as a parent concerned about his son and he did not have time, that he had been to the Police Department, the District Attorney's office twice and they told him that he could not file charges, that the Police Department, Officer Gardner told him that she was not going to file charges and they told him that the Police Department had to file charges and that he could not file charges and the Police Department told him they were not going to file charges and the only thing he wanted to know was why, that he had not gotten an explanation and not gotten anything about his son as of today, and Mayor Brown stated that Assistant Police Chief Montalvo would meet with him and provide an answer to his question, that if they did not file charges there must be a reason and they would give him the reason. Council Members Tatro, Ellis, Keller, Castillo, Sanchez and Bell absent.

Council Member Galloway asked if Mr. Robertson had gone to speak before the Board of Trustees at Houston Independent School District and Mr. Robertson said he had not been able to, and Ms. Galloway stated that he could speak, that they had hearings for citizens and he could call 713-892-6121 and let them know that he would like to speak before the board and they would give him all the information, that they met every third Thursday and had hearings for citizens at approximately 4:00 p.m. on that same day so he would be allowed to speak, and Council Member Vasquez encouraged Mr. Robertson to also speak to Mr. Larry Marshall who was the current president of the Board at Houston Independent School District. Council Members Tatro, Ellis, Keller, Castillo, Sanchez and Bell absent.

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 Tatro, Ellis, Keller, Castillo, Sanchez and Bell absent.

Mr. Ali Q. Wakkiluddin, 9234 Alberene Dr., Houston, Texas 77074 (713-774-0881) appeared and stated that he had been asked to come before the Council to bring a matter for his clients, that he ran a company and had been in business for 10 years as an international freight forwarding company and the problem did not involve the City except through the Port of Houston, that his clients shipped things all over the world and the

problem that they were facing was that with customs it seemed to be a targeting of cargo going out of the country and the penalization of the client to the point where an investigation was done and the client had to pay for the investigation even though nothing was turned up as a liability or a violation of any law, that the client who was to be present today had a container going to Saudi Arabia and customs through the Port of Houston detained the container and searched the container and nothing was turned up that was illegal but the client received a bill of \$2,100 that he needed to pay before the container could be exported out of the country, that he knew that the City of Houston would be interested because of the Port of Houston being such a critical factor in the trade that the City was trying to promote internationally, that this was not the very first occasion that his company just in the last month had two such instances, that they were starting with the City of Houston, but were not going to end with the City of Houston, they intended to take it further, but they wanted to put it on record with the City of Houston that such an occurrence was taking place at the port and they thought it was wrong, that they were not saying not to search their containers, but why should they pay for the investigation if nothing illegal was turned up in the search, that it was the second occasion, that last year he had a client shipping a container to West Africa with the same problem and he was charged \$6,000, that this involved any profits that were hoped to be realized out of such a shipment, that it seemed that they were paying taxes and the agency should have budgeted funds to be able to support any such investigation. Council Members Tatro, Galloway, Ellis, Keller, Castillo, Sanchez, Bell and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown asked if his concern was under whose rules they had to pay, and Mr. Wakkiluddin stated not so much rules, that they were saying why should there be a penalization of an exporter who was attempting to contribute export dollars to the City of Houston or the United States Government, and Mayor Brown asked who was making him pay, and Mr. Wakkiluddin stated U. S. Customs, that the way the process worked was that U.S. Customs detained the container and they got the bill through the Port of Houston by one of the agency's there, and Mayor Brown stated that since Customs was a Federal Agency for him to contact his congress person and ask them to address the issue for him, because obviously the Council had no authority over Customs and Mr. Wakkiluddin stated they understood that and the reason they brought it before the Council was because of the City's involvement with the Port Authority and they would think that the City would be able to at least ask Customs because in many instances they were rebuffed in their questions and not given a satisfactory answer, and Mayor Brown stated they could make an inquiry as to why that was the case but he would also suggest that he contact whoever his congressional representative was because they could go directly to Customs in Washington, D.C. and see if that was a National rule or local policy or whatever it was, but he would make sure that they would make an inquiry themselves and get back to him with the answer they receive. Council Members Tatro, Galloway, Ellis, Keller, Castillo, Sanchez, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Ron Hanley, 3119 Masel, Houston, Texas 77080 (713-467-9790) appeared and stated that he had a copy of his handouts for the Council Members and would read from the top page as follows [real estate fraud in a Federal Flood Prone Area, file a claim and I sue you City Council for speech on 4/18/00, City of Houston committed real estate fraud in a Federal Fraud Prone Area by red tagging Ron's house stop work for 5 years, 91 to 96, that the City of Houston Political and Legal refused to do their job, practice federal law, write a letter, investigate a false complaint, or honor a 1990 \$200 City of

Houston variance, that they sold Ron, City of Houston fraud left Ron homeless, bankrupt and stop work for 5 years for no violation, no reason and no excuse, what the City of Houston did say to Ron was "We do not want you selling to a bunch of Mexicans", no single man needs 3 bathrooms, we do not want you running a business out of your home, Ron you are white and alleging discrimination, good luck proving it but Federal Court will dismiss it, file a claim 10 years late, Ron in good faith files a claim for \$1,000 per day for 5 years which is what the City of Houston did to Ron, Texas law states to take is to compensate, that City of Houston practices legal lying, stealing, racism and hate, taking without compensation, do the job 10 years late willful act of criminal negligence corruption and cover up, Wednesday, March 4, 1992 City of Houston floods, not Ron's house so Ron did not violate the Federal Flood Prone Area, the City of Houston did, vote for governor jr. 1989 1/2 billion S/L con man Neil Bush's bro, signed S/L con mayor Bob Lanier], that basically what it was that when they flooded in a Federal Flood Prone Area they were in violation, that his house never flooded and he was not violating anybody and he had talked to them four times about it and last time he talked two months ago somebody said file a claim, that Anna Russell said file a claim, and so he did, but it was step one in the process of a lawsuit and an important piece of the puzzle that he was missing all along and it should have been brought to his attention a lot sooner when he was present complaining earlier, but like he said nobody did their job and that was the end of the speech. Mr. Hanley further stated where did it go from there, what was the next step, that he had filed a claim just like they said to do, and Ms. Russell asked if he had received a response, and Mr. Hanley stated that he had not received a response, and Ms. Russell stated that he should wait for a response, and Mr. Hanley stated that what it amounted to was that he would have to file a lawsuit again, because if they were not doing their job then he could not do his, that he had been filing a lawsuit without filing a claim first, and in short he was missing step one in the process. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Sanchez, Bell and Robinson absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

Mr. R. J. (Bobby) Taylor, 3107 Sumpter, Houston, Texas 77028 FA20234511 had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Sanchez, Bell and Robinson absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

Mrs. Deborah Elaine Allen, 7809 W. Belfort No. 227, Houston, Texas 77071 had reserved time to speak, but was not present when her name was called. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Sanchez, Bell and Robinson absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

President Joseph Charles, P.O. Box 53831, Houston, Texas 77052 (713-710-1715) stated that City Council Chambers the media and the press, that he was President Joseph Charles of Royalty and also a certified volunteer deputy register of Harris County, that he was deputized and one of the only official presidential candidates for the coming presidential election, that he was present again to demand that emergency protection be provided for him and his case address with official charges and that he was an official HPPU booster member and crime victim, conviction case versus HPD that consisted of capital punishment or the death penalty, that he was stating that he did not want Lee P. Brown forwarding the execution orders on his life and the City Council Members, that he had knowledge of that and the use of those Star Wars weapons.

Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Sanchez, Bell and Robinson absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that "I want, I want, I want", that he wanted the full moon in Libra, air, masculine, the planters full moon April 2000 to be the best, that he wanted the Millenium Marijuana March on May the 6th in downtown Houston to be the best, that he wanted to win Texas Representative 147, that he wanted www.galvan.org to be the best, that he wanted his lawsuit against Richard Partsch and Switzerland to be the best, that he wanted his art house at 1611 Holman to be the best, that he wanted everybody to call him James or Mr. Partsch-Galvan, because he was married to Mr. William Partsch for 14 years from 1977 to 1991 and he would like an active link to his web site www.galvan.org because it used to be active and now all of a sudden it was not so he wanted it to be active. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Sanchez, Bell and Robinson absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

Mr. Jack Terence, 2808 Morrison, Houston, Texas 77009 (713-861-1991) appeared and stated that he had a few remarks and did not like to talk behind Mayor Brown's back, but he was present and the Mayor was not, that he was concerned that the Houston Planning Commission had become a campaign tool for Mayor Brown, that four members of the Houston Planning Commission had contributed \$60,000 to Mayor Brown's campaign, that John W. H. Chang who was recently exposed for giving Councilman Steve Radick \$10,000 per month for 10 years was also on the Houston Planning Commission as he was told and he had given Mayor Brown \$11,000 campaign contributions in the last couple of years and he thought that it had an appearance of trying to buy influence with various government entities and thought that the Houston City Council should ask for the resignation of John W. H. Chang from City of Houston Planning Commission, that another member of the Houston Planning Commission James R. Jard and his wife had contributed \$15,000 to Mayor Brown's election, that he believed that Mr. James Jard served on the City Planning Commission and Mayor Brown also appointed him the Harris County Sports Authority, that a person could not wear two hats or serve two masters, and thought that it was at least a conflict of interest and Mr. Jard should resign from the Sports Authority or at least the City of Houston Planning Commission that he should not be serving on both at the same time, that another member of the Houston Planning Commission, Mr. John Strange may have violated the City Election Code by contributing in excess of \$5,000 to Mayor Brown in the 1997 campaign, which limited an individual of \$5,000 per election, that Mr. and Mrs. Strange had contributed at least \$22,000 to Mayor Brown's election and reelection, that a fourth member of the Planning Commission, David L. Collins, had contributed about \$12,500 to Mayor Brown's campaign, that those four people, Mr. Chang, Mr. Jard, Mr. Strange and Mr. Collins had contributed \$60,000 to Mayor Brown's campaign and they served on the City Planning Commission and he thought that they could find other people for the City Planning Commission that did not have to appear to buy their way on the commission, that Mayor Brown should do something to show the people of Houston that the City Planning Commission was not a political payoff, and he believed that the City of Houston should demand that all influential appointees to boards and commissions file a Financial Disclosure Statement, that he did not want to rely on someone's own self for their ethics, that they needed financial disclosure forms for people on the Planning Commission, the Metro Board, the MTA, et cetera. Mayor Brown, Council Members Tatro, Galloway, Ellis,

Keller, Vasquez, Quan, Sanchez, Bell and Robinson absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

At 3:41 p.m. Vice Mayor Pro Tem Castillo stated the City Council was recessed until 9:00 a.m. Wednesday, April 19, 2000. Council Member Boney absent on personal business. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Vasquez, Quan, Sanchez, Bell and Robinson absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, April 19, 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; Ms. Martha Stein, Agenda Director, and Ms. Linda Layton Agenda Office, present.

At 8:27 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:12 a.m. Mayor Brown called the meeting to order. Council Members Galloway, Bell and Robinson absent.

MAYOR'S REPORT

Consent Agenda (Items 1 through 35) were considered as follows:

MISCELLANEOUS - NUMBERS 1 and 1A

1. ORDINANCE appropriating \$504.01 out of Fund titled Public Library Consolidated Construction Fund No. 439, as an additional appropriation for Roof Replacement and Waterproofing of Exterior Walls for Julia Ideson Building under construction contract with **F. W. WALTON, INC**; GFS E-0081-01-3, approved by Ordinance No. 98-850; providing funding for contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund No. 439 - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. Council Members Galloway, Bell and Robinson absent. ORDINANCE 2000-290 ADOPTED.
- 1a. RECOMMENDATION from Director Building Services Department for approval of Change Order No. 7 in the amount of \$36,043.46 on contract with **F. W. WALTON, INC** for Roof Replacement and Waterproofing of Exterior Walls for the Julia Ideson, GFS E-0081-01-3 - **DISTRICT I – CASTILLO** – was presented, moved by Council Member Sanchez, and seconded by Council Member Boney. All voting aye. Nays none. Council Members Galloway, Bell and Robinson absent. MOTION 2000-0537 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 through 11

OTHER

7. **GIBBONS SOUTHWEST CONSTRUCTION COMPANY, INC** for Emergency Repair of 30" Storm Sewer for Department of Public Works & Engineering - \$38,701.90 - Street & Drainage Maintenance Fund – was presented, moved by Council Member Boney, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members, Bell and Robinson absent. MOTION 2000-0538 ADOPTED.

11. **OLYMPIC INTERNATIONAL TRUCKS, INC** for Automotive International Trucks, Gas/Diesel Replacement Parts and Repair for Various Departments - \$447,549.61 - General and Enterprise Funds – was presented, moved by Council Member Boney, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members, Bell and Robinson absent. MOTION 2000-0539 ADOPTED.

ORDINANCES - NUMBERS 12 through 35

14. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide utility easement and two 5-foot-wide aerial easements in Lot 9, Briar Hollow Subdivision; vacating and abandoning said utility easement and two aerial easements to Metropolitan Joint Venture, the owner, in consideration of owner's dedication of a 10-foot wide utility easement out of Lot 9, Briar Hollow Subdivision; and owner's payment of \$12,855.00 and other consideration to the City - **DISTRICT G – KELLER** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-291 ADOPTED.

15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot wide sanitary sewer easement containing 5,755 square feet (0.1321 acre) of land, more or less; being located in the S. M. Williams Survey, A-87, Harris County, Texas; vacating and abandoning said tract of land to Daniel and Edith Ripley Foundation, abutting owner, in consideration of the owner's dedication of a 25-foot wide easement for sanitary sewer purposes containing 23,952 square feet (0.5499 acre) of land, more or less, and payment of \$300.00 and other consideration to the City - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-292 ADOPTED.

18. ORDINANCE consenting to the addition of 2.6677 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 55** for inclusion in its district – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-293 ADOPTED.

21. ORDINANCE appropriating \$8,500.00 out of Parks Special Fund (Edwin Allday Trust Account) for, and approving and authorizing the purchase from Lily Yu and Husband, Sai Hung Yu, of a tract of land located at 12634 Zavalla Street, for and in connection with the City of Houston South Main Estates Park Expansion Project;

- Parcel Number B98-006; CIP F-0206-56-1 - **DISTRICT C – GOLDBERG** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-294 ADOPTED.
23. ORDINANCE approving and authorizing contract between the City and **SMART CITY ELECTRIC, INC** for Utility Services at the George R. Brown Convention Center - Revenue - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-295 ADOPTED.
25. ORDINANCE awarding contract to **SCHOF ENTERPRISES LTD., dba AMERICAN GRAFFITI** for Graffiti Abatement and Protective Coating Services for Various Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,046,937.50 - General, Enterprise and METRO Funds – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-296 ADOPTED.
29. ORDINANCE appropriating \$8,827.56 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **CONN’S APPLIANCE, INC** for construction of an 8-inch sanitary sewer line on Blue Bell Road, CIP R-0800-18-3 - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-297 ADOPTED.
30. ORDINANCE appropriating \$9,260.69 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **BARRY M. JOHNSON** for construction of sanitary sewer lines along the alley located west of Prague Street, CIP R-0800-23-3 - **DISTRICT G – KELLER** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-298 ADOPTED.
33. ORDINANCE approving and authorizing amendment to professional engineering services contract between the City of Houston and **LEGGETTE, BRASHEARS & GRAHAM, INC d/b/a LBG-GUYTON ASSOCIATES, INC** for Rehabilitation of Existing Water Wells, CIP S-0200-10-2 (10562) – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-299 ADOPTED.
34. ORDINANCE appropriating \$25,000.00 out of Parks Consolidated Construction Fund for Improvements to Haden Park, CIP F-0244 - **DISTRICT A – TATRO** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-300 ADOPTED.
35. ORDINANCE NO. 2000-245, passed second reading April 12, 2000
ORDINANCE replacing City of Houston, Texas Ordinance No. 68-1373 and 78-1423; granting a franchise to **TEXAS MEDICAL CENTER CENTRAL HEATING AND COOLING SERVICES COOPERATIVE ASSOCIATION**, A Texas non-profit Cooperative Association, doing business as **THERMAL ENERGY COOPERATIVE**, engaged in the District Cooling Business for constructing,

maintaining, operating and repairing a pipeline system for the transportation and distribution of Chilled Water Underneath the streets or other City property of the City of Houston, Texas; making findings and containing other provisions related thereto and prescribing the conditions and provisions under which said franchise is issued - **THIRD AND FINAL READING** – was presented. All voting aye. Nays none. Council Members Bell and Robinson absent. Ordinance 2000-245 ADOPTED THIRD AND FINAL READING IN FULL.

Items removed from the Consent Agenda were considered as follows:

ACCEPT WORK

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$4,405,602.04 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for Reconstruction of Huge Oaks, Monarch Oaks, Pine Chase, Glourie, and Westwood from Huge Oaks to Wirt Road in Phase I - Neighborhood Street Reconstruction Project No. 433, GFS N-0365-01-3 (N-0365-01) - 04.46% over the original contract amount Street & Bridge Consolidated Construction and Enterprise Funds - **DISTRICT A – TATRO** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Bell absent. MOTION 2000-0540 ADOPTED.
3. RECOMMENDATION from Director Aviation Department to accept work on contract with **F. W. WALTON, INC** for Concourse “A” Roof Repairs at William P. Hobby Airport, Project No. 417A(Z), CIP A-0141 - 03.05% under the original contract amount - Enterprise Fund **DISTRICT E – TODD** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Bell absent. MOTION 2000-0541 ADOPTED.

PURCHASING AND TABULATION OF BIDS

LOW BIDS

4. **MAIL-WELL ENVELOPE** for Envelopes, Customer Service for Various Departments \$633,489.70 - General and Enterprise Funds – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. Council Member Robinson voting no. Balance voting aye. Council Member Bell absent. MOTION 2000-0542 ADOPTED.

OTHER

5. **ALLIANCE MFG. GROUP, INC** - \$15,190.00, **BWI-SCHULENBURG** - \$129,225.50, **MACI FEED & SUPPLY** - \$15,036.60, **PARKWAY RESEARCH CORPORATION** - \$15,049.00, **SAN JACINTO ENVIRONMENTAL SUPPLIES** - \$48,667.24, **TOMBALL FEED CENTER** - \$15,040.00 and **TURF INDUSTRIES, INC** - \$447,566.88 for Chemicals and Fertilizers for Aviation and Parks & Recreation Departments - \$685,775.22 - General, Enterprise and Park Special Revenue Funds – was presented, moved by Council Member Boney, and

seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Bell absent. MOTION 2000-0543 ADOPTED.

6. **POSTON EQUIPMENT SALES, INC** - \$17,575.00 and **BROOKSIDE EQUIPMENT SALES, INC** \$63,624.00 for Grounds Keeping Equipment for Parks & Recreation Department - New - Parks Special Revenue and Equipment Acquisition Consolidated Funds – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez.

Council Member Tatro stated that with this purchase of a stump grinder no longer would people in Memorial Park have to fear stumps and he appreciated it and he was sure the Parks Department also appreciated it.

A vote was called on Item 6. All voting aye. Nays none. MOTION 2000-0544 ADOPTED.

8. **AAA FLEXIBLE PIPE CLEANING COMPANY, INC** for Emergency Purchase of Sanitary Sewer Line Cleaning and Stoppage Removal Services for Department of Public Works & Engineering \$207,000.00 - Enterprise Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0545 ADOPTED.
9. **LAWRENCE MARSHALL CHEVROLET, L.P.**, for Four Heavy Trash Loader Trucks for Solid Waste Management Department - New - \$347,016.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0546 ADOPTED.
10. **RCK SALES, INC** - \$76,366.00, **S&S WORLDWIDE** - \$312,217.50, **SAX ARTS & CRAFTS** \$29,195.45, **SCHOOL SPECIALTY, INC** - \$37,275.20, **TEXAS ART SUPPLY** - \$15,153.70 and **TEXAS ATHLETIC SUPPLY** - \$52,989.00 for Arts, Crafts and Games for Various Departments \$523,196.85 - General Fund – was presented, moved by Council Member Boney, and seconded by Council Member Vasquez, and was tagged by Council Member Sanchez.

ORDINANCES

12. ORDINANCE making a general appropriation of certain revenues of the City in support of the Annual Budgets for Fiscal Year 2000; authorizing a transfer of funds from the General Government Budget to various General Fund Budgets related to previously approved compensation – was presented.

Council Member Castillo stated that he had reviewed the appropriation ordinance and he was glad it was on the Agenda, but it recognized the expenditures at their current level and did not recognize that the revenues were changed from the original budget and he did not know how that was reconciled.

Mayor Brown asked Mr. Haines to explain and Mr. Haines stated that he would invite Mr. Al Mays to answer the question. Mr. Mays stated that the proposed general appropriation ordinance for the general fund recognized the revenues based on current

projection for year end revenues that were in the monthly report provided for Council so it did include current estimates of what they thought would be year end revenues.

Council Member Robinson stated that he was not clear; and upon questions, Mr. Mays stated that the numbers were off from the adopted budget but they recognized the most current projections of where they expected to end the year in revenues; that they were revenues estimated plus savings projected in the management plan plus increases approved in various compensation programs this year. Council Member Robinson stated that he understood the explanation, but did not see it reflected in the numbers.

Council Member Castillo stated that he would ask the department to give them a reconciliation of that; that he felt they were looking at it in an abbreviated form. Mayor Brown stated that he wanted it given to all Council Members.

A vote was called on Item 12. All voting aye. Nays none. ORDINANCE 2000-301 ADOPTED.

13. ORDINANCE amending **ARTICLE VI OF CHAPTER 37 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to access to Public, Educational and Governmental Cable Channels for Municipalities; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. All voting aye. Nays none. ORDINANCE 2000-302 ADOPTED.
16. ORDINANCE approving and authorizing contract between the City and the **HOUSTON-GALVESTON AREA COUNCIL** to fund Local Enforcement of Illegal Dumping laws through the Rat-on-a-Rat Program - \$225,320.00 - Grant Fund – was presented. All voting aye. Nays none. ORDINANCE 2000-303 ADOPTED.
17. ORDINANCE approving and authorizing an Interlocal Agreement between the City and **HARRIS COUNTY** for Criminal Prosecution of State Law Violators pursuant to Solid Waste Assistance Enforcement Grant from the Houston-Galveston Area Council - \$92,000.00 – was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-304 ADOPTED.
19. ORDINANCE approving and authorizing amendment No. 1 to Food and Beverage Concession Agreement at William P. Hobby Airport between the City and **CONCESSION AIR HOUSTON** Revenue - **DISTRICT E – TODD** – was presented, and was tagged by Council Members Tatro, Quan and Robinson. Mayor Brown absent. Mayor Pro Tem Boney presiding.
20. ORDINANCE appropriating \$3,445,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to contract between the City and **PIERCE GOODWIN ALEXANDER & LINVILLE, INC** for professional architectural and engineering services at George Bush Intercontinental Airport/Houston, Project 444, CIP A-0026 - **DISTRICT B – GALLOWAY** – was presented, and was tagged by Council Members Tatro, Sanchez, Ellis and Keller. Mayor Brown absent. Mayor Pro Tem Boney presiding.

22. ORDINANCE changing the name of Carl Street to City View Place - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-305 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City and **BURNS INTERNATIONAL SECURITY SERVICES CORPORATION d/b/a WELLS FARGO GUARD SERVICES** for Security Guard Services for the Fire and Police Departments; providing a maximum contract amount - 3 Years with two one-year options - \$1,924,864.40 - General Fund **DISTRICTS B - GALLOWAY and H – VASQUEZ** – was presented.

Council Member Castillo stated that he had reviewed the item and evaluation matrix and had no problem with that aspect, but did have a concern in general with the security guard services and was bringing it to the attention of the Administration; that over the last holiday weekend he was in and the guard on duty at Level P1 in the Annex was greatly distressed and after he asked if there was a problem, he explained that his wife was pregnant and she had called because he was needed and his shift ended at noon and it was then about 3:00 p.m. and his relief had not yet come; that he asked him why wouldn't he just leave and he said he would lose his job; that no one was on duty he could get relief from and he felt so sorry for him he offered to stay for him, but wasn't taken up on it, but he felt there was very little supervision during holidays and weekends and if a real problem came he would not know how it was handled. Mayor Brown asked that it be followed up on and corrected. Council Member Bell absent.

A vote was called on Item 24. All voting aye. Nays none. Council Member Bell absent. ORDINANCE 2000-306 ADOPTED.

26. ORDINANCE appropriating \$857,757.12 out of Water & Sewer System Consolidated Construction Fund (Fund), and approving and authorizing compromise and settlement agreement between the City of Houston and **AMERICAN INFRASTRUCTURE, INC., a Texas Corporation**, to resolve a judgment arising out of a dispute regarding construction activities financed by the Fund - **DISTRICTS E - TODD and I – CASTILLO** – was presented.

Council Member Quan stated that he understood they lost a lawsuit in this case and money would be due and he was disturbed that when the matter first appeared before Council last year they were not advised there was a pending lawsuit going on and that there was a negative engineering opinion; that they depended a lot upon staff to provide information to them to make an intelligent decision and those items should be included in the RCA. Council Members Goldberg and Bell absent.

Council Member Kelley stated that he wanted to know if American Infrastructure was currently doing business with the city; and moved to suspend the rules to hear Mr. Herb Lum, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2000-0547 ADOPTED.

Upon questions by Council Member Keller, Mr. Lum stated that to the best of his knowledge American Infrastructure was not doing business with the city. Council Member Goldberg absent.

A vote was called on Item 26. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-307 ADOPTED.

27. ORDINANCE approving and authorizing an Interlocal Agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Reconstruction of South Shaver Road from Gulf Freeway (I. H. 45 South) to SH 3, GFS N-0582-01-2; and appropriating \$70,000.00 out of Street and Bridge Consolidated Construction Fund No. 437 - **DISTRICT E – TODD** – was presented, and was tagged by Council Members Quan and Castillo. **(NOTE: Council Members Quan and Castillo release their tags later in the meeting.)**

Council Member Castillo stated that he had read a response letter from Ms. Scott on the item; that really it was in respect to Item 43, but they were related; that it related to how part of the Phase II engineering services would involve the redesign of the Berry Gully Channel in the upstream direction because the new TxDOT standard required a widening or deepening of that gully and if they had not done it yet would they be doing this engineering work and then not be able to do it because of funding; and moved to hear from Ms. Hilda Scott at this time, and was seconded by Council Member Keller. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2000-0548 ADOPTED.

Ms. Hilda Scott stated that improvement to Berry Ditch was a part of the professional services with Thompson Engineering so all of those issues would be addressed and that was why they were moving forward with the project at this time; that the money for construction, right of way acquisition for construction was a part of it. Council Member Goldberg absent.

Council Member Keller stated that ironically tagging or delaying the item could make the city more vulnerable to their fears of losing financing; that TxDOT had a resolution for ISTEA money which would put forth a lot of projects in this area and in the resolution was a list of candidate projects and in those projects number 0192-71641 was similar to the City's CIP and they were showing that and finally there was assurance to complete the project; that on another note \$70,000 was ridiculous to review the plans but if TxDOT would pay 80% of the construction cost he guessed they had them. Council Member Goldberg absent.

Council Member Castillo stated that he would remove his tag as he thought the real issue was Item 43 and not Item 27. Council Member Quan stated that he was willing to remove his tag if it would expedite the processing, but would like to visit with Ms. Scott to see how the programs had got to this situation. Mayor Brown instructed Ms. Scott to visit with Council Member Quan.

A vote was again called on Item 27. All voting aye. Nays none. ORDINANCE 2000-308 ADOPTED

28. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Reconstruction of Tanner Road from Gessner to Campbell, GFS N-0589-01-2; and appropriating \$60,000.00 out of Street & Bridge Consolidated Construction

Fund No. 437 - **DISTRICT A – TATRO** – was presented. All voting aye. Nays none. ORDINANCE 2000-309 ADOPTED.

31. ORDINANCE appropriating \$214,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional consulting services contract between the City of Houston and **JOHN HALL PUBLIC AFFAIRS, INC** relating to the Northeast Water Purification Plant, CIP S-0066-03 – was presented, and was tagged by Council Members Parker, Sanchez, Quan, Tatro and Keller.
32. ORDINANCE appropriating \$1,600,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing contract amendment with **CH2M HILL, INC** for Development of a Strategic Collaborative Plan for a Regional Water and Distribution System, CIP S-0066-03-2 – was presented, and was tagged by Council Members Todd, Quan, Tatro, Keller, Parker and Goldberg.

Council Member Robinson stated that he wanted to state the issue would be on the Agenda of TTI on Tuesday; and Mayor Brown encouraged all to attend the meeting. Council Member Boney absent.

Council Member Tatro stated that he did look forward to the briefing and his concern was about the charge given to consultants; that they could hire good people as they did with the water rate review last year, they were a good company, but the product that came back was unfortunate because it found they could basically do nothing for two years and they basically spent half a million dollars to do nothing for at least two years; that they just did a contract with CH2M Hill and he was looking for the product of that study, what product the consultants produced; that he would like to follow-up and meet with Mr. Haines as he said he would follow-up to find out what the scope of work would be that would be given to the consultants and what the product would be from the fruits of their labor; and Mayor Brown stated that Mr. Haines would meet with him and in the committee meeting he would get the briefing. Council Member Boney absent.

The City Secretary stated that completed the Consent Agenda and under the Non Consent Agenda Item 36 required the appointment of appraisers in District E. Council Member Boney absent.

The Non Consent Agenda (Items 36 and 37) were considered as follows:

PROPERTY

36. RECOMMENDATION from Director Department of Aviation that City Council: (1) declare surplus approximately 3.5 acres (152,460 square feet) of unimproved land out of a 246.3 acre tract located in the Sylvester Murphy League, Abstract 53, Harris County, Texas; (2) inasmuch as the value of the property is expected to exceed \$25,000.00, appoint two independent appraisers to establish the current market value; (3) authorize the sale of such property by sealed bid to the highest bidder for not less than its fair market value, as established by appraisal, pursuant to Section 272.001, Local Government Code, and (4) authorize the City Secretary to reject and return any bids for less than the minimum amount - **APPRAISERS** -

DISTRICT E – TODD – was before Council. Council Member Todd stated that he was waiting for a listing and moved to postpone Item 36 to the end of the Agenda, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Member Boney absent. MOTION 2000-0549 ADOPTED.

PURCHASING AND TABULATION OF BIDS

37. RECOMMENDATION from Department of Finance & Administration to make the following awards for Athletic Playground Equipment for Parks & Recreation Department - \$625,338.63 - General Fund:

BILL FRITZ SPORTS CORPORATION - \$121,806.91

PASADENA SPORTING GOODS - \$70,496.57

TEXAS ATHLETIC SUPPLY - \$89,556.50

SPORTSMASTER - \$51,088.15

S & S WORLDWIDE - \$78,330.31

ALL PLAY, INC - \$66,257.50

GULF COAST ATHLETIC SUPPLY - \$29,636.35 and

J. P. SPORTS, INC - \$114,994.62

COUNCIL DRAW LOTS

ITEM NOS. 17, 18 and 19 due to receiving identical bids from **GULF COAST ATHLETIC SUPPLY** and **J. P. SPORTS, INC** in the amount of \$1,475.52

ITEM NO. 80 due to receiving identical bids from **SPORTSMASTER** and **S & S WORLDWIDE** in the amount of \$1,518.00 and

ITEM NO. 98 due to receiving identical bids from **GULF COAST ATHLETIC SUPPLY** and **BILL FRITZ SPORTS CORPORATION** in the amount of \$178.20

- was before Council, and Council Member Keller drew **Gulf Coast Athletic Supply** on Items 17, 18 and 19; **Sportsmaster** on Item 80 and **Gulf Coast Athletic Supply** for Item 98 as the successful bidders.

Council Member Vasquez moved that the recommendation be adopted and awarded as drawn, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Member Boney absent. MOTION 2000-0550 ADOPTED.

MATTERS HELD - NUMBERS 38 through 43

38. MOTION by Council Member Sanchez/Seconded by Council Member Vasquez to adopt recommendation from Department of Finance & Administration to award to **AVENTIS PASTEUR, INC** for Yellow Fever Vaccine for Health & Human Services Department - \$17,097.00 - General Fund - (This was Item 11 on Agenda of April 12, 2000, **TAGGED BY COUNCIL MEMBER KELLER**) – was presented. All voting aye. Nays none. Council Member Boney absent. MOTION 2000-0551 ADOPTED.

39. ORDINANCE approving the Project Plan and Reinvestment Zone Financing Plan for Reinvestment Zone Number Twenty, City of Houston, Texas (The Southwest Houston Zone); authorizing the City Secretary to distribute such plans; containing various provisions related to the foregoing subject - **DISTRICT F – ELLIS** – (This was Item 25 on Agenda of April 12, 2000, **TAGGED BY COUNCIL MEMBERS ELLIS AND KELLER**) – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-310 ADOPTED.

40. ORDINANCE approving and authorizing contract between the City of Houston and **BICKERSTAFF, HEATH, SMILEY, POLLAN, KEVER & MCDANIEL, L.L.P.**, for Legal Representation of the City in its petition for Certiorari in the United States Supreme Court relating to the lawsuit styled City of Houston v. Kolb; providing a maximum contract amount - \$90,000.00 General Fund - **(This was Item 32 on Agenda of April 12, 2000, TAGGED BY COUNCIL MEMBER TATRO)** – was presented.

Council Member Tatro stated that this lawsuit was over a taking issue of a piece of property in the ETJ, they wanted to plat the property and the city did not approve it because of the Grand Parkway going through it; that when the plat was denied the landowner sued for denial of plat and they won in Harris County Court and the Court of Appeals was upholding the denial of appeal for the City and the Supreme Court of Texas denied the City's petition for review so that was three strikes in three different courts; that right now the city owed about \$2,000,000 and this could go on into next year and he felt it was wise to end the lawsuit.

A vote was called on Item 40. Council Members Quan, Tatro and Keller voting no. balance voting aye. ORDINANCE 2000-311 ADOPTED.

41. ORDINANCE approving and authorizing professional services contract for consulting services related to Strategic Purchasing between the City of Houston and **ARTHUR ANDERSEN LLP**; providing a maximum contract amount - \$255,607.00 - General Fund - **(This was Item 33 on Agenda of April 12, 2000, TAGGED BY COUNCIL MEMBERS TATRO, ROBINSON, KELLER, SANCHEZ and GOLDBERG)** – was presented.

Council Member Goldberg moved to refer Item 41 back to the Administration, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0552 ADOPTED.

42. ORDINANCE approving and authorizing contract between the City and **PRINCIPAL DECISION SYSTEMS INTERNATIONAL** for an Extraboard and Overtime Scheduling System for the Fire Department - 3 Years with two option years - \$402,560.00 - General and Equipment Acquisition Consolidated Funds – **(This was Item 34 on Agenda of April 12, 2000, TAGGED BY COUNCIL MEMBER SANCHEZ)** – was presented. Council Member Sanchez voting no. Balance voting aye. ORDINANCE 2000-312 ADOPTED.
43. ORDINANCE appropriating \$933,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **THOMPSON PROFESSIONAL GROUP, INC** for Design of construction of South Shaver Street from Gulf Freeway (I.H.45) to Galveston Road (S.H.3), CIP N-0582-01-2 (SB9006); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E – TODD** – **(This was Item 41 on Agenda of April 12, 2000, TAGGED BY COUNCIL MEMBER KELLER)** – was presented.

Council Member Tatro stated that this was regarding reengineering for designs of projects that had sat on the shelf for one reason or another and he wanted to use this case as

a concern to many was the not knowing, as in this case, which projects had been engineered and were just sitting and waiting for allocation of construction dollars; that he would appreciate an inventory of what CIP projects in areas such as the road and bridge arena were on the shelf and waiting for those dollars; that he felt once they had the inventory it would be easier to assess the files and know what priorities were needed.

Council Member Keller stated that Council Member Tatro brought up a good issue and one this item was not guilty of, but there were many projects that were redesigned and he had one redesigned four times and still did not have secured funding and he hoped they could work with departments and the Administration and have at least a 50% assurance funding was there before the preliminary design; and he hoped they could focus on a way of implementing a way so once the preliminary design was done they would have an assurance that actual construction dollars were achievable; and Mayor Brown stated that he would have Public Works work on it.

A vote was called on Item 43. All voting aye. Nays none. ORDINANCE 2000-313 ADOPTED.

Item postponed to the end of the Agenda was considered as follows:

36. RECOMMENDATION from Director Department of Aviation that City Council: (1) declare surplus approximately 3.5 acres (152,460 square feet) of unimproved land out of a 246.3 acre tract located in the Sylvester Murphy League, Abstract 53, Harris County, Texas; (2) inasmuch as the value of the property is expected to exceed \$25,000.00, appoint two independent appraisers to establish the current market value; (3) authorize the sale of such property by sealed bid to the highest bidder for not less than its fair market value, as established by appraisal, pursuant to Section 272.001, Local Government Code, and (4) authorize the City Secretary to reject and return any bids for less than the minimum amount - **APPRAISERS - DISTRICT E – TODD** – was before Council. Council Member Todd named Allen Dominy and Thomas A. Bazan as the appraisers, and moved approval of the recommendation, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0553 ADOPTED.

Council Member Todd stated that he wanted to congratulate the Aviation Department on their good efforts at Ellington Field; that as a result of this and other items Ellington Field was being used and moving forward as a great place for businesses to locate; and he wanted to point out that they needed legislative help through Council Member Sanchez's committee in getting changes at the state code level regarding non-profit corporations facilitating in land sales on government owned property; and requested that Council Member Sanchez through the Legislative Affairs Committee take it up and see if there was indeed changes that could be made for the city's legislative team to work on.

Council Member Robinson stated that he wanted to echo Council Member Todd on this; and as he understood from the Aviation Department if this project was as productive as they thought it could serve as a demonstration to do other things there and he hoped the additional property bought last year would be used the same way as enticement to bring projects to Ellington Field and he also wanted to thank Council Member Todd and the Clear Lake Chamber for their involvement.

Council Member Sanchez stated that on Item 42 he was intending to call for a roll call vote and he if it was appropriate he would like to call it back up for reconsideration. Mr. Hall stated that Item 42 was an Ordinance and could only be reconsidered with another ordinance. Mayor Brown stated that there was a timeframe in which it could be done; and upon questions, Mr. Hall stated that was 90 days. Mayor Brown stated that it was not appropriate at this time.

Upon questions by Council Member Tatro, Mr. Hall stated that there was a prohibition against consideration of the same issue or item which had been passed so the question was whether the motion being discussed was procedural or not, but in this instance another prohibition applied which was that there was also prohibition against reconsideration in a 90 day period. Council Member Robinson absent.

After further discussion Mr. Hall stated that it was his observation that with unanimous consent of Council and if changing a vote did not change the result of the vote Council had before allowed a Council Member to record his vote differently. Council Member Sanchez stated that he would like to be allowed to change his vote on Item 42 to no; and Mayor Brown stated that if there were no objections a no vote would be recorded for Council Member Sanchez and hearing no objections a no vote was recorded for Council Member Sanchez on Item 42. Council Member Robinson absent.

Upon further discussion Council Member Todd stated that he would request a written brief from Mr. Hall on what they had discussed regarding reconsideration of an item; and Mayor Brown asked that Mr. Hall give Council Member Todd and all Council Members an opinion as requested. Council Member Robinson absent.

Council Member Sanchez stated that he had a couple of questions on budget priorities as released by the Mayor; that the cover letter was dated April 18 and on page 15 he was talking about the integrated dispatch system and his question was whether he was anticipating the completion two years from April 18; and Mayor Brown stated that he would be glad to have someone brief him on all aspects of it, but it had already passed and could not be revisited. Council Member Sanchez stated that he only had a question and that was whether the two year period for completion was from the date the budget priorities were signed; and Mayor Brown stated that he would get the staff to give him an answer as for as the specific day as he did not have a specific day.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Bell stated that on the Mystery Shopper Program, several months ago when the Council Committee on Customer Service voted to go forward with the customer survey and Mystery Shopper Program and hire a consultant to go to departments the Administrative was supportive and the understanding was that the survey would be completed by the end of February and his understanding was that it was completed but no results had been forthcoming and he would appreciate an update from the Administration as to where it stood and when they could expect to see results. Council Members Vasquez and Castillo absent.

Council Member Bell stated that he wanted to thank Mr. Spellman for moving forward on a proposal he mentioned several times which was the idea of a Chess Park; that he had received questions and wanted to explain the proposal which was an idea of

two concepts, one which showed various programs had begun in schools introducing Chess to disadvantaged youth and with great results in building self esteem and the other concept was that in many cities there had been open-air Chess Parks and his idea combined both; that Mr. Spellman moved forward and researched and all equipment could be bought for \$40,000; that originally a park downtown was thought of but then they wondered if many children would be able to take advantage of it so today he was asking Council Members with suggestions of parks be passed along to the director of Parks; that it was inexpensive and he felt worth pursuing. Council Members Vasquez and Castillo absent.

Council Member Goldberg stated that a couple of times he had mentioned College Court and he would mention it again; that it was a great example of what could go wrong in a street construction project; that he did want to thank Mr. Don Kobos for taking his news crew out, it was amazing how trucks started moving, but a couple of weeks ago a resident figured out emergency equipment would not be able to get through and called his office who in return called the Fire Department and Chief Britt went out and found emergency vehicles could not get through and he got with the project manager and it was corrected and he wanted to thank him also and as a reminder if there was a street construction project going on he thought it important for the project manager to get with someone in emergency services to make sure the work would not impede such emergency vehicles; and Mayor Brown stated that Mr. Richard Lewis would be assigned to work on that and he hoped to manage it better. Council Members Vasquez and Sanchez absent.

Council Member Todd stated that he wanted to point out that next month a team was headed to Washington on a "Keep It Sold Mission" which was for continued funding of NASA, the space station, etc., and it was incredibly important for Houston; that it was only a few years ago that Houston won continued space station funding by one vote in Congress and the "Keep It Sold Mission" was very important; that he made a point of attending it annually and he invited all to go and send letters of support. Council Member Vasquez absent.

Council Member Galloway stated that she wanted to bring attention to Items 16 and 17 from today's Agenda; that it brought more money to illegal dumping which had become a big issue and she would like Legal to look into the penal code to go before the legislature in the next session to increase fines and charges related to illegal dumping. Council Member Vasquez absent.

Council Member Robinson stated that on the "Keep It Sold" issue he related to it yesterday with the Houston/Galveston Area Council passing a resolution endorsing the Brazos County Space Port so the effort to continue to make this region a high tech space related industry in terms of economic development was on-going; and the year he went on the mission it was very productive. Council Member Vasquez absent.

Council Member Robinson stated that regarding illegal dumping there was an article the other day in the paper where they found someone's name in the trash and they tried to apply the strict liability standard and the court said it no longer applied and he hoped Legal would look at putting that back in the legislative package because it did continue to be a major issue for Houston. Council Member Vasquez absent.

Council Member Robinson stated that some of this was relating to the FY01 budget and he assumed they would see some in committee, but he would like a briefing sent to Council Members on the HL&P lawsuit and what the implications were and what the city did intend to do and what the possible revenue implications were for Houston in terms of income and also if there was information on what the revenue impacts to the city were during the current budget year as related to the sales tax holiday and prescription sales tax exemption and what it may mean when getting into actual figures on a five year forecast. Council Member Vasquez absent.

Council Member Robinson stated that most important to him was that there was an article in the paper on Saturday about a possible liability against the city in terms of a refund requirement on personal property taxes and about the need for negotiations and he would like an update. Council Member Vasquez absent.

Council Member Quan stated that in looking over the Mayor's budget priorities he felt there were a number of good points raised and he was also in receipt of Ms. Culbreth's review of the Council Member's priorities and unfortunately his was deleted from the list and he would like them included, it was concerning senior, immigrants and the greening of Houston; and Mayor Brown stated that he was sure it was an oversight and it would be taken care of immediately.

Council Member Vasquez stated that this morning he saw that there had been another fire in the Kingwood area and the Fire Department had reacted very promptly and he wanted to thank them for a job well done; that they had taken much criticism lately and he wanted to give credit where credit was due; and Mayor Brown stated that he was sure they appreciated it.

Council Member Vasquez stated that last week his office initiated a district wide effort to establish safe and clean zones around all 58 schools in District H and they had over 100 principals and PTA officers attend a two hour work shop and he wanted to thank Ms. Link in Neighborhood Protection for their support and working with his office and also wanted to thank Mayor Brown for continuing the Schools to Standard Program for 2001.

Council Member Vasquez stated that over the past weekend they had an Easter Egg Hunt in the Northside and it was a partnership between the North Central Civic Association, Reliant Energy, Eller, and the Fire, Police and Parks Departments and they had over 8,000 eggs for the children; that it was a great event and he looked forward to continuing it in the future.

Council Member Vasquez stated that he wanted to thank Mayor Brown and Public Works for the re-stripping of 20th street in front of Hamilton Middle School as it would increase the safety.

Council Member Keller stated that he represented a vocal part of Houston and it was maintained in the CIP Meeting he had and since then he had much help from the Mayor and his Administration, Mr. Haines, etc., to take action on their concerns; that they had formed a regional task force that Ms. Hilda Scott was heading up and there were many involved including TxDOT and Harris County, etc., and they had met and focussed on goals in getting the problems on Ditch 151 solved; that he was excited and

was very hopeful the flooding problems would be solved regionally. Council Member Vasquez absent.

Council Member Boney stated that he wanted to invite the public and all Council Members to attend the Government Procurement Connection Conference, it was the third intergovernmental Contracting Fair where you could find out how to do business with government and many would be present to assist; that it would be held Tuesday, April 25, 8:00 a.m. to 4:00 p.m. at the George R. Brown; that for anyone wanting to do business with the City of Houston this was an excellent opportunity to get the information, forms, briefings, etc., to successfully compete. Council Member Vasquez absent.

Council Member Parker stated that she wanted to thank Council Member Quan for taking her up on her challenge for the City Employee Wellness Walk at 1:00 p.m. today and she hoped more of her colleagues would be out there. Council Member Vasquez absent.

Council Member Castillo stated that he wanted to let the public know a leader in the Hispanic community who resided in Manchester passed away yesterday, he was Mario Quinones and one of the pioneer Hispanics active in municipal affairs long before any were; he was also a member of the City of Houston Library Board, a Shriner and very involved in the Metropolitan Transit Authority and served as chairman of the first and only Mexican American Federally Chartered Bank. Council Member Vasquez absent.

Council Member Castillo stated that he had noticed in City Hall and City Hall Annex there was no one on duty to answer questions for those who did not speak English and they had to roam around to find someone that could talk with them and he felt they should be more user friendly. Council Member Vasquez absent.

Council Member Castillo yielded to Council Member Boney who stated that the lighting in the Annex Chamber needed to be checked into. Council Member Vasquez absent.

Mayor Brown stated that the lighting would be checked and Council Member Castillo's concern was very legitimate and important and he would see what could be done. Council Member Vasquez absent.

There being no further business before Council, the City Council adjourned at 10:18 a.m. upon MOTION by Council Member Todd, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Vasquez absent. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary