

City Council Chamber, City Hall, Wednesday, May 31, 2000

A Regular Meeting of the Houston City Council was held at 9:00 a. m. Wednesday, May 31, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Orlando Sanchez, Chris Bell, and Carroll G. Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Richard Lewis, Deputy Chief Administrative Officer, Mayor's Office, Mr. Richard Cantu, Director Citizens Assistance 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. Council Members Mark Goldberg and Gordon Quan out of the city on city business.

At 8:28 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:14 a.m. Mayor Brown called the meeting to order and Council Member Bell led everyone in the prayer and pledge of allegiance. Council Members Goldberg and Quan out of the city on city business. Council Members Boney, Todd, Ellis and Sanchez absent.

At 9:16 a.m. the City Secretary called the roll. Council Members Goldberg and Quan out of the city on city business. Council Members Boney, Todd, Ellis and Sanchez absent.

Council Members Robinson and Tatro moved that the minutes of the preceding meeting be adopted. Council Members Boney, Todd, Ellis and Sanchez absent.

REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – was called.

Ms, Sylvia Garcia, City Controller, stated that she was pleased to present the monthly financial report of April 2000, the tenth month of the current fiscal year; that revenues had decreased almost \$10,000,000 from last month to \$1,206,251,000, specifically in the area of property tax collections they had lowered projections from \$548,500,000 to \$541,600,000; that in sales tax there was almost a 3% decrease compared to the same time last year and they would continue to expect a 4% growth in the remaining last two months of the current fiscal year; that they lowered projections from \$319,046,000 to \$316,000,000; that Municipal Courts continued to lag behind with a percentage of about 21% compared to last year and they had made an adjustment for the amnesty which meant the net result was they had increased revenue projections from \$40,000,000. to \$41,000,000 and overall the revenue projections were \$30.1 million less than budgeted; that on the expenditure side projections were adjusted to reflect spending controls implemented by the general appropriation ordinance passed by Council April 19, 2000, and the expenditure budget was decreased \$16. billion since the appropriation ordinance passed June 1999, and the fund balance was projected at \$73,000,000 and that was \$7.2 million below the 7 1/2% but 19.5 more than the required 5%. Council Members Boney, Todd and Sanchez absent.

Ms. Sarah Culbreth, Acting Director F & A, stated that F & A had also prepared the monthly report for the month ending April 2000, and as reported in the general fund they lowered projections for expenditures by just over \$5,000,000 as a result of additional savings identified in departments, however, that was offset with the reduction in revenue by \$5,000,000 also primarily in property tax and sales tax; that they had lowered their projection of property tax by \$2,000,000 as a result of recent activity with regard to collection of delinquent taxes and on the sales tax last month was \$2.4 million lower than what was projected and about \$1,000,000 lower than the same period last month and they accordingly reduced sales tax projection by \$3,000,000; that revenues in the general fund were now projected to total \$1,214,000 for the year with expenditures projected to be \$1,218.9 which included the PIP and was covered by prior revenues that had been reserved; that the only other fund changed was the asset forfeiture where revenue projections increased slightly due to current activity. Council Members Boney, Todd and Sanchez absent.

Upon questions by Council Member Bell, Ms. Culbreth stated that they had left their projections for Municipal Court funds at \$43.8 and that included the amount they had projected for amnesty; that they were still looking at collecting the \$43.8, but revenue was tied to ticket issuance and their projections for next year remained at about 2,700 a day which was the lowest reached this year; that the present fiscal year was based on about 3,100 ticket issuance a day. Council Members Boney, Todd and Sanchez absent.

Upon questions by Council Member Tatro, Ms. Culbreth stated that her staff and Controller's staff were looking at cash flow projections and there was a possibility there would not be sufficient cash flow to get through the fiscal year before the trans was effective July 1, however, there was available cash to draw on as they did earlier; and they would be meeting with the Controller in the week to discuss the available cash funds, they had general funds, health benefit funds, and any lawful purpose funds. Council Members Galloway, Boney, Todd, Sanchez and Bell absent.

Council Member Castillo moved to receive the report; and was seconded by Council Member Parker. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Todd, Sanchez and Bell absent. MOTION 2000-0680 ADOPTED.

Mayor Brown stated that speakers were scheduled to begin at 9:30 and until then Council would proceed with the Agenda. Council Members Galloway, Boney, Sanchez and Robinson absent.

Consent Agenda (Items 1 through 57) were considered as follows:

Miscellaneous – NUMBERS 1 through 3A

3. ORDINANCE appropriating \$119,451.40 out of Fire Consolidated Construction Bond Fund as additional appropriation for construction of Fire Station 15 under construction contract with **A-TEC ENGINEERS AND CONTRACTORS INC;** approved by Ordinance 97-930; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated

Construction Fund; CIP C-0059 – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.

- 3a. RECOMMENDATION from Director Building Services Department for approval of Change Order No. 23 in the amount of \$122,311.00 for Construction of Fire Station #15 under construction contract with **A-TEC ENGINEERS AND CONTRACTORS INC - DISTRICT H – VASQUEZ** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.

ACCEPT WORK - NUMBERS 4 and 5

4. RECOMMENDATION from Acting Director Department of Public Works & Engineering for approval of final contract amount of \$316,918.09 and acceptance of work on contract with **AAA ASPHALT PAVING, INC** for Construction of George R. Brown Convention Center Parking Lot, GFS B-0056-01-3 (B-0056-01) - 03.18% over the original contract amount - **DISTRICT I CASTILLO** – was presented, moved by Council Member Keller, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0681 ADOPTED.

PROPERTY - NUMBERS 6 through 9

6. RECOMMENDATION from Acting Director Department of Public Works & Engineering for condemnation of Parcel A99-10, located at 1270 Conrad Sauer, owned by A-K Texas Venture Capital, L.C., David Klein, Managing Partner, (as trustee for A-K Commercial Properties, L.C., a Texas limited liability corporation, and Allied Mortgage Investors Corporation, a Texas corporation, for the **CONRAD SAUER STREET IMPROVEMENT PROJECT from Old Katy Road to Long Point Road**, CIP N-0549B-00-1 - **DISTRICT A – TATRO** – was presented, moved by Council Member Castillo, and seconded by Council Member Bell. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0682 ADOPTED.
7. RECOMMENDATION from Acting Director Department of Public Works & Engineering to purchase Parcel A99-6, located in the 1000 block of Conrad Sauer, owned by Robishaw Engineering, Inc., a Delaware corporation, Paul A. Robishaw, President, for the **CONRAD SAUER STREET IMPROVEMENT PROJECT from Old Katy Road to Long Point Road**, CIP N-0549B-00-1 - \$10,428.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT A – TATRO** – was presented, moved by Council Member Castillo, and seconded by Council Member Bell. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on

city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0683 ADOPTED.

8. RECOMMENDATION from Acting Director Department of Public Works & Engineering to purchase Parcel A97-362, located at 7833 Ley Road, owned by Jin W. Kim and Young S. Kim, for the **LEY ROAD PAVING PROJECT from Homestead Road to North Wayside Drive**, CIP N-0587B-00-1 - \$2,080.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B – GALLOWAY** – was presented, moved by Council Member Castillo, and seconded by Council Member Bell. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0684 ADOPTED.
9. RECOMMENDATION from Acting Director Department of Public Works & Engineering to purchase Parcel AYO-54, located at the proposed Westview Drive, west of West Sam Houston Parkway North, owned by Reliant Energy HL&P, a division of Reliant Energy, Incorporated, a Delaware corporation, a/k/a Houston Industries Incorporated, James Hoskins, II, Manager Land and Right-of-Way Department, for the **WESTVIEW DRIVE PAVING PROJECT from Gessner Road to West Belt**, CIP N-0549-00-1 - \$7,095.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT A – TATRO** – was presented, moved by Council Member Castillo, and seconded by Council Member Bell. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0685 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 23

LOW BIDS

10. **EL CENTRO PAINTING & WALL COVERING, INC** for Refurbishing Walls at George R. Brown Convention Center for the Convention & Entertainment Facilities Department - \$148,162.35 Enterprise Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0686 ADOPTED.
11. **ADVANCED POLLUTION INSTRUMENTATION, INC** - \$34,984.00 and **DASIBI ENVIRONMENTAL CORPORATION** - \$87,920.00 for Zero Air Systems and Analyzers for Health & Human Services Department - Grant Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0687 ADOPTED.
13. **THE GRASS COMPANY, INC** for St. Augustine Sod Blocks for Department of Public Works & Engineering - \$374,000.00 - Enterprise & METRO Funds – was presented, moved by Council Member Castillo, and seconded by Council

Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0688 ADOPTED.

14. **CITY SUPPLY CO., INC** for Valves, Bronze Gate and Swing for Department of Public Works & Engineering - \$110,571.00 - Enterprise Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0689 ADOPTED.
15. ORDINANCE appropriating \$134,662.50 out of Water & Sewer System Consolidated Construction Fund for Painting of Potable Water Pipes for Public Works & Engineering Department – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-428 ADOPTED.
- 15a. **KODIAK SERVICES** for Painting of Potable Water Pipes for Department of Public Works & Engineering - \$134,662.50 – was presented, moved by Council Member Castillo, and seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0690 ADOPTED.
16. **LUIS AUTO COLORS** for Automotive Refinishing Products Contract for Various Departments \$164,549.00 - General, Enterprise and Fleet Management Funds – had been pulled from the Agenda by the Administration, and was not considered. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.

OTHER

18. **HUMBLE ELEVATOR SERVICE, INC** for Emergency Repair of One Elevator for Fire Department \$16,236.25 - General Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0691 ADOPTED.
20. **QUICKWARE, INC** for Computer Software Licenses and Maintenance Agreement for the Houston Police Department - \$169,409.00 - General and Grant Funds – was presented, moved by Council Member Castillo, and seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0692 ADOPTED.
21. **LUCENT TECHNOLOGIES, INC** for Telecommunications Equipment and Software for Department of Public Works & Engineering - Replacement - \$120,224.91 - Enterprise Fund – was presented, moved by Council Member Castillo, and

seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0693 ADOPTED.

23. **MSE ENVIRONMENTAL, INC** for Household Hazardous Waste Collection, Transportation and Disposal Services through the Houston Galveston Area Council Interlocal Agreement for Cooperative Purchasing for Various Departments - \$130,000.00 - Street & Drainage Maintenance Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0694 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 24 through 57

- 25a. ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **EXTRUSION TECHNOLOGY CORPORATION**, for certain property located within the Extrusion Technology Reinvestment Zone – **DISTRICT E – TODD** – had been pulled from the Agenda by the Administration, and was not considered. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.
33. ORDINANCE appropriating \$1,418.00 out of Water & Sewer System Consolidated Construction Fund for, and approving and authorizing purchase from Crown Colony Homeowners Association, INC of a tract of land located in the 12100 block of Sharpview Street, for and in connection with the Sharpview Lift Station Project; Parcel C99-13, CIP R-0267-05-1 - **DISTRICT F – ELLIS** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-429 ADOPTED.
34. ORDINANCE approving and authorizing contract between the City of Houston, Texas and **RELIANT ENERGY, INC** for Installation of City owned Fiber Optic Cable Network Conductors in Reliant Energy, Inc., Interior Ducts - \$72,600.00 - Central Services Revolving Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.
35. ORDINANCE approving and authorizing sponsorship agreement between the City and **AUGUSTA VILLAGE TOWNHOMES MAINTENANCE ASSOCIATION** and **VILLAGE PLACE HOMEOWNERS ASSOCIATION** for Garbage Collection Service for the respective subdivisions 24 Months - \$13,104.00 - General Fund - **DISTRICT G – KELLER** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-430 ADOPTED.

36. ORDINANCE approving and authorizing sponsorship agreement between the City and **DEVONSHIRE COMMUNITY ASSOCIATION, INC** for Garbage Collection Service for the respective subdivisions - 2 Months - \$108.00 - General Fund - **DISTRICT C – GOLDBERG** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-431 ADOPTED.
37. ORDINANCE awarding an Executive Search Services contract between the City of Houston and **RUSSELL REYNOLDS ASSOCIATES, INC** for the Parks & Recreation Department; providing a maximum contract amount - \$50,000.00 - Grant Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.
39. ORDINANCE awarding contract to **CAPPS RENT A CAR, INC** for Leased Vehicles for Police Department; providing a maximum contract amount \$6,070,680.00 – General, Grant and Asset Forfeiture Funds – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.
40. ORDINANCE awarding contract to **TEXAN FORD, INC** for Leased Vehicles for Health Department; providing a maximum contract amount \$237,030.00 – General, Grant and Asset Forfeiture Funds – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.
41. ORDINANCE awarding contract to **ACME AUTO LEASING, LLC** for Leased Vehicles for Police Department; providing a maximum contract amount \$106,860.00 – General, Grant and Asset Forfeiture Funds – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.
42. ORDINANCE appropriating \$21,669.10 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Developer Participation Contract between the City of Houston and **STEPHENS/TINGLEY & ASSOCIATES, INC** for Construction of Water & Sanitary Sewer Lines in Section 17 of the Briargate Subdivision, CIP S-0800-20-3 and R-0800-25-3 **DISTRICT D – BONEY** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-432 ADOPTED.
44. ORDINANCE appropriating \$99,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing first amendment to professional services contract between the City of Houston and **EDWARDS &**

KELCEY, INC (formerly with KENNETH BALK AND ASSOCIATES, INC) for the Design of Water Mains in Kashmere Gardens Subdivision and Denver Harbor Area, CIP S-0469-01-2 (10399); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H – VASQUEZ** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-433 ADOPTED.

46. ORDINANCE appropriating \$2,820,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **DEI CONSTRUCTION SERVICES, INC** on low bid of \$2,502,900.00 and approving and authorizing professional services contract for engineering testing services with **HTS, INC CONSULTANTS** in the amount of \$40,000.00 for Water Main Replacement Project in Lindale Park Subdivision, GFS S-0035-LP-3 (10491); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-434 ADOPTED.
48. ORDINANCE appropriating \$5,005,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BRH-GARVER, INC** on low bid of \$4,243,457.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING AND TESTING, INC** in the amount of \$140,000.00 for construction of proposed 72-inch Water Main along Clinton Drive and Federal Road, GFS S-0900-38-3 (10556); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – TODD** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-435 ADOPTED.
51. ORDINANCE appropriating \$2,850,776.00 out of Street & Bridge Consolidated Construction Fund, \$174,502.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION CO., INC** on low bid of \$2,617,367.55 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$120,000.00 for construction of Bellfort Avenue Paving Project from Alameda Road to SH 288, GFS N-0583-01-3 (N-0583-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT D – BONEY** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-436 ADOPTED.

53. ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R J CONSTRUCTION COMPANY, INC** on low bid of \$223,740.00 and approving and authorizing professional services contract for engineering testing services with **MCBRIDE-RATCLIFF & ASSOCIATES, INC** in the amount of \$7,000.00 for Sharpview Lift Station Rehabilitation, R-0267-A1-3 (4728-1); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT F – ELLIS** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. ORDINANCE 2000-437 ADOPTED.
56. ORDINANCE appropriating \$227,119.00 out of the Street & Bridge Consolidated Construction Fund, \$197,816.61 from the Water & Sewer System Consolidated Construction Fund, and \$284,629.39 from the Storm Sewer Consolidated construction fund as additional funding for contract with **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Replacement of Gessner Road Bridge over Buffalo Bayou under the Off-state System Federal and Bridge Rehabilitation and Replacement Program Agreement (N-0611-30-3, S-0521-GB-3, R-0018-GB-3 and M-0126-GB-3; approved by Ordinance 97-408 on April 16, 1997 - **DISTRICT G – KELLER** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.
57. ORDINANCE appropriating \$1,500,00.00 out of Airports Improvement Fund as temporary funding for the contract with **CHAMPAGNE-WEBBER, INC** for Project 538 at George Bush Intercontinental Airport/Houston; CIP A-0359.02; AIP 3-48-0111-30 - **DISTRICT B – GALLOWAY** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent.

Items removed from the Consent Agenda were considered as follows:

MISCELLANEOUS - NUMBERS 1 through 3A

1. CONFIRMATION of the appointment of **MR. VIDAL G. MARTINEZ** to Position 7 of the **PORT OF HOUSTON AUTHORITY OF HARRIS COUNTY, TEXAS**, for a two-year term – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez.

Council Member Keller stated that Mr. Martinez had called to apologize for not being present, but he was traveling on business.

A vote was called on Item one. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0695 ADOPTED.

2. **RECOMMENDATION** from Acting Director Department of Public Works & Engineering for payment of invoice from the **TEXAS NATURAL RESOURCE CONSERVATION COMMISSION (TNRCC)** Wastewater Quality Assessment and Wastewater Inspection Fees for Fiscal Year 2000 \$935,440.50 - Enterprise Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent. MOTION 2000-0696 ADOPTED.

ACCEPT WORK - NUMBERS 4 and 5

5. **RECOMMENDATION** from Acting Director Department of Public Works & Engineering for approval of final contract amount of \$702,413.59 and acceptance of work on contract with **BROWN & ROOT, INC** for Construction of Neighborhood Street Overlay Project, OL-235-97, GFS Q-1135-01-3 (Q-1135) - 03.12% over the original contract amount - **DISTRICT A - TATRO and B – GALLOWAY** – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Sanchez and Robinson absent. MOTION 2000-0697 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 10 through 23

LOW BIDS

12. **21st CENTURY HARD ARMOR PROTECTION** for Weapons for the Houston Police Department \$20,575.42 - Police Special Services Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Sanchez and Robinson absent. MOTION 2000-0698 ADOPTED.

OTHER

17. **TSI, INC** for Quantitative Respirator Fit Testing Devices for Fire Department - New - \$26,680.00 General Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Vasque, and was tagged by Council Member Todd. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Sanchez and Robinson absent. **(Note: Council Member Todd released his tag later in the meeting.)**
19. **ABBOTT LABORATORIES** for 2,757 Cases of Nutritional Food Supplement from the State of Texas General Services Commission Contract for Health & Human Services Department - \$29,996.16 - Grant Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway and Robinson absent. MOTION 2000-0699 ADOPTED.

Council Member Todd stated that on a related issue the escalator in the Annex was broken again and it was the second or third time this year; that it was a safety risk and he would like it checked; and Mayor Brown stated that they would take care of it right away. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway, Boney, Sanchez and Robinson absent

22. **SOUTHWEST WIRE ROPE, INC** for Wire Rope and Fittings for Public Works & Engineering and Solid Waste Management Departments - \$110,947.25 - General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Members Galloway and Robinson absent. MOTION 2000-0700 ADOPTED.

At 9:31 a.m. Mayor Brown requested that the City Secretary called the list of speakers.

Minister Johnny Jeremiah, 5959 Richmond Ln, No. 400, Houston, Texas 77057 (713-278-7098) had reserved time to speak, but was not present when his name was called. Council Members Galloway and Robinson absent.

Mr. Tom Wylie, 1603 Colquitt, Houston, Texas (713-661-2522) had reserved time to speak, but was not present when his name was called. Council Members Galloway and Robinson absent.

Mrs. Valarie Guillory, 4002 W. Hampton, Houston, Texas 77045 (no phone) had reserved time to speak, but was not present when her name was called. Council Members Galloway and Robinson absent.

Mr. John Gable, 12211 Fondren, No. 305, Houston, Texas 77035 (713-729-5721) had reserved time to speak, but was not present when his name was called. Council Members Galloway and Robinson absent.

Council Member Keller moved to suspend the rules to move Mr. Jess Ocampo and Mrs. Mel Ocampo to the end of the speakers list, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Goldberg and Quan out of city on city business. Council Members Galloway and Robinson absent. MOTION 2000-0701 ADOPTED.

Minister Johnny Jeremiah, 5959 Richmond Ln, No. 400, Houston, Texas 77057 (713-278-7098) appeared and thanked the Mayor for the After School Program and also for calling all the pastors out and getting them involved with the AIDS condition, that he had not been able to sleep for the last week, that he had been to three AIDS facilities and asked two young girls to come to Council but they could not because they had young children and were ashamed to put their face on television, that they were dying, that they were young girls with no fathers, that there were no dads, that there were over two million people in prison and they lost a generation to that, that there were over 200,000 mothers in prison, that they had just built a sporting place so they should build something to house those people and get them off the street where they could get the same medicine that Magic Johnson was taking, that they needed help, he did not need help because he did

not have AIDS, but he had come home to do this and would do it until the day he died, and if he had AIDS he wished someone would do the same for him, that over a million young girls leave home and over 750,000 turn into prostitutes, that over 160,000 Black women had AIDS, from Martin Luther King all the way to the Village, that out of 55,000 people 5,000 people had AIDS and that was 1 out of 10, that in South Park, the second worst was the Fourth Ward and the third worst was the Northeast, that they were dying of AIDS, that Houston had led with the biggest arena, that Houston had led with all that they were doing, and he asked Mayor, if God had placed him in his position with his whole staff, to help them in South Park and the Northside to open up a facility so they could put the babies in there where they could have a chance, that they did not have a chance, that Magic Johnson had a chance because he had money, that they did not have a chance because they had no money or anybody to care for them, that he knew because he had been in the streets with them and had been talking to them, that he had talked to pastors and they all told him that they would work with him and put the project together so they could open up a AIDS center and house 250 women and children in South Park and another 600 on the Northside, that with the Mayor's help he knew for a fact they could do it overnight, and if they did not do it overnight as they silently went to sleep night after night the question must be asked if they would give another generation to AIDS and sit by and let nothing happen and just say keep hope alive or should they get up like men and women and go and march for their children in the middle of the street like Sheila Jackson Lee did because if they did not save them here nobody else would do anything, that he was telling them now that he was in South Park, that he stayed in South Park, and they were dying in South Park and he was speaking for them because he was tired of looking at them die, and all they needed was a second chance, that all of them had sinned and they knew that, that they needed all of them to go down to South Park and help them, and if they did not do something they would be dead, that all he was saying was that they needed help, that all the women and children were out there by themselves, that they had two little facilities for women and children, but that was not enough, that the rest of them were for men.

Mayor Brown stated that he appreciated and many of the Council Members understood and appreciated the seriousness of the problem, that he did declare a state of emergency because of the nature, extent and seriousness of the problem, that they had a number of initiatives going on and spearheaded by City government and in fact Council Member Boney chaired a task force, that they would get back in touch with him, that they would accomplish a lot more by working together on the issue because it was a very serious problem and he was correct that it had taken the lives of many of their young people, so they were going to get back in touch with him as he worked with the various other ministers, that they wanted to make sure they had a conservative effort including the City of Houston, and thanked for his concern about the major problem confronting the City right now.

Mr. Donn Searle, 1211 County Place Dr., Houston, Texas 77079 (281-497-7840) appeared and stated that they had material in front of them and would be getting additional material that he thought solved the riddle of the problem they had regarding the Ocampo issue, that he wanted to speak because in addition to the material they had he was the one who had personally inspected the Ocampo townhouse inside every single room and was the one who came up against the dog, who was as vicious as a pet rabbit, that he had investigated each and every one of the allegations personally that had come before the townhouse association, the board of directors and had been sent by the

Barkers to the Ocampo's attorney, that there was not truth to the Barkers allegations whatsoever, that on the surface of it the charge alone was ludicrous once they learned of Mr. Ocampo's background and that of his wife they would know that it was totally absurd for those people to decide to increase their income by taking in people's clothing to be spot cleaned in their townhouse, that the Barkers had made much of the chemicals that were discovered by the gas chromatographic analysis done by their company, Honesty Environmental and by the Barkers company, Tidewater and by the City of Houston, which he understood would return a negative report as were the other two reports, that those chemicals were in everybody's townhouse, that one of the chemical they pointed to with alarm was ethyl alcohol and was holding a can of Lysol that it was 79% ethyl alcohol and asked if anyone had every used it in their house, that he wanted to let them know that they took allegation seriously that came before the Memorial Club Townhouses and it had been thoroughly and dispassionately investigated and there was nothing to the allegations. Council Member Galloway and Castillo absent.

Council Member Keller stated they had a very emotional display last week and was definitely something that got everyone's attention, and asked Mr. Searle if he was certain there was not cleaning business or manufacturing of any kind of methyl amphetamines, and Mr. Searle stated he was 100% certain, that he had been doing it for about 22 years, that he did not think the Barkers would be putting chemicals in their own apartment that would trigger a test, that he thought Mrs. Barker was allergic to some of those chemicals and one of the tests that he did ask the City if they were prepared to do and at this time they had not done was to do a biological test on the cooling fans and air handlers which were in the attic, that the fans were usually damp and they were terrific culture medium for fungi of all sorts, that they had stachybotrys fungus, which had been identified in Houston and was particularly severe with certain individuals, that the air handlers blew spores and bacteria through the ducts of townhouses and for an allergic individual it could be a real problem, and Council Member Keller asked Mr. Searle how long the Barkers had owned their townhouse, and Mr. Searle stated 7 years, that they owned it, that he had managed the subject property for 2 years, and Council Member Keller asked if there was a way the association or the property owners together could buy the unit from the Barkers and then sell it as a complex or an association, and Mr. Searle stated that he had not, but that the resale value was very good there, that it was a townhome community of 757 units, that he had talked to about four individuals in the area where the petition was done and none of them had smelled any orders at anytime and had not seen anything unusual, and Council Member Keller asked why he thought they had signed the petition, and Mr. Searle stated that 8 out of 10 people offered a clip board to sign would sign it without having a clue what they were signing. Council Members Galloway and Castillo absent.

Mr. John Barrientes, 12 Clifton, Houston, Texas 77011 (713-923-4435) appeared and stated that he was present because he was concerned about the plans that the Fire Department was making in moving Ladder Truck #18, that it seemed to be a very popular topic around the fire stations, and the reason that he was given was that the Fire Department wanted to achieve a number 2 insurance rating, that it now had a number 3 rating, that they felt that loosing the ladder truck in their area of wooden frame houses and garage apartments was a big price to pay just for the sake of having a number 2 insurance rating, that the Fire Chief had stated in a recent civic club meeting that they would have to negotiate with their own insurance representative for a premium reduction, that being a number 2 rated did not guarantee any reduction if they did not negotiate for

themselves, that the public safety and lives were their main concerns and wanted to keep Ladder Truck #18 in their neighborhood, and let them feel safe knowing that their ladder truck was in their neighborhood and show them that they care, and they asked for their help for the public safety and not remove Fire Truck #18. Council Members Tatro, Galloway and Robinson absent.

Council Member Todd moved to suspend the rules to hear representative of the Fire Department after speakers on the removal of the fire truck from Station 18, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Goldberg and Quan out of city on city business. Council Members Tatro, Galloway and Robinson absent. MOTION 2000-0702 ADOPTED.

Mr. Paul Meza, 123 Christensen, Houston, Texas 77013 (713-923-996) appeared and stated that for many years he had sensed a change at the Council table and also noticed a change in the Council Chamber, not to mention the Mayor's office and all the new renovations when the Mayor's had different taste, and was very proud that they were doing it, but another thing that he noticed was that their community, the Second Ward a few blocks east of the ballpark, had not changed in all those years, and as a matter of fact it had deteriorated and now they were faced with a bigger challenge that one of their residences might loose a loved one because they planned to remove a ladder truck from Station 18, that they had a 65 unit 3 story senior citizens housing project being built in their community, that some of the families lived in overcrowded communities, that 95% of the homes were of wood frame structure and it would take but a few minutes for a home to be engulfed in flames, that they had 2 universities, 10 two story schools and 3 public housing plus the Ripley House Community Center in their area and that was why it was important that they keep the Ladder Truck 18 in their community, that Mayor Brown had approved to build a \$300 million dollar 7 1/2 mile transit rail and a \$500,000 or so transit facility next to Astro World, that they did not have enough money to buy fire equipment or hire firefighter to do their job, what could they expect next in the Second Ward, an eviction notice for the sake of progress or perhaps they could be burned out, and he asked Mayor Brown that they reconsider the importance of that truck in their area, as he could see it was very much needed and he hoped that they could get some more information and meet with Chief Tyra to work with them to keep the ladder truck. Council Member Galloway absent.

Ms. Deborah Lake, 4531 McKinney, Houston, Texas 77023 (713-921-0965) appeared and stated that she was a resident of Eastwood which was an historic neighborhood located two miles just east of the new ballpark, that the density of population in that area was quite heavy and as they all knew as people continued to move into that area it would continue to increase, that she was present to recommend that they not move Ladder Truck 18 and the manpower that went with it into Station 55, that the density of their area was 6,200 people per square mile and the City averaged 3,000, that the density of the area where Station 18 was proposed to be moved was 1,700, and in addition they did have many historic old homes and it was the largest single, intact area of craftsman and prairie housing in the City, that they also had Lantrip Elementary School which was also an historic landmark on top of the fact that they had many children in the area, that a lot of the houses were of wood construction and a lot of them also had older wiring, that they also had many elderly residents who could not afford perhaps to carry insurance for their homes making their loss even greater, that it was a very diverse neighborhood and included Hispanics, African Americans, Asians and

Anglos and thought it was an area that spoke of the whole City, that generally the east end got tossed away and she could not even get the New York Times delivered for a while because she was told that she was living in a dangerous neighborhood, that she had been redlined by an insurance company and could not get a pizza person to come deliver to her house, that they were tired of being thrown away and tossed away as a neighborhood that did not matter, and asked them to please reconsider leaving Ladder 18 in their area to help with all of their buildings and the industrial area that led up the Ship Channel. Council Members Galloway and Boney absent.

The City Secretary stated that Council had suspended the rules to hear from Chief Britt at this time.

Mayor Brown stated that the first concern was about Ladder 18 and asked Chief Britt what was the Fire Department's response to those concerns, and Chief Britt stated that as they had progressively been acting on their relocation and redeployment of their ladder trucks this was just number one in the steps that they had taken in the past, that they had moved Ladder 5 to Station 77, they moved Ladder 9 to Station 56, that it was one of the progressions, after they moved this ladder truck to Station 55 which would give the needed service to that area which it lacked at this point, that also Ladder 7 would be moved to Station 8 downtown, and this was just the progression that they had established and it was the recommendation from the ISO, that it was not something that Chief Tyra just dreamed up to do, that it was something to help establish better insurance rates or the possibility of better insurance rates for the citizens of the City of Houston, and Mayor Brown asked what impact would the moving of the ladder truck have on the safety of the people in the neighborhood, and Chief Britt stated that the ISO felt that the impact was minimal at least, that their coverage would not cease whatsoever, that they would still be coverage from Ladder 20 and Ladder 26, and what would become Ladder 8 into that area, and Mayor Brown asked what was the role of a ladder truck, did they carry water, and Chief Britt stated that all of the ladder trucks that they were buying now did not have water or hose or fast attack capabilities as far as fire suppression, that they were generally the units that were used for ventilation and could be used for rescue and assisting on rescue and the aggressive interior attack of the companies and overhaul.

Council Member Todd asked if the fire department had any sort of hearing out in the area affected, and Chief Britt stated that Chief Tyra had met with civic clubs on four different occasions, that he worked strictly off the recommendations of the ISO, that if Council saw fit and had the money to buy another ladder truck and staff another ladder truck they would be amendable to accepting that, and Council Member Todd asked if they had any sort of grid laid out to show Council Members the service area of the particular fire stations and Chief Britt stated yes and displayed a map and stated that it was done in two and a half mile circles, that was the recommended service area for the ladder trucks, and he had a before and after map that showed the various fire stations, and Council Member Todd asked for a copy of the maps that Chief Britt displayed, and asked Chief Britt to provide what percentage of the City was not being served and if he would find out by geographic area.

Council Member Robinson also asked for a copy of the maps, and asked what was the relation with Item 26 and all the movements and what was ISO, and Chief Britt stated Insurance Service Offices, that they were the ones that actually did the ratings of communities that the insurance underwriters used, that the relation of Item 26 was that

those were replacements, that 55 and 18 was still the same ladder truck, that 18 would be going to 55 and after they received the new ladder truck it would take its place at 55 and ladder 18 would then go into reserve status because of age and quality, that they still would not have a ladder truck for 18, that it would not be returned to 18, and there would not be a ladder truck at Station 18 at all, that at this time they were not going to be putting in any new ladder trucks within the next budget year, that ISO was not an insurance company they were an insurance service rating organization, that they rated the capabilities of a department to actually provide the service, that they rated the water and how they produced the water and the water system, and then the suppression capabilities and their recommendations were what the insurance underwriters took to establish the rate and schedule, and Council Member Robinson asked what was their fire expertise such that they could tell them or make recommendations about where equipment ought to be located, and Chief Britt stated that they used a loss case basis, that they established the level of service that they recommended, that they did not have to do any of those, but to get the best rating they had to, that he did not know if they were firefighters or not, that they just talked about rating capabilities, and Council Member Robinson stated that he certainly would not be moving equipment around on insurance, he would be moving it around on fire fighting expertise, and Chief Britt stated that what they were saying was that the area was over covered and there were other areas in the City that were under covered or not covered at all that needed to be covered and that it was the best candidate to be moved to provide the best coverage, and Council Member Robinson asked Chief Britt if the ISO was the only expertise or agency that they used to make that kind of determination or if anybody in the Fire Department or any combination of firefighter leadership in the department that reviewed those recommendations based on their expertise and then make the call or did they just take them at face value and was ISO located in Houston, and he asked that someone come and visit with him so he could get a handle on it.

Council Member Vasquez stated that he also wanted a copy of the notes and also to have someone visit with him specifically on the coverage also, and asked if the rationale for moving it was the ISO and there was no evidence of a drop off in coverage, and Chief Britt stated that after they make their rating and they rate the City, they were not just rating the Fire Department, and then the insurance underwriters at that time had the ability if they so choose to reduce the insurance rate, and it was not a guarantee that they would reduce the insurance rate, but they were giving them the best alternative, and asked if Chief Britt had the hand out from the civic club speakers and asked him to address the density issues, and Chief Britt stated that they had their density numbers done as far as capacities and what the actual entities were and could provide those for him.

Upon questions by Council Member Sanchez, Chief Britt stated that as long as he had been in the Houston Fire Department they had a staffing problem, there were no standard requirements that there were recommendations and in 1995 when they negotiated the first contract that was to try to establish a minimum of 4 on every apparatus and they tried to achieve that, that he would not feel comfortable fighting a fire by himself, that he could not answer the legal question, that they did not have a minimum of four on every fire engine and ladder truck, that they would like to have four on every apparatus, that the rating agencies as well as ISO and others sometimes recommend as many as 5 and 6.

Council Member Sanchez asked Mr. Hall if there were any municipalities that had been sued by any firefighters who had incurred any injuries or loss of life due to the fact that they were asked to show up to the scene of a fire with a fire truck that was staffed less than what may be required by OSHA or any federal sort of guidelines or international organization guidelines and Mr. Hall stated that he was not aware if there were any but would certainly make an inquiring to see if they could find out, and understood the nature of Council Member Sanchez's questions, and had to say that when they sent policemen and firefighters out to do their job in many circumstances it was inherently dangerous, and the question was whether or not what they did was in anyway unreasonable and did not think that having 3 people on a fire apparatus that regularly had 4 in any way could be described as unreasonably dangerous and that was what the fire administration advised, and Council Member Sanchez stated he hoped that the administration got to the point where there were sufficient firefighters on the trucks rolling out not only to provide for the safety of their firefighters but also to give confidence to the citizens, and Mr. Hall stated that he would give him an answer, but he was not an expert at firefighting, that they charged them with using the resources that had been appropriated in the most efficient and affective manner and they advised him that they had not in anyway compromised the safety of the firefighters or the citizens in the circumstances that they found themselves in. Council Members Galloway and Keller absent.

Mayor Brown asked how long it had been since they had 3 on a fire truck on a common occasion and Chief Britt said it was quite a while, about 20 years, that two in and two out was a standard that had been set by OSHA and NFPA where it established that theoretically if they had two fire fighters on the inside of a building fighting a fire that they should have two outside in a capacity for rescue of those two firefighters, that in the Houston Fire Department they recognize the two in and two out and establish that somewhat, but at the same time they establish a RIT team which was a Rapid Intervention Team that actually was set for nothing but rescue on that fire scene, because logistically if they had 20 firefighters in a fire they did not have the staffing or the ability to have 20 outside waiting, no fire department in the world had, so actually two in and two out was a rule that was established for a first arriving unit and was done as a negotiated settlement between volunteer firefighters and the professional firefighters in the United States, that there was a safety factor somewhat with that, that optimally the Houston Fire Department would like to roll with 4 on every apparatus, that it was incumbent upon the officers that arrive that if they did not have enough help to radio for more help, so it was a decision making process by their officers, that he did not know off the top of his head how much the City Council had increased the Fire Departments Budget in the last couple of years but it had been pretty good. Council Member Keller absent.

Council Member Castillo stated that it was important to know that ISO was a rating agency and did not provide firefighting expertise and did not know if they had actually been in town to do a station by station, neighborhood by neighborhood assessment of the housing stock and what was at stake in firefighting in Houston, but they certainly knew that there had been no insurance reductions when their rating went from a 5 to a 3 and there was no guarantee there would be any insurance reductions when the rating went from a 3 to a 1, that the agency made very broad assumptions about the condition of the firefighting probabilities in Houston, that they assumed that all of the housing was uniformed, of uniformed material, of uniform spacing and equally accessible from all areas of town, that they knew that the east end and the inner city had some of the oldest housing stock made of lumber with some of the oldest wiring and

some of the highest densities than did other areas of the City, that it defied common sense to say that a two mile circle around every fire station was the same no matter where they were in the City, that Ms. Lake had mentioned why Ladder Truck 18 was important, that for all those reasons if he were Mayor he would look at the Fire Department and ask them to do a piece by piece analysis and give him the satisfaction that fire safety was not being jeopardized and compromised by moving the equipment around, that the witnesses that they heard from today were laying the perfect predicate for a monstrous lawsuit if they ever had a catastrophic fire on the east end of town, that it seemed that the east end of town was being picked on continuously, that there were only two rescue trucks in the City of Houston's Fire Department, that one was located on T.C. Jester and one on the east side of town on Clinton Drive, Station #42, that there was a decision being made by the Fire Department to move the rescue truck from Clinton Park consolidate it with the one on T.C. Jester so if they had a rescue call on the east end of town that rescue truck would have to come all the way from T.C. Jester to the east end of town, that the reason they were put in those two halves of the City was because they were equally accessible to all the freeways, that his problem was that if they had most of the industrial infrastructure of the City and if they just did a scan of the newspapers all of the heavy trucks that flip over the majority of them were in the east end of town on 610 East, 225 and those areas of town, they would have to have the rescue trucks come all the way from the west side, that they had already talked about moving Ladder 18 to Station 55, they moved the equipment from Station 40 to Kingwood and the ambulance to the University of Houston area, and they closed Station 1, so he did not know what else they could take from District I and nearby District H but they really felt picked up and would really like a thorough analysis to be done of it, that he had confidence in the Fire Chief but knew that two heads were better than one. Council Member Keller absent.

Council Member Tatro asked when the decision was made to purchase ladder trucks without hoses, water or pumpers, and Chief Britt stated that the actual ultimate decision was made after the court case in Galveston, which they were sued because the previous administration had decided not to fix the pumps on ladder trucks at that time and they tried to attribute some deaths to that, and the primary job of a ladder truck was not suppression of fire, that the court case was in late 1998, that they could buy a ladder truck in just about any configuration they would like to have, that it was not necessary to have a pump on a ladder truck because they had engine companies responding with ladder trucks that had pumping capabilities. Council Member Keller absent.

Council Member Boney asked Chief Britt if he was aware that the issue was to come up this morning, and Chief Britt stated no, that it was the first time he had seen it, and Council Member Boney stated that what Council was saying and he would assure him that he should be prepared to discuss it at the Fire Budgeting Workshop and wanted him to be assured that Council Members wanted to feel a certain comfort level that staffing and strategic purchasing decisions and location of apparatus was driven by a strategic plan from the Fire Department, and Chief Britt stated it was, and Council Member Boney stated he hoped so because that was not clearly what he represented today, that he talked a lot about the ISO, which was a non profit insurance rating service which was one factor, but ought not to be driving in their minds, and also to be prepared to address questions relating to coverage and overtime at the Budget Workshop coming up. Council Member Keller absent.

Upon a further lengthy discussion Council Member Robinson stated he would like to get a better idea what the response time was in each of the circles because like Council Member Castillo he did not assume that the response time was going to be the same at all places, and if there was a strategic master plan he hoped they would get it, that he would like some indication what the underlying reason was for the chiefs or the command staff decision about which ISO recommendations to follow, and would also like to know if equipment location was more of a significant factor in setting insurance rates as opposed to the number of personnel on the apparatus, and Council Member Parker asked who was the ladder truck relocation committee who put out the memo and who served on it, and Chief Britt stated there were a group of firefighters that the chief appointed to a committee to establish it, he did not recall the names but would get her that information, and Council Member Todd stated that Chief Tyra recognized that throughout the City they were growing rapidly and they had population changes going on in terms of where the population was becoming more dense and within the areas of town where they had the E all over the map the Fire Chief had made plans for new fire stations, that relocations were being done by the Houston Fire Department to accommodate future growth, and stated he knew they only had two rescue trucks in the City and asked for a report from the Houston Fire Department on the rescue truck situation, what the plans were, and if they felt there was additional need for additional rescue trucks.

Council Member Castillo stated that in trying to think of how to summarize the affect of all the movement and shifting of resources it came down to a very simple proposition and that was that they were moving firefighting resources away from lower priced housing areas to higher priced housing areas, and in effect they were doing to those neighborhoods what mortgage redlining used to do many years ago and that was to redline areas and they became very expensive to insure and they become very undesirable if they were investors looking at where to put their investment, so he hoped that in allocating resources that not only were they doing the right and fair thing, but that they do it sooner rather than later, and he asked that the Fire Department see what fire losses had been in each of the units or districts of the City.

Council Member Sanchez asked what had happened since January 2000 through May 2000 that had caused nearly over one half of the fire trucks to be below minimum staffing before the call, and Chief Britt stated that the huge increase was one of the things that the Fire Chief had alerted them to last year and that was that the Drop Program was beginning to kick in, that it had been noted that there were a lot of firefighters that were of retirement age and they were using some of their allotted time, but at the same time the administration had attempted to hire as many firefighters as they could to replace them and the contract negotiations had stalemated at this point which actually established the extra board system, and that established the ability for them to call back individuals but that had run out, and essentially there needed to be an alternative set, and Chief Britt stated that the Houston Fire Department was going to provide as efficient and effective service as they could with what they were dealt.

Council Member Boney stated that he hoped Chief Britt could sense from the tune of the comments and questions that there was not the greatest degree of confidence and comfort about some of the strategies that he spoke to this morning, and at the same time what was considered to be minimum and maximum staffing standards per apparatus was fairly much an arbitrary figure, and secondly probably in the case of most fires more than

one apparatus was deployed per instances, and Chief Britt stated that a house fire received three engine companies, a ladder company, a district chief and a safety chief, of which had been incepted by Chief Tyra since he took over as Fire Chief, that there would be a minimum of twelve, that it did take a considerable amount of training to become a professional firefighter to really know what the needs were and what the technology was and so forth, that they were recruiting more firefighters now, that it was budgeted in the budget, that there was a strategic plan for the Fire Department and it was presented to the Fiscal Affairs Committee about a month ago or so, and Council Member Boney stated they needed to be reassured that they were covering the City adequately and equally. Council Members Keller and Vasquez absent.

Mayor Brown asked how many firefighters would end up at the scene of a house fire, and Chief Britt stated that if they were rolling with 3 on every apparatus, the 3 engine companies and ladder company would be twelve, with the district chief and safety officer that would be 14 and they would respond an ambulance also with would make 15 and 16, and Mayor Brown stated it did not quite sound like a crisis to him and if that had been the case for sometime now that they were rolling that many firefighters to the scene of a house fire, and Chief Britt stated that at any time they could pick and choose any standard and make it either more strict than at any other time, and that possibly the two in and two out had been used a little bit more than it should because they were not going to jeopardize the safety of firefighters. Council Members Boney and Robinson absent.

Council Member Vasquez asked for someone from the Fire Department to give him a full briefing on ISO, that it seemed that it was the driving force on a lot of the decision and he would like to understand ISO, and Council Member Sanchez stated that the Fire Chief turned down money a couple of months ago, and Mayor Brown stated that Chief Britt was asked earlier about the increases in the Fire Department's Budget and he did not expect him to have that off the top of his head and would share with him that in Fiscal 1998 there was an increase of \$13.9 million dollars, in Fiscal 1999 an increase of \$10.3 million dollars and in Fiscal 2000 there would be an increase of \$9.0 million dollars, and would point that out because the Council had recognized what he had stated must always be the case and that was that public safety was top priority and must be of any government and that had been illustrated by the amount of increases they had seen in the budget for the Fire Department so obviously that was not all that was needed but that was what they were doing in terms of increasing it, and in addition to what he had just shared there had been a significant amount of overtime of about \$14 million dollars, so he did not want the public to get the impression, as indicated by some present, that the Fire Department had been neglected, that even in a hold the line budget for the forthcoming Fiscal Year, the Fire Department's Budget would be increased, and when they all say that public safety was a top priority for the City that was the case, illustrated by the amount of money they were putting into the Fire Department's Budget. Council Member Todd absent.

Mr. Mike Mullally, 77 Chelsea Boulevard, Houston, Texas 77006 (281-423-4017) had reserved time to speak, but was not present when his name was called.

Mr. Monty McDannald, W. 11th Place, Houston, Texas 77005 (713-930-0011) appeared and stated that he was the president of the Museum Area Municipal Association which was also called MAMA for short, that they represented about 900

residents and business in the museum area, that he wanted to make them aware of a controversy that the museum area was faced with presently that they felt very strongly about, that he had sent each Council Member a letter on Friday and they had probably gotten letters from their constituents about the issue also, that it related to a proposed 23 story high rise residential building on Montrose at the site of the Gramercy Apartments across from Bell Park, that on Thursday at 2:30 p.m. at the City Planning Commission the issue would come up, that they were trying to get a variance and a final vote on a plat before the Planning Commission, that they were making an effort to oppose the variance and had over 100 signed petitions from people in the area and they would have other members down there and as many as possible to speak, but they needed all the help they could get, as he understood the variance was related to Chapter 42, that they had two streets that dead ended into the site and Chapter 42 required 2 cul-de-sacs and the developer was trying to get a variance from the cul-de-sacs so he could utilize the property for his high rise, that as far as he knew there were no final plans to the building, that they had tried to get meetings with the developer to no avail and had not seen any final plans and did not know if there were any final plans available, that they did not see how the Planning Commission or the City could make a good decision on those cul-de-sacs and abandon the cul-de-sacs when they did not know how the traffic flow would exit the parking garage that was planned with the development. Council Members Castillo and Sanchez absent.

Council Member Keller asked if they had talked to anyone with the Planning Commission and Mr. McDannald stated that it came up on the 18th and they found out about it on the 17th and marched up their people and made enough noise down there and the developer withdrew it, that they went to the Planning Commission but did not speak, that they tabled it and put it on the agenda for tomorrow, and Council Member Keller stated that he had talked with someone yesterday and had a good talk with her and asked if there were deed restrictions on the proposed site, and Mr. McDannald stated there were no current deed restrictions and were trying to check it and find out if there were ever any deed restrictions, and Council Member Keller asked if the development or high rise could take place with a cul-de-sac had anybody determined that, and Mr. McDannald stated he thought some reasonable development could, that it might not be a 23 story building, it could possibly be some nice townhouses, that one or the other those cul-de-sacs could be allowed and still would probably preclude a 23 story building but it would not preclude other reasonable development on the property, and Council Member Keller asked who was the developer and Mr. McDannald stated that as far as they knew it was a Finger Interest. Council Members Tatro, Castillo and Sanchez absent.

Council Member Parker stated that the decision with the variance had already been made by the Planning Commission and that tomorrow's meeting was to grant final plat approval for the project, and Mr. McDannald stated that he had heard that but as far as he knew they still had a forum for opposing it at the meeting tomorrow and the final vote would be tomorrow so pressure could be brought to bear on the Planning Commissioners to maybe change their vote or not vote in favor of it, and Council Member Parker stated she would certainly urge him to plead his case with the Planning Commission, that it was a vote of the Planning Commission rather than of the City Council, and asked if the primary concern was traffic exiting from the project because there were no height restrictions under their development ordinance, and Mr. McDannald stated that they thought the problems were the sheer magnitude of the project, 23 stories on a one acre site, that they were afraid that in the shadow of all the historic homes and

residences would create problems with traffic flow, which was already a problem, and parking was a serious problem, visitor and resident parking, that they did not know if that building addressed those problems, that they had not seen a final plan and did not know if the City had even seen a final plan on the building, and Council Member Parker stated that the City had seen an initial plan for the property and it did include a parking facility, which would be necessary to address the number of residences they were planning to put in there, that she was sympathetic to his concerns, but other than the two variances she did not know of any other tool to prevent the property from being developed as intended and as much as the developer was not one of her favorite persons for his lack of historic preservation interests, she was afraid she could not figure out any way to help him on that particular issue having looked at the site and the site plan the two streets that required cul-de-sacs were already dead end streets and had been for some time, that the only justification for putting the cul-de-sac in would be to facilitate the flow of traffic in and out of their parking garage, that a preliminary plan would not be available tomorrow. Council Members Boney, Vasquez, Castillo and Sanchez absent.

Council Member Robinson stated that his office had been trying to work with Mr. McDannald, that he was a dues paying member of the civic club, that it had been a very difficult process ascertaining information, that he had tried to find plans and all he could get was a copy of a plat, that he had tried to find out permit information and not until they ran into a situation and needed information did they find out what they actually collected in terms of the City and was amazed at the minimal amount of information before they issued permits and hoped that there was something they could do, that Council Member Goldberg was scheduled for a meeting with the representatives of Finger Company tomorrow and he would be working with him, and if Mr. McDannald would call his office or Council Member Goldberg's office they could give him an update of what was going on because he had heard two different things, that he heard it was a 23 story building and the newspaper stated it was 15 and he did not know what kind of traffic studies had been done or any such thing so he was trying to find that information so they could all be working off the same base of knowledge as they moved forward on this item, but clearly the issue had raised for him some things that they needed to do as a City in terms as to what kind of information they collected in advance so that everybody could know what was going on, and was glad that Mr. McDannald and the civic club were out there raising those concerns. Council Members Vasquez, Castillo, Parker and Sanchez absent.

Council Member Boney asked if his problem was the size of the structure, the 23 story high rise or was it that the variance would not require the property developer to put in two cul-de-sacs, and Mr. McDannald stated they thought the cul-de-sac issue was reflective of a traffic and parking issue that was going to be in that area when they put a project of that size in there, that they did not have many weapons to use to fight and it just so happened that they were going in for some variances so they could make an appearance, and Council Member Boney asked if their desire was to stop the 23 story project or was their desire to get the cul-de-sacs in that they thought might have some impact on traffic and parking, and Mr. McDannald stated he would have wished that the developer had come to them and had some town hall meetings in the area to indicate what he was going to build and show them some pictures, that there was a proposed 15 story building that was projected on that site up until a week ago the sign was still up, and they were not necessarily opposed to that project, that it was only because the increased size of the thing and the resulting problems that they could see would be horrendous for that area, and Council Member Boney stated that the problem was that zoning failed, that

there was an attempt to pass land use control through the whole City and the voters voted it down, so as a matter of property rights the developer had wide ranging latitude to do more or less what they wanted, that they strengthened Chapter 42, but there was nothing in Chapter 42 that stopped a development from going straight up if they provided adequate parking and from what he understood there had been no variance on that, so the question was should there be a variance on the cul-de-sac that for 30 years had been a dead end street and that was not going to really solve the issue that he was really concerned with and that was the size of the project, and Mr. McDannald stated they were just trying to get the other problems addressed, and Council Member Boney stated he would give Mr. Litke a call and ask him to address the issue of traffic and parking. Council Members Vasquez and Castillo absent.

Mr. Joshua Bullard, 2600 Westridge, Houston, Texas 77054 (713-839-1505) appeared and stated that his main concern was if they had old structures that were from 95 to 120 years old over in Council Members Robinson and Boney districts they were some of the oldest foundations in Houston and a lot of the wiring was over 100 years old in those houses and he was sure it was not the case in Mr. Todd's district because the structures and homes that were built there were built with the top of the line material, but his main concern would be with the fire trucks was to concentrate on the older structures and the high risk areas; and why would all those Black people try to get independent employment through taxi permits, that he could not figure out why Council Member Boney voted with Council Member Todd to deny the permit, that he could not believe that, that all the Black people who had to feed their families, feed their children and Council Member Boney votes in late 1998 with Council Member Todd to deny the permits, that he may be wrong and maybe things had changed because he had been out of the Country and it was depressing to him. Council Members Vasquez, Castillo and Parker absent.

Mr. Jess Ocampo, 14217 Misty Meadow Ln., Houston, Texas 77079 (281-558-4092) appeared and thanked Council for giving him and his wife the opportunity to defend the good name of their family and the good name of the homeowners association, that as peace loving residents of the Memorial Club Townhomes they were harshly and unfairly accused of violating the deed restrictions and emitting hazardous chemical fumes by their next door neighbors Joann and Bruce Barker in Council Chambers last Tuesday, May 23, 2000, that they were called vicious criminals, that they were profession certified public accountants and trusted financial advisors to many minority business owners, teachers and school district employees, that they had a mortgage free home, debt free cars and three grown up professional children who were financially independent, that one of them was a medical doctor, that they were totally innocent of the charges and asked for Council's assistance in ending the public degradation imposed on them by the Barkers, that Council had copies of one of the reports on the two tests conducted on their townhomes and that of the Barkers on April 11 by an air quality control firm and on May 17 by Houston Department of Health and Human Services, that based on their understandings the findings on both tests were negative and there were no indications of any hazardous chemical fumes or dry cleaning operation, that on the second paragraph of page 4 of one report it stated and he quoted "the hydrocarbons detected by the scan samples collected within the specified townhome units are those that can be related to routine use of household cleaning products and personal hygiene products such as deodorants", that ever since the Barkers moved in a year ago into their community they had numerous visits from police officers, inspectors and others responding to various complaints from the Barkers, that they had all found the

complaints to be unfounded, that why were the Barkers continuing the barrage of unwarranted attacks on them, that in conclusion they therefore request Council put an end to the harassment and not give credence to the Barkers accusations. Council Members Tatro, Vasquez, Castillo and Parker.

Council Member Keller thanked Mr. and Mrs. Ocampo for being present and stated that they had an emotional meeting with the Barkers and he felt for them because they were quite distraught over this issue and in their minds eye they really had convinced him that they believed it was going on and that statement may prove to where the root of the problem was, but after seeing them both and looking in their eyes there was not doubt in his mind that they were anything close to being criminal much less vicious criminal, that actually they were the opposite and anyone at the Council table could tell that they were extremely good American law abiding citizens and he was sorry that they had to go through this, and he thought that it was out of the City's hands where the problem was, that the City had done everything it could do, that his office where he represented them had done everything it possibly could do, that the administration, police department, et cetera, had done everything it could do, that the studies that they had done through the Health Department had done everything they could do, that his recommendation was for the association to meet and make an offer to the Barkers as an association and buy their unit from them and sell it on the market to somebody else, that was the only way he saw this thing being resolved, but there was no doubt in his mind that they were not making chemical substances and no doubt in his mind that they were not conducting a cleaning business and was sorry that they had to go through it and hoped that everything worked itself out, and Mayor Brown stated he appreciated their taking the time to be present and shared the sentiments of Council Member Keller. Council Members Vasquez, Castillo and Parker absent.

Mrs. Mel Ocampo, 14217 Misty Meadow Ln., Houston, Texas 77079 (281-558-4092) had reserved time to speak, however, she appeared with her husband and did not speak.

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. Council Members Vasquez, Castillo and Parker absent.

Mr. Dwight Burton, 3721 Seabrook, Houston, Texas 77021 (713-593-9619) appeared and voiced his personal opinions until his time expired. Council Members Vasquez and Castillo absent.

Mr. Steven Williams, no address, no phone appeared and voiced his personal opinions until his time expired. Council Members Vasquez and Castillo absent.

President Joseph Charles, P.O. Box 53831, Houston, Texas 77052 (713-710-1715) appeared and stated that he was President Joseph Charles of Royalty and also a certified volunteer deputy registrar of Harris County and one of the only official presidential candidates for the coming presidential election that is his reelection that they all had knowledge of, that he was present to address his crime victim case again and presidency, and action on the Syndicated Global Mafia, City Government Conspiracy and continued to voice his personal opinions until his time expired.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that this was his time and his taxes were going to pay for this so when it aired on the municipal channel he wanted a caption identifying him as James Partsch-Galvan, the Libertarian Candidate for Texas Representative 147, and he also wanted his web site address which was www.galvan.org to be under the caption because he was going to do everything that he could to communicate to the citizens of Houston how much they were screwing up the City of Houston, that he got the newspaper this morning and saw the budget deficit, that the City of Houston had a budget deficit, crime was up and they destroyed the Westheimer Street Festival, the Fire Department was in a mess like Council Member Sanchez said it was a crisis and his brother worked for the Fire Department, Richard Galvan, and if he was Mayor of Houston he would fire the City Attorney, Anthony Hall and he would also fire, Fire Chief Tyra.

At 11:17 a.m. the public session was completed.

RESOLUTIONS AND ORDINANCES - NUMBERS 24 through 57

24. RESOLUTION of the City Council prescribing the date, time and location of a public hearing on the City Budgets for the time period July 1, 2000 through June 30, 2001; authorizing notice of such public hearing and making other provisions related to the subject, **HEARING DATE - 1:30 P. M. - TUESDAY - JUNE 13, 2000** – was presented.

Council Member Castillo stated that for people who worked to be able to attend the session he would propose an item be posted to require the hearing to be recessed and reconvened again that evening; and moved to amend the resolution to hold the hearing as proposed and reconvene at 6:30 p.m. that evening, and was seconded by Council Member Parker. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Keller absent. MOTION 2000-0703 ADOPTED.

A vote was called on Item 24 as amended. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Keller absent. RESOLUTION 2000-26 ADOPTED AS AMENDED.

25. ORDINANCE creating the **EXTRUSION TECHNOLOGY REINVESTMENT ZONE** for Tax Abatement Purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas – **DISTRICT E – TODD** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Keller absent. ORDINANCE 2000-438 ADOPTED.
- 25a. ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **EXTRUSION TECHNOLOGY CORPORATION**, for certain property located within the Extrusion Technology Reinvestment Zone – **DISTRICT E – TODD** – had been pulled from the Agenda by the Administration, and was not considered. Council Members Goldberg and Quan out of the city on city business. Council Member Keller absent.
26. ORDINANCE amending Ordinance No. 99-487, passed May 19, 1999, which approved and authorized the submission of the 1999 Consolidated Plan and the

Grant Application for the 25th Community Development Block Grant ("CDBG") Program, among others, to the United States Department of Housing and Urban Development ("HUD") under the authority of Title I of the Housing and Community Development Act of 1974, as amended – was presented, and was tagged by Council Members Vasquez, Keller and Parker. Council Members Goldberg and Quan out of the city on city business.

Council Member Castillo stated that he had an amendment to propose if Council Members would release their tags momentarily so he could offer the amendment and then tag it all at the same time; and Council Members agreed.

Council Member Castillo stated that an item was on the Agenda and his amendment, which he had distributed, basically was to reallocate \$412,015.00 proposed for acquisition, rehabilitation and new construction of neighborhood facilities to Ingrando Park for general renovation and installation and the background of it was that Ingrando was a priority for the Parks Department and there would be additional bond funds in the amount of \$387,985.00 which combined with the \$412,015.00 of neighborhood CDBG money would be about \$800,000.00 for the Parks to Standard Project and the Department of Housing and Community Development supported the amendment; and moved to amend Item 26 to reallocate the \$412,015.00 proposed for acquisition, rehabilitation and new construction of "Neighborhood Facilities" to "Ingrando Park" for general renovation and installation of new equipment, and was seconded by Council Member Todd.

Upon questions by Council Member Keller, Council Member Castillo stated that he was amending what was on the table to specifically allocate the money to Ingrando Park. Mayor Brown stated that the money was there, but unallocated and Council Member Castillo was allocating it to a specific project.

Upon questions by Council Member Vasquez, Mayor Brown stated that the fire apparatus would not come from that category of funds.

Council Member Castillo stated that Ms. Bingham was in the audience to answer specific questions and moved to suspend the rules to hear from Ms. Bingham at this time, and was seconded by Council Member Parker. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent. MOTION 2000-0704 ADOPTED.

Upon questions by Mayor Brown, Ms. Bingham stated that this had no impact on the fire apparatus because it was from unscheduled program income and not dollars moved from the fire station. Mayor Brown stated that it was a different line item.

Upon questions by Council Member Vasquez, Ms. Bingham stated that after the item had gone out for public comment she was approached by the Parks and Recreation director about the need for additional funds for the park.

Council Member Vasquez yielded to Council Member Castillo who stated that Ingrando Park was in the southeast part of town and served many schools, it was a very dense and concentrated area of young families with young children and Parks had trouble scheduling everything for that park so the Parks to Standard in the area was not

only great but urgent to get done as soon as possible and the money was earned by the Community Development Program and being recycled the second time into community use and among the uses was something generic called "Neighborhood Facilities" and this qualified as a neighborhood facility and would renovate the building and the park which was greatly overused and in great need of repair and much needed. Council Member Robinson absent.

Council Member Vasquez stated that his concern was Fire Station 27 was becoming another Tuttle Library and he would like clarification from Ms. Bingham and anyone else in the Administration on Station 27, when it would be built, etc., and recently his office was sent information by Ms. Bingham and he would like her to schedule time to come to his office; and Ms. Bingham agreed. Mayor Brown stated that he would get a written response to his question, but it really centered around obtaining the property, it had to be condemned; that it was in the CIP funding and it would take place. Council Member Robinson absent.

Council Member Tatro stated that he saw an item to purchase three ladders and he assumed it was ladder trucks; that he would like information from Chief Britt during the week regarding the cost of a ladder truck and a ladder truck with pumpers and hose; and Mayor Brown stated the information would be sent to him. Council Member Robinson absent.

Council Member Parker stated that like Council Member Vasquez she intended to tag the item; that she supported the amendment by Council Member Castillo but once on the main item she would tag it; and she hoped that Council Member Vasquez received a better response to his request for a meeting with a representative of Housing and Community Development than she did; that as they would recall when the consolidated plan came on the Agenda she had intended to ask for a delay but voted for the plan so things would not be slowed down and it had been a couple of weeks and she had yet not heard from the department and that was not acceptable: and Mayor Brown stated that he would make sure someone did meet with her; and asked that Ms. Bingham meet with her and answer all questions. Council Member Robinson absent.

The motion to amend Item 26 was before Council; and was tagged by Council Member Vasquez. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent.

Item 26A was again presented and was tagged by Council Members Vasquez, Parker and Keller. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent.

27. ORDINANCE approving and authorizing first contract amendment between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to extend the term and provide an additional \$121,000.00 of Community Development Block Grant Funds for the continuing operation of a Homeless Services Database and provision of other Homeless related information services, which amount includes a limitation on additional funding in the amount of \$89,260.00 – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent. ORDINANCE 2000-439 ADOPTED.

Council Member Todd stated that he would release his tag on Item 17 at this time and moved to suspend the rules to take Items 57, 60 and 63 out of order, and was seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent. MOTION 2000-0705 ADOPTED.

Mayor Brown stated that Item 17 would be taken at the end of the Agenda; and Items 57, 60 and 63 would be considered at this time. Council Member Robinson absent.

57. ORDINANCE appropriating \$1,500,00.00 out of Airports Improvement Fund as temporary funding for the contract with **CHAMPAGNE-WEBBER, INC** for Project 538 at George Bush Intercontinental Airport/Houston; CIP A-0359-.02; AIP 3-48-0111-30 - **DISTRICT B – GALLOWAY** – was presented, and was tagged by Council Members Todd and Tatro. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent.

60. ORDINANCE approving and authorizing the City to enter into a first amendment to lease agreement with **BENJI'S SPECIAL EDUCATION ACADEMY** to extend the term to thirty years and to increase the size of the leased premises in connection with providing care and special education to physically challenged children and their families - **DISTRICT B – GALLOWAY – (This was Item 24 on Agenda of May 24, 2000, TAGGED BY COUNCIL MEMBERS TODD and GALLOWAY)** – was presented.

Council Member Galloway moved to postpone Item 60 three weeks, and was seconded by Council Member Ellis. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent. MOTION 2000-0706 ADOPTED.

63. ORDINANCE appropriating \$15,400,000.00 out of Airport System Commercial Paper Series A, C (AMT) CIP A-0091, A-0131, awarding construction contract to the **MORGANTI GROUP, INC** on low bid of \$13,999,000.00 and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICES INDUSTRIES, INC** in the amount of \$286,000.00 for Central Plant Upgrade at George Bush Intercontinental Airport/Houston (IAH), Project No. 424B - **DISTRICT B – GALLOWAY – (This was Item 49 on Agenda of May 24, 2000, TAGGED BY COUNCIL MEMBERS ELLIS, TATRO and TODD)** – was presented, and was tagged by Council Member Bell. Council Members Goldberg and Quan out of the city on city business. Council Member Robinson absent.

Council Member Todd stated that a number of issues were raised on ROCIP and one was coverage, whether or not the city was getting the same coverage as before ROCIP and in order to answer the question it was important for Council Members to have information on what coverage actually existed; that it was his understanding Council Member Tatro requested copies of the insurance policies from APEX and he would like to see copies also; that he felt it was a legitimate issue on whether the coverage was the same and requested Mayor Brown's assistance in getting that

information to Council Member Tatro as well as other Council Members. Council Member Robinson absent.

Upon questions by Mayor Brown, Mr. Haines stated that the final policies were in process and they would be made available.

Council Member Boney moved to suspend the rules to allow Mr. Haines to respond to the latest memorandum by Council Member Tatro, and was seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. MOTION 2000-0707 ADOPTED.

Upon questions by Council Member Boney, Mr. Haines stated that he had spent time in the Council Meeting with Ms. Mosley looking over the numbers on the document prepared by Council Member Tatro and they were trying to figure if they were correct; that a number was cited at \$419,000 city ROCIP cost and they did not know what that number was; that they did know the insurance number they were given was \$293,000 and he was not sure where the number came from though he did follow his calculations; that he would guess the question raised here would be that while it may or may not relate specifically to this table they did know that Council Member Tatro's amendment as approved by Council was part of this program and it essentially provided a failsafe guarantee for the city so the question was if in fact the \$419,000, wherever it came from, was correct then under the terms of agreement with HOBBS/APEX they would owe the city \$119,000 but on the other hand if it was not correct the question was where was the answer and again it was critically important why they were evaluating each on a project by project basis when the agreement entered into by HOBBS/APEX essentially provided a failsafe performance guarantee against the program and to do it project by project incurred an enormous amount of energy.

Upon questions by Council Member Boney, Council Member Tatro stated that first of all the numbers were F & A's numbers and he would answer questions regarding his figures during his time so as not to take away from Council Member Boney's time; and Council Member Boney stated that he should excuse him for actually trying to take this seriously.

Council Member Tatro stated that the analysis he passed out was based on F & A's numbers, he simply put down in readable format the numbers they were supplied as a cost of ROCIP and the project 424B which was tagged had a total payroll of \$4.5 million which was 5% of the premium, \$90,000,000 so extrapolating the cost to the city for the project 5% of that premium would be \$419,000, it was simple math and that was the \$419,000 and it was from F & A's numbers and the contractor's numbers; that they had given the city a credit of \$300,000 and projecting that equation the city was at a loss position of \$119,000 if they enrolled this particular contract; and he would address the amendment process that F & A and Mr. Haines continually spoke to was the amendment which was passed after substantial work during the ROCIP debate last year and that amendment did hopefully guarantee the city would recoup money lost, but they did not want to start out in a loss position and that was why it was important to address the projects project by project that Mr. Haines said they did not want to do, but he would remind Council that the first two contracts bid under ROCIP F & A analyzed and F & A made the decision not to enroll so F & A was doing a project by project analysis and to

say that someone else should not do a project by project analysis was absurd. Council Member Castillo absent.

Mayor Brown stated that Item 63 had been tagged.

28. ORDINANCE amending Ordinance No. 97-737 that approved and authorized contract between the City and **CHRISTUS, SOUTHWEST COMMUNITY HEALTH CENTER (formerly known as Sisters of Charity of the Incarnate Word)** for Health Care Services to increase the maximum contract amount; approving and authorizing a First Amendment to such contract - \$1,000,000.00 General Fund – was presented, and was tagged by Council Member Ellis. Council Members Goldberg and Quan out of the city on city business.
29. ORDINANCE approving and authorizing contract between the City and **VERTEX TARGETED OPPORTUNITIES, INC** for Medicaid Administrative Claiming and Direct Billing Services; providing a maximum contract amount – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-440 ADOPTED.
30. ORDINANCE appropriating \$6,000.00 out of Airport System Commercial Paper Series A, C (AMT) and approving the purchase of approximately 1.008 acre of land out of the C.C. Shelby Survey, A-693, Harris County, Texas, for Bush Intercontinental Airport, CIP A-0421, and authorizing the Mayor to execute a Purchase and Sale Agreement with Southern Methodist University to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-441 ADOPTED.
31. ORDINANCE appropriating \$1,108,000.00 out of Airport System Subordinate Lien Revenue Bond Fund and approving the purchase of approximately 12.89 acres of land out of the T.S. Roberts Survey, Abstract 659, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving a Purchase and Sale Agreement with Tony Lin, Trustee to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-442 ADOPTED.
32. ORDINANCE appropriating \$1,100,000.00 out of Airport System Subordinate Lien Revenue Bond Fund and approving the purchase of approximately 12.80 acres of land out of the T.S. Roberts Survey, Abstract 659, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving a Purchase and Sale Agreement with W.L.T. Partnership to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-443 ADOPTED.

38. ORDINANCE approving and authorizing appropriation of \$20,523.40 from the Storm Sewer Consolidated Construction Fund, and approving and authorizing a compromise and settlement agreement between the City of Houston and **C/e CONSULTANTS, INC** to settle a claim - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-444 ADOPTED.
43. ORDINANCE appropriating \$125,811.66 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation contract between the City of Houston and **METRO NATIONAL CORPORATION** for construction of Water and Sanitary Sewer Lines in Centre Park Section 1, CIP S-0800-21-3 and R-0800-26-3 - **DISTRICT A – TATRO** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-445 ADOPTED.
45. ORDINANCE appropriating \$578,815.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional engineering services contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for Infiltration and Inflow Correction in the Northside Service Area, CIP R-2014-05-2 (WW4771); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY; H - VASQUEZ and I – CASTILLO** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-446 ADOPTED.
47. ORDINANCE appropriating \$2,038,876.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on low bid of \$1,744,744.00 and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** in the amount of \$30,000.00 for construction of Water Main Extension and Briar Hills Area Connections, GFS S-0700-04-3 (10549); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICTS E - TODD and G – KELLER** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-447 ADOPTED.
49. ORDINANCE appropriating \$9,684,817.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$8,275,529.00 and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** in the amount of \$240,000.00 for construction of 84-inch Water Main along Kelley and Kashmere, GFS S-0900-41-3 (10559); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H – VASQUEZ** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-448 ADOPTED.

50. ORDINANCE appropriating \$2,183,476.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$1,890,164.00 and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING, INC** in the amount of \$10,000.00 for construction of large diameter water main valves and appurtenances, GFS S-0900-50-3 (10621); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; G - KELLER and I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-449 ADOPTED.

Council Member Keller stated that he wanted to point out that a number of the projects just approved, and this being the last one of them in relation to construction and project management fees, had decreased from 10% to 7% and 6% and he did applaud efforts of the departments; that he would continue to monitor and maintain a close eye on them but he did want to mention it had been noticed by him. Mayor Brown absent. Mayor Pro Tem Boney presiding.

52. ORDINANCE appropriating \$2,569,400.00 out of Street & Bridge Consolidated Construction Fund, \$619,772.00 out of Storm Sewer Consolidated Construction Fund, \$644,407.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CONTRACTOR TECHNOLOGY, INC** on low bid of \$3,363,584.47 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$100,000.00 for construction of Binz Street Paving from Alameda Road to South Main; proposed Paving, Drainage, Sanitary, Signals, and Water Improvements, GFS N-0611A-35-3 (N-0611A-35); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund; the Water & Sewer System Consolidated Construction Fund; Storm Sewer Consolidated Construction Fund - **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-450 ADOPTED.
54. ORDINANCE appropriating \$7,301,784.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **OSCAR RENDA CONTRACTING, INC** on low bid of \$6,263,349.00 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$160,000.00 for proposed 54-inch water main along Westview from Silber to Spring Branch Creek, Contract 47A-1, GFS S-0900-44-3 (WA10599); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** - was presented, and was tagged by Council Member Tatro. Council Members Goldberg

and Quan out of the city on city business. Mayor Brown absent. Mayor Pro Tem Boney presiding.

55. ORDINANCE appropriating \$343,700.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **DOLSON SIERRA CONSTRUCTION GROUP, INC** on low bid of \$287,636.25, approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$10,000.00 for 1999 Safe Sidewalk Program, GFS N-0610A-T4-3 (Package T1); providing funding for construction management and contingencies relating to construction of facilities financed by Street & Bridge Consolidated Construction Fund – **DISTRICTS C - GOLDBERG; D - BONEY; F - ELLIS; G - KELLER and H – VASQUEZ** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-451 ADOPTED.

The Non Consent Agenda (Item 58) was considered as follows:

MISCELLANEOUS

58. MOTION to set date not less than seven (7) days from May 31, 2000 to receive nominations for the **HOUSTON CLEAN CITY COMMISSION**, Position B, for a one year term – was presented. Council Member Galloway moved to set next Wednesday to receive nominations, and was seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Mayor Brown absent. Mayor Pro Tem Boney presiding. MOTION 2000-0708 ADOPTED.

MATTERS HELD - NUMBERS 59 through 63

59. ORDINANCE appropriating \$79,652.43 out of the Housing Special Revenue Fund to reimburse the City's Federal "HOME" Grant Accounts for Ineligible Expenditures – **(This was Item 23 on Agenda of May 24, 2000, TAGGED BY COUNCIL MEMBERS ELLIS and PARKER)** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-452 ADOPTED.
61. ORDINANCE awarding contract to **REPUBLIC WASTE SERVICES OF TEXAS, LTD.**, for Solid Waste Collection Services for the Department of Solid Waste Management; providing a maximum contract amount - 5 Years with two one-year options - \$56,826,603.27 - General Fund **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; E - TODD; G - KELLER; H - VASQUEZ and I - CASTILLO** - **(This was Item 35 on Agenda of May 24, 2000, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-453 ADOPTED.

62. ORDINANCE awarding contract to **HIGHWAY PAVEMENT SPECIALTIES, INC** for Parking Meter Poles/Pipes Installation Services for the Municipal Courts Administration Department; providing a maximum contract amount - 3 Years - \$96,548.85 - General Fund – **(This was Item 36 on Agenda of May 24, 2000, TAGGED BY COUNCIL MEMBER ROBINSON)** - was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-454 ADOPTED.

Items received during the meeting were considered as follows:

3. ORDINANCE appropriating \$119,451.40 out of Fire Consolidated Construction Bond Fund as additional appropriation for construction of Fire Station 15 under construction contract with **A-TEC ENGINEERS AND CONTRACTORS INC**; approved by Ordinance 97-930; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund; CIP C-0059 – was presented

Council Member Keller stated that he was trying to focus on the big picture and tagging it would not necessarily do what they had been productive in working with Building Services and Public Works, but he found it suspicious that change orders added up to exactly 10% so he would like to note that the change orders did add up to exactly 10% and he was sure that must be coincidence; and Mayor Brown stated that Mr. Lewis should take a look at that and see if there was a problem and report back to Council in writing.

A vote was called on Item 3. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-455 ADOPTED.

- 3a. RECOMMENDATION from Director Building Services Department for approval of Change Order No. 23 in the amount of \$122,311.00 for Construction of Fire Station #15 under construction contract with **A-TEC ENGINEERS AND CONTRACTORS INC - DISTRICT H – VASQUEZ** – was presented, moved by Council Member Vasquez, seconded by Council Member Tatro, and was tagged by Council Member Sanchez. Council Members Goldberg and Quan out of the city on city business.
40. ORDINANCE awarding contract to **TEXAS FORD, INC** for Leased Vehicles for Health Department; providing a maximum contract amount \$237,030.00 – General, Grant and Asset Forfeiture Funds – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-456 ADOPTED.
41. ORDINANCE awarding contract to **ACME AUTO LEASING, LLC** for Leased Vehicles for Police Department; providing a maximum contract amount \$106,860.00 – General, Grant and Asset Forfeiture Funds – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. ORDINANCE 2000-457 ADOPTED.
56. ORDINANCE appropriating \$227,119.00 out of the Street & Bridge Consolidated Construction Fund, \$197,816.61 from the Water & Sewer System Consolidated

Construction Fund, and \$284,629.39 from the Storm Sewer Consolidated construction fund as additional funding for contract with **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for Replacement of Gessner Road Bridge over Buffalo Bayou under the Off-state System Federal and Bridge Rehabilitation and Replacement Program Agreement (N-0611-30-3, S-0521-GB-3, R-0018-GB-3 and M-0126-GB-3; approved by Ordinance 97-408 on April 16, 1997 - **DISTRICT G – KELLER** – was presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. **ORDINANCE 2000-458 ADOPTED.**

Item released during the Meeting was considered as follows:

17. **TSI, INC** for Quantitative Respirator Fit Testing Devices for Fire Department - New - \$26,680.00 General Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez, was again presented. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. **MOTION 2000-0709 ADOPTED.**

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Ellis stated that for the past four weeks he had spoken to associations in District F and their concerns were that the City Council and City government were not concerned about providing public services they felt they needed; that their major concerns were public safety, fire and police, and infrastructure funding and lack of, lack of sidewalk and street repair and problems with water and sewer, that they did speak good of the garbage collection, but they felt the city was spending too much money on the revitalization of downtown and special projects and forgetting what city services were supposed to be provided; and he wanted all in District F to know he did hear them and would be working to make sure the city provided the best quality service possible. Council Member Keller absent.

There being no further business before Council, the City Council adjourned at 11:50 a.m. upon MOTION by Council Member Robinson, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Quan out of the city on city business. Council Member Keller absent. **MOTION ADOPTED. COUNCIL ADJOURNED.**

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary