

City Council Chamber, City Hall, Tuesday, June 13, 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, June 13, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell, and Carroll G. Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney, Mr. Paul Bibler, Senior Counsel, City Attorney's Office, Ms. Susan Taylor, First Assistant City Attorney, City Attorney's Office, Mr. Bill Beauchamp, Senior Assistant City Attorney, City Attorney's Office; Ms. Martha Stein, Agenda Director and Ms. Linda Layton, Agenda Office present.

At 1:45 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Goldberg invited Mr. David Sanchez from the River View Baptist Church to lead everyone in prayer and Council Member Goldberg led everyone in the pledge of allegiance. Council Members Galloway, Boney, Vasquez and Castillo absent.

Mayor Brown requested the City Secretary to call the roll. Council Members Galloway, Boney, Vasquez and Castillo absent.

Council Members Sanchez and Parker moved that the minutes of the preceding meeting be adopted. Council Members Galloway, Boney, Vasquez and Castillo absent.

## **HEARINGS**

1. **PUBLIC HEARING** on the City Budgets for the time period July 1, 2000 through June 30, 2001 – was called.

At 1:47 p.m. the City Secretary announced that there were only two speakers that had registered for the 1:30 p.m. session and there were several that had registered for the 6:30 p.m. session. Council Members Galloway, Boney, Vasquez and Castillo absent.

Mr. D. J. Hutchinson, 7750 El Rancho, Houston, Texas 77087 (713-643-8118) appeared and stated that he was present to ask Council to reconsider the tax increase for the citizens of Houston, that he did not believe it was necessary and read a list of reasons why they did not need a tax increase as follows; (1) How much back taxes had the City of Houston not collected for the years 1999, 1998, 1997, 1996, 1995 and reserved the right to ask for more dates and times, (2) how many employees did the City of Houston employ in the City of Houston Tax Department or did the City of Houston contract the work for tax info and collections, (3) did the Houston Independent School District taxes come under the control of the City of Houston departments, did the Mayor appoint the Houston Independent School District Superintendent, and who controlled the tax information for the Houston Independent School District, and how many employees did the Houston Independent School District employ for tax purposes or was the work also contracted out to private contractors, (4) how many companies, organizations, special interest groups get special tax breaks in the City of Houston, including sports team owners. Council Members Galloway, Vasquez, Castillo, Parker and Robinson absent.

Mayor Brown stated that the Harris County Tax Assessor and Collector would be the one to pose those questions to, that the Appraisal District Office collected the taxes for the City of Houston, that Houston Independent School District had their own Board of Directors and they in turn hire the Superintendent, and Council Member Todd asked how many employees did they have in Finance and Administration that monitor the revenue projections and Mr. Haines stated that he would look that up and get it for him. Council Members Galloway, Boney, Vasquez and Castillo absent.

Mr. Hutchinson continued his questions, (5) and did the Mayor of the City of Houston and the Superintendent of Houston Independent School District both receive a money percentage from signing bond issues, (6) How can the Mayor and Council Members justify a raise in taxes when the Mayor admitted there was a surplus amount of money in City of Houston accounts, that he would like specific time for the answers that he had been asking for the past months and had not received, that he had all his questions written down. Mayor Brown asked the Acting Director of Finance and Administration to get the answers for him. Council Members Galloway, Boney, Vasquez and Castillo absent.

Mayor Brown asked the City Secretary to advise the audience of Council rules. Council Members Galloway, Boney, Vasquez and Castillo absent.

The City Secretary advised the audience that under the rules of Council it prohibited any outburst of any type of emotion, either applause or boo's and Council would appreciate their cooperation in observing those rules. Council Members Galloway, Boney, Vasquez and Castillo absent.

Council Member Quan stated that he would be happy to take Mr. Hutchinson's questions and get answers for him, and Council Member Sanchez stated that in addition to providing the questions to the administration that he also provide the Council Members with a copy, and Mayor Brown stated that he would make sure that a copy of the questions be provided to Council. Council Members Galloway, Boney, Vasquez and Castillo absent.

Mr. Steven Williams, 1907 Freeman, Houston, Texas 77009 (713-223-9161) appeared and stated that he was present to speak specifically about the budget referring to the Houston Fire Department, that he was asked what he was speaking about and he stated firefighters demanding and the response back was if he was talking about more money and yes he was talking about more money for the Fire Department, that there was a need for critical areas of the Houston Fire Department that needed to be addressed and they had gone unattended for two long, that they were lacking staffing on the engine ladder companies, they were lacking equipment in which to do the job, they were lacking light duty vehicles for arson investigators and inspectors to do their job, that there was a need and could they afford to continue providing public safety when it related to the fire service, that he listened yesterday in a special hearing for Fiscal Affairs regarding the Fire Department Budget and he heard one Council Member ask were there laws that required 4 members on each engine and ladder company, well there was not a law out there and maybe there should be but there were a number of national standards that had been

established, whether it had been by the NFPA, OSHA, ISO, The International Association of Fire Chiefs, the International Association of Fire Fighters and also their present fire chief that recognized the need for more firefighters, and whether they supplemented that through their present manning, whether it was through overtime or some collective agreement, and an aggressive hiring practice, there needed to be more firefighters to provide fire safety, could they afford to have an incident like last week over in the Southwest part of town in Station 51's area that Council Member Quan just recently rode in, that there were apparatus that were running short, that it took them a period of time that should not have been extended to save a life of an elderly lady, that the last he heard was that she was in critical condition, that they heard yesterday that there were only 17 members that would be responding on a standard box, with three engine companies, a ladder company, a chief, a safety officer, an EMS supervisor and two ambulances, but how many of that workforce was actually going in and fighting the fire, that they only had 2 men off of each of the engine and ladder companies going in because they had to have the engine operators standing outside to operate the equipment, that they had an incident commander and the district chief that stands outside, they had a safety officer that oversees the safety operation, they had the EMS supervisor standing by to help develop proper water supply and they had the EMS crew standing as a RIT team to go in and rescue, if needed, those firefighters, that they could not afford a loss of life to their citizens, they could not afford serious injury to the citizens, but they could not afford it also to their firefighters.

Council Member Sanchez stated it was pointed out by the fire chief that 17 personnel respond to a fire, and was Mr. Williams now telling them that when a person dialed 911 that 17 personnel did not aggressively attack and fight the fire, and Mr. Williams stated they all had other duties and responsibilities that in some cases excluded them from going into the fire zone, and Council Member Sanchez asked if the firefighters were being put at greater risk because of the staffing shortages on the units that rolled out of the fire station when they go into a burning building and Mr. Williams stated that they were definitely being put at a higher level of risk going in with insufficient number, that it was the opinion of the rank and file that were actually fighting fires everyday, and of the membership of his organization, and in his opinion more money would aid the Fire Department in hiring potential trainees and training them at the academy, that the departments need was twofold, they had to utilize the available resources they had, which were the existing members, and they had to have an aggressive hiring practice, that he was asking for the Council to aggressively add more money to their budget, and Council Member Sanchez asked if Mr. Williams if he had made recommendations to the administration as to where he believed additional dollars would aid, and Mr. Williams stated they spoke with the fire chief and members of his command staff just last week at their executive board meeting and he also spoke before the general membership and his \$29 million dollar figure was probably accurate, that it would raise the Fire Departments level of staffing to minimum standards, that as it compared to other municipalities he could not answer at this time, that Washington, D. C. and Worcester, Massachusetts were experiencing a very parallel situation and there were lawsuits that had been generating on behalf of families of fallen firefighters where it had been identified that there had been a lack of inadequate staffing or not safety concerns that had been addressed on the fire ground and Council Member Sanchez asked what Mr. Williams believed was the most critical need within the Fire Department and Mr. Williams stated minimum manning. Council Member Castillo absent.

Upon questions by Council Member Keller, Mr. Williams stated that he believed that not only the administration but many of the Council Members agreed that public safety was a concern, but he believed that there were some who did not place it as a priority, that as to the chances of it being worked out it had been expressed to him and his membership that there was not adequate funds being put into the budget, and he believed the fire chief and the administration's hands were being tied, and hoped that this was an avenue in which the Mayor and Council could address at this time, that it was not a disagreement between him and the fire chief, that as they had determined up until just the last few days, they were riding over 50% of their apparatuses with less than minimum staffing of four members per engine and ladder companies and that was dangerously low which affected fire and public safety and they could not afford any further deaths or serious injuries, and Council Member Keller asked if he had an exact cumulative number on it and Mr. Williams stated that as far as the apparatus riding he believed it was in the mid 60's out of 118 apparatus riding with less than four members, and Council Member Keller asked if the \$29 million dollars a lump sum number or over the career time of the apparatus or the employee, and Mr. Williams stated that as representative of 3,200 members it was common upon them to recognize the need for wages, benefits and working conditions, that there was a joining of the administration, the fire chief and the union saying that there was a need for four members on every apparatus, how it was accomplished came down to this body and this budget and how to address it. Council Member Castillo absent.

Council Member Robinson stated that he was for public safety and a major advocate and supporter of the firefighters in the City, that one of the things he wanted to get some clarity on was that the fire chief and Mr. Williams had both bandied the \$29 million dollars around and (1) he had not seen any distribution breakdown on the \$29 million, and had he seen one from the chief or did he have one, and Mr. Williams stated no to both, and Council Member Robinson stated that the chief had one view and the union had a different view and he hated to see everybody start with the universal \$29 million dollars and next week they would be down with different distributions, and asked if every apparatus had the same safety value as far as staffing, and Mr. Williams stated that what was identified as a safety level for the delivery of services was 4 members per apparatus and when they were riding 50% short that meant that 50% of the apparatus were only riding with 3, and Council Member Robinson asked what kind of apparatus there were, that in the firefighter booklet there were a number of different kind of apparatus and he assumed that some were secondary response kind, and Mr. Williams stated that based on what Council Member Robinson had just stated, they were referring to the engine and ladder companies.

Upon questions by Council Member Tatro, Mr. Williams stated that he represented the Fire Union on the Meet and Confer Agreement, that there was a team of 6 representatives, that there had been conflicting opinions on the Meet and Confer process breaking down, that there had been attempts by Local 341 to get in contact with representatives of the City's negotiation team and there had been some preliminary meetings that had taken place, that he had made a phone call to Mayor Brown's office to schedule a meeting with him, that the current Meet and Confer Contract would end June 30th, and Council Member Tatro asked if the administration had given him a set of perimeters, meaning low side and high side financially, that he could work with in trying to structure an employee agreement for his members, and Mr. Williams stated that based on some rules that were agreed upon both by Local 341 and the City's negotiation team,

that they were bound by rules of negotiation and he would honor that in good faith relationship, and Council Member Tatro asked Mr. Williams if he felt confident that a new Meet and Confer contract could be put together during the budget cycle to meet the needs of his constituency and Mr. Williams stated he hoped the money could be found to address the employee benefits, wages and concerns and done in a timely fashion before the present agreement expires, that if it was not adjusted at this time there would not be available funds to address the issues. Council Members Ellis, Keller and Castillo absent.

Council Member Quan stated that he too was concerned about the staffing of the fire service and that one of the concerns that Mr. Williams had expressed to him was the drop program, that in September they may be looking at a number of experienced firefighters leaving the force, taking early retirement, that as he knew there had been an extension of drop for three more years and could go up to ten years now, that past history had shown that they had averaged only 30 to 40 people leaving the fire service and asked Mr. Williams why he thought there was going to be such a larger number of people taking retirement when they had actually increased their opportunities to stay on, and Mr. Williams stated that there was a concern, as the chief had identified in the Budget Hearing, that the average age of the Houston Fire Department was 48 years of age and they had right at 47% eligible for a 20 year service retirement, that they could not help but believe there could be that potential of their older department wanting to leave when they were put in a compromising position, that they were already doing a job that was hazardous to their health and they accepted that responsibility but there came a time when they would say enough was enough, they were going to enjoy their retirement, and Council Member Quan stated that it seemed they only had three choices, overtime, re-board and recruitment and now they had asked for more active recruitment, that the administration had proposed 3 classes 195 new firefighters and did he think that was enough, how could they get more, the academy could only accommodate so many people at a time, and Mr. Williams stated that in 1979 there were 6 classes that were put in through that calendar year, that yes there was some insufficiency in the training academy, that there was a need and he did not know how to overcome those needs at this point, but was 3 academy classes sufficient to keep up with not only the past attrition rate but the future attrition rate, he thought it was a very conservative number and there needed to be a more aggressive effort put towards funding to utilize the available resource of the existing members and bringing them in and paying them at a rate that was equal to any other employee group that was being brought in when they had worked over the average and then aggressively hire more people and it had gone unattended for so many years, and Council Member Quan asked if he thought overtime should be paid and they should have more than just three classes and Mr. Williams stated yes, and Council Member Quan asked if that was where the \$29 million dollars would be applied and Mr. Williams stated he would hope a large portion of it if not all of it. Council Member Castillo absent.

Council Member Boney asked Mr. Williams if there was some reason he had to assert that he did not think that all Members of Council were concerned with Public Safety, and Mr. Williams stated that he was left with that impression based on statements that he heard and the fact that there was not adequate funding being put into areas of the Fire Department that would provide that high level of public safety to the citizens and firefighter safety, and Council Member Boney asked Mr. Williams if he was referring to him and Mr. Williams stated that his statement yesterday caused him some heartache on behalf of the membership because there was no law, as Council Member Boney pointed

out, that required four firefighters on every apparatus, but there were a number of national standards, there were recommendations by a number within the profession including the present fire chief and those were the people who had done it for years and those recommendations should not go on deaf ears, and Council Member Boney stated that he was very concerned about public safety, police, fire, health and elsewhere and was also concerned about fiscal responsibility as well. Council Members Tatro and Castillo absent.

Council Member Parker stated they were talking about two different issues, increased staffing and increased funding for Meet and Confer, so when he came in and mentioned the \$29 million dollars that the chief said it would take to completely staff up the department that did not even count for what may come out of Meet and Confer in terms of increased salaries for the firefighters and asked if that was correct, and Mr. Williams stated he was not the one that pointed out the \$29 million dollars, that it was put to him as a question on whether he agreed with that amount, that he was also asked the question if it was identified in the budget to address the concerns of Meet and Confer issues, that based on their evaluation there had not been concerns addressed for Meet and Confer, and Council Member Parker stated she would agree with him to an extent, there was no money identified and no money identified to increase staffing but if they were not just talking about \$29 million dollars for full staffing they were also talking about whatever sums might be needed to fully implement whatever agreement came out of Meet and Confer so they could be talking about maybe even twice that amount, and was it his opinion that the City had money tucked away someplace that Council could raid in order to fund either of those two items, and Mr. Williams stated that he was not in the position to say whether there was money being tucked away someplace else and believed there were some Council Members that had indicated there were other areas where money was and believed those Council Members had reviewed the budget at great length, not only the Fire Department, but the overall City Budget, and Council Member Parker asked if he had particular departments that he would see Council cut in order to fund increases in the Fire Department and Mr. Williams stated it was not his place to rob Peter to pay Paul and believed it would be Council's responsibility, and Council Member Parker stated that she voted more money for the Fire Department last year and supported adequate staffing, but the chief had come in with what seemed to be a reasonably aggressive plan to get to full staffing within five years and within the constraints of the current budget without causing a tax increase and it became not an issue of public safety but prudent fiscal management in that case, that they simply could not throw the money at them if it could not be absorbed. Council Members Tatro and Castillo absent.

Council Member Galloway stated that she was quite familiar in some of the areas where they needed some increase in staff and was certainly going to be looking through the budget to find out where they could get money to increase the staffing, and asked if they were going to increase their EMS, was there any money in the budget for more ambulances, because they were in a crisis mode during the time that she was out and they had to get an ambulance all the way from Old Beaumont Highway to come into the heart of Fifth Ward which took approximately 25 minutes. Council Members Boney, Ellis, Castillo, Parker and Bell absent.

Council Member Robinson asked the administration and Mr. Williams to let Council know what the distribution was of the \$29 million dollars so he would have a clear picture



to make sure that everybody was talking about the same thing, and preferred to get it before Wednesday morning, that if they were present talking about \$29 million dollars he knew they had to have some idea and the chief mentioned it so he assumed that he had some idea where the \$29 million dollars came from and the reason he was looking at it was that Council Member Sanchez talked about the possibility that he thought he could find \$7 million dollars in cuts, that was still \$22 million dollars less than \$29 million dollars and what he did not want for someone to say well Council Member Sanchez came up with a \$7 million dollar proposal and then next week they would be present at Council telling them how bad they were if they agree with the \$7 million dollars because they were \$22 million short, that he wanted Mr. Williams and the chief to agree on \$29 million dollars, that normally they did not agree on any personnel issue, so he would like those two numbers, and did the \$29 million dollars include anything relative to Meet and Confer, and Mr. Williams stated that he would hope that a portion of that would go into employee benefits and wages, and Council Member Robinson asked if that was what he was going to present in his outline of the \$ 29 million dollars, and Mr. Williams stated that he would make every attempt to meet his deadline of Wednesday of getting what they felt the \$29 million dollars should go towards. Council Members Goldberg and Castillo absent.

Council Member Vasquez stated that while they were also seeking clarification of the numbers, the chief made a presentation on Monday basically articulating that on the weekdays the 3 men teams were at 24% and the 4 men teams were at 76% and on the weekend the 3 men teams were at 38% and the 4 men teams were at 62% so those numbers were different from Mr. Williams numbers so as long as they were meeting to go over the clarification that Council Member Robinson requested he would like for them to have that discussion as well, and Mr. Williams stated that he would make every attempt to get with him, that of those numbers that were stated the other day they were not afforded those figures and as it existed right now in the present budget there was zero spending for the staffing of loss of positions right now, and Council Member Vasquez stated that the presentation was about the number of percentage of 3 men and 4 men teams and those statistics were very different from the statistics that he offered. Council Members Goldberg and Castillo absent.

Upon further discussion and questions by Council, Council Member Boney stated that a minimum of 4 firefighters per apparatus was an ideal number not a magical number and that most national rating organizations put that out there as the ideal, that every city did not do it in the United States and they could have achieved 100% of all the apparatus being manned by 4 people, that by next if they passed Chief Tyra' budget 75% of all apparatus would be manned by 4 firefighters and the following year 100%, that seemed to be a reasonable approach to him. Council Member Castillo absent.

Council Member Keller asked if the \$29 million would come from the general fund, and Mr. Haines stated yes, and Council Member Keller asked how much money did the general fund now transfer to the CIP or any other citywide related building or construction projects, and Mr. Haines stated that he would get that answer back to him, and Council Member Keller stated he believed that public safety was the number one priority, infrastructure number two, taxes number three and education number four. Council Member Castillo absent.

Council Member Boney asked Mr. Williams if they were able to find a few million dollars here or there for the Fire Department which way would he prefer it to be

expanded, on getting a higher level of staffing per apparatus or on pay and benefits for the existing firefighters, and Mr. Williams stated when they were talking about minimum manning they were talking about a benefit to Houston Firefighters because it was a safety issue, and Council Member Boney asked if he preferred it to go on manning apparatus, and was it his first priority and Mr. Williams stated it had been for a number of years. Council Member Castillo absent.

Council Member Bell asked if some money could be found short of the \$29 million dollars was that going to be somewhat satisfactory to firefighters or was it an all or nothing position, and Mr. Williams stated he would like to be afforded the opportunity to get with the fire chief, that after their meeting last week and what he was hearing today, he would get with him on his recommendations of the \$29 million dollars and see if their priorities were the same, and would afford that response back to the Council Members by next Wednesday, and Council Member Sanchez encouraged all Council Members to work together to find additional funds to help the Fire Department, and Council Member Boney stated that he wanted to underscore the danger of putting together a budget piecemeal and it was also an issue of public safety if they did not deal with debt service. Council Member Castillo absent.

Council Member Tatro asked Mr. Williams how long their current contract was and how long had it been in effect, and Mr. Williams stated that it was negotiated just at the end of Mayor Lanier's term, and Council Member Tatro stated that two years ago and this year they knew that the contract would end, and Mr. Williams stated that as it was expressed a number of times that the City's negotiation team had no financial direction to address economic issues, and Council Member Tatro asked if adding more staff and with their Meet and Confer pending, and it would be next year or this year, did he feel the priorities were in such a manner that would promote the public safety side as much as it did two years ago. as HPD did two years ago and Mr. Williams stated no. Council Member Castillo absent.

Council Member Robinson stated that he preferred Mr. Williams list, that one of the things that would happen if he got with the chief and the chief had a different set of priorities they would come back in a finger pointing mode and he thought it spoke to what Council Member Boney and Bell were raising, and one of the things he was trying to do was get information so he could make a decision as opposed to their continuously arguing back and forth, and also if they were going to get into the business of advocating \$29 million dollars what kind of implementation was it classed, because as he sat there he was clear on this point that even without Meet and Confer they would still maintain the salary they had now, that as he understood it the only thing that would disappear was extra board, that if they did get a Meet and Confer Agreement that was separate and distinct from the \$29 million dollars and somebody was going to have to point out in the City budget where that money came from, so he was trying to make sure that when he and the union were exercising leadership was not contingent on agreeing with the chief because if there was a disagreement then he would run into the same headache, that he was not just going to give them some money, that he was going to look at what they were asking for and was going to hold them and the fire chief accountable for doing a good job, but wanted people to understand that it was more than just \$29 million dollars, it was Meet and Confer and it was not just the Fire Department it was also the Police Department, so he wanted everybody in the boat together. Council Member Castillo absent.



Mayor Brown stated that when Council Member Boney asked Mr. Williams if he had a choice of spending any additional funds on salaries for the firefighters or additional personnel that Mr. Williams answered additional personnel and Mayor Brown asked if that was accurate, and Mr. Williams stated that minimum manning was one area that they were addressing, and Mayor Brown stated that he was asking the question very generically, that if he had a choice to spend extra monies would it go in his estimation as the union president to salaries or additional firefighters and Mr. Williams stated that it was a very awkward position to put him in and minimum manning was put as one of the highest priorities but there were other areas, and Council Member Boney asked Mr. Williams if he could do one or the other which would he choose and Mr. Williams stated that he would ask the genie for another wish, that just in the next budget year they were already afforded a wage increase and were there other areas that they would like to seek out, yes and minimum manning was one of those areas, that they identified that over a year ago. Council Member Castillo absent.

Council Member Robinson moved to recess the hearing until 6:30 p.m., seconded by Council Member Boney. All voting aye. Nays none. Council Members Castillo and Sanchez absent. MOTION 2000-0729 ADOPTED.

At 2:58 p.m. Mayor Brown requested the City Secretary to call the list of speakers.

Council Member Robinson moved to suspend the rules to add Mr. Wilber Williams to the end of the 3 minute speakers list, seconded by Council Member Boney. All voting aye. Nays none. Council Members Castillo and Sanchez absent. MOTION 2000-0730 ADOPTED.

Council Member Parker moved to suspend the rules to hear Ms. Patricia Semmiens, Ms. Lesley Williams, Ms. Kathleen Williamson, Mr. Willie Childers, and Mr. Todd Murphy out of order and to add Mr. Jeff Debevec to the speakers list, seconded by Council Member Boney. All voting aye. Nays none. Council Members Castillo and Sanchez absent. MOTION 2000-0731 ADOPTED.

Mayor Brown stated that Council Member Sanchez had a presentation. Council Member Castillo absent.

Council Member Sanchez invited Ms. Susan Bandi, Executive Director of the 2012 Foundation to join him at the podium to introduce a very special young man.

Ms. Bandi stated that on behalf of Houston 2012 she thanked Mayor Brown and Council for helping them honor the young man today, that they were bringing Mr. Steven Lopez before them, that he had just made the Olympic Team for Tai Kwon Do and it was particularly impressive and special because it was the first Tai Kwon Do team that would be in the Olympics so he had become a part of history, that not only was Steven a great athlete he was a wonderful bright young man, and Council Member Sanchez read a proclamation that proclaimed Tuesday, June 13, 2000 as Steven Lopez Day. Council Members Goldberg, Castillo and Robinson absent.

Mr. Lopez stated he wanted to thank Mayor Brown for honoring him with the proclamation and for Houston to be there supporting him and he would try to train his

hardest and would do his best to bring back the fold, and Mayor Brown congratulated Mr. Lopez and wished him good luck in Sidney. Council Members Castillo and Robinson absent.

At 3:03 p.m., Mayor Brown stated they would move to the public session.

Ms. Patrician Semmiens, 9700 Mesa, No. 110, Houston, Texas 77078 (713 491-0162) appeared and stated that about a year and a half ago she had written a letter to Mayor Brown and asked why Section 8 and the housing list closed and stated in her letter that it was an emergency for herself because she was HIV positive and had been for four years, that she stated in her letter her problems and things she was going through, that she was trying to get a place to stay, that in his letter he stated to her that if he helped her he would have to help someone else and she wanted to know why it was addressed to her that way, that in her situation every minute of her life counted and she wanted to know why she had to wait so long and be on a waiting list that was already closed for about five years, that she kept that letter because she wanted to be able to see Mayor Brown face to face and ask him why he wrote that back to her, and she read a poem that she had written and was directed to Mayor Brown entitled "Take a Walk in My Shoes", and asked Mayor Brown why it was that they did not have the emergency things that they needed. Council Members Vasquez and Robinson absent.

Mayor Brown asked for a copy of the letter and stated that he would give her a specific answer, and Ms. Semmiens stated that before she walked away she asked that he take into consideration what they were representing today because it was real out there, and Mayor Brown stated that he and most Members of Council knew that it was real, that in fact he declared a State of Emergency recognizing the seriousness of the problems, that Council Member Boney chaired a task force recognizing the seriousness of the problem, that the Health Department had been working on the issue and about every speech he gave he talked about the issue of the epidemic in the African American Community dealing with HIV and AIDS, that they recognized the problem and was delighted that she had taken the opportunity along with others present to highlight the issue so everyone in the community would know that they had a very serious problem and one of the most pressing problems within the African American Community and knew as many people knew that when they looked at the increase in Harris County that the vast majority had been in the African American Community so it was a problem and that was the reason that they declared a State of Emergency to raise the level of awareness for everyone and make sure that they coordinate their efforts to seek additional funding, that they were not unaware and would continue to do everything that they could to address the problems.

Upon further discussion, Council Member Keller asked how much they got from the Federal Government for the treatment, and Mayor Brown stated that Dr. Kendrick could probably provide some answer for that, and Council Member Keller asked how Houston rated among the seven largest cities, and Council Member Boney stated they did not get their share of Federal dollars in correlation to the rate of infection that they had, in fact they fell far behind and that was not from not asking, but probably because New York, Chicago and the east coast cities got on top of it earlier and there was a greater recognition, particularly in Gay and Lesbian Community, that they had already been meeting with the CDC to get more funds and they had brought to their attention, that based upon the rate of infection that Houston had they were not getting their fair share of

dollars for the City, that the City of Houston Health Department and staff and Mayor's office was doing everything the could do , that they had an extremely dedicated HIV/AIDS staff, that they had to open up the Black church in particular which had not been open to that kind to cultural issue, that they had to design the instrument for Texas Southern University, that they just had to do more of it throughout the community, that it was the community that needed to open up, that the community had to address it as an issue that they had generally embraced, that it used to be thought of as a Gay and Lesbian disease, but it was not, it was a human disease.

Mayor Brown stated that in December 1999 he did declare a State of Emergency for the City because they had received the count and well over 60% of the new AIDS cases occurred within the African American Community and it had not been the case in the past, but it had changed and since that time they had been doing a lot in trying to get additional resources and held meetings with the Center of Disease Control and Prevention and tried to get and increase in funding from the Texas Department of Health.

Council Member Bell thanked them for being present, and stated that it was difficult to make a statement such as that and to engage in the battle that she was having to go through and unfortunately as they learned in the eighties if people did not stand and allowed themselves to be counted and were not willing to demonstrate in that fashion the problem went unnoticed, that they would have to demonstrate in that fashion to get people's attention and make them aware that the battle was not over, that it was ongoing and that there were significant needs in their community.

Council Member Boney stated that the he did not know what was in the letter but the letter should have been written with sensitivity, that they had funded housing for people with AIDS through the Community Development Division and they had sought to increase funding in that area, that there was not enough money and there was not enough housing, and they had recognized that there was a particular need for persons who had to do deal with the disease, that they could not find adequate housing and services that were coupled with that in greater numbers.

Council Member Galloway thanked Ms. Semmiens and the group for being present and bringing awareness of this, that she was in strong support of some type of prevention measure.

Council Member Robinson commended the group for being present, and stated that he also commended Dr. Kendricks, that months ago when the issue first came up she visited with him and talked about the thing she was doing in terms of getting the department on line, that the effort and today's presentation showed, as Council Member Boney pointed out, the tough decisions that Council had to make and it was not a zero sum game, that they had a lot of work to do, that they had a universe of everybody that they had to try to accommodate and so sometimes everybody did not get what they wanted, that he thought there were innovative things they could do in terms of the efforts the had under way in housing area and encouraged the administration as they moved forward with the Land Bank Program and other such efforts that they continue to keep housing in the area at the top of their priority list, and Mayor Brown asked Ms. Semmiens to meet with Mr. Cantu and give him a copy of the letter, that they would do some research since it did sound very insensitive, and he also wanted a copy of her poem. Council Members Todd and Vasquez absent.

Dr. Kendricks, Director, Department of Health and Human Services stated that regarding the amount of dollars, that absolutely they needed more resources to address the issue in the community, that one of the things that Council Member Boney, the Mayor and herself had talked about was any additional dollars that they could move in the direction of community mobilization, meaning specifically contracts with community based organizations that was the direction in which they were going, and they were committed to continue to move very aggressively in that direction so that all of the individuals present and everyone else they knew who wanted to work with them aggressively on it they would like to definitely involved with them, they had two summits so far and knew that Council Member Boney and others were planning to have more opportunities for all of them to sit and engage in discussion so their feedback was particularly needed and wanted, that the other was that they had been advertising and those efforts did cost dollars, and the last thing that she would like to suggest was that as a Health and Human Services Department they brought a good number of items for action by Council and she remembered that a little bit ago they were discussing HIV Information Education brochures and they could really use ongoing support of Council Members and the Mayor as they strove to provide more and more information and education to the entire community, and starting as young as was appropriate, so they would work with all of their community members, that they must do it if they were going to be successful and she would really appreciate the support of the Council Members as they brought action items to Council, particularly because they dealt in the area of prevention and they were looking at preventive services, counseling and testing they could not do that as effectively without printed information and video tape information. Council members Todd and Vasquez absent.

Ms. Lesley Williams, 2222 Austin, No. 102, Houston, Texas 77002 (713-654-8840) appeared and stated that she was diagnosed at 16 and was now 21 and had three children who were all negative, that she lived in an apartment complex that was funded by the City, Friendly Haven, also knew another place funded by the City but she was not qualified because they only had two bedrooms and were only 600 square feet, that she got child care and was grateful for that but there also needed to be more funding and more advertisement out, that they had to remember the closeted, that the City of Houston only targets the people who come to them, that the reason they were getting the virus was because of the closeted, of the people who went to the clubs, because of other individuals who did not know, did not want the help or were just scared, so the City needed to have people to actually go into the clubs and the beauty saloons and the schools, that in schools people did not want to talk about it, that even some people on the Council, whether they wanted to admit it or not, did not want to talk about the issue, but it was real and they had to wake up, that even people 50 plus were becoming more infected everyday, that everybody had their skeletons in the closet, that no one was perfect, that they were grateful for everything they received, that she wanted to own her own home one day, that she was on Social Security, but she also worked and was a single parent, that it was rough and she thanked them for everything they had already done but there was still a lot more to be done and they needed to come together as a community, not just districts, they all needed to come together and work on it. Council Members Todd and Vasquez absent.

Mayor Brown asked if her concern right now was housing and was she still seeking housing, but Ms. Williams stated no, and Council Member Boney thanked her for being

present, that he used to say that there was nobody whose voice was as poignant as the mother of someone who was on death row, and with the infection of HIV and AIDS there was nobody whose voice was as poignant as the mother or an individual who was infected with HIV, THAT 25% OF Americans were walking around infected with Herpes and most of them did not know it, that was one fourth of the American population across all races and genders were infected with something that they currently had no cure for, and Ms. Williams stated that they do not mandate HIV education, that as to advertisement, she had seen Herpes advertisements and Cancer advertisements on television, but she had seen few advertisements on television for HIV and AIDS, and Council Member Boney stated he wished the television stations would do the public service announcements that they used to, and Ms. Williams stated that the City had given a State Emergency and she had not heard any more, that all they talked about was the Arena, tax increase, building more prisons, that is what they showed, and Mayor Brown stated that was what the media showed, that was not what they talked about, that there was a difference in what they said and what was covered by the Media, that in each speech he gave before an audience he talked about the issue, that they understood that there was a lot that must be done.

Council Member Parker stated that she heard Ms. Williams speak at the lunch rally and it was very moving, that she wanted to highlight two things that she had said, that she was 16 when she was infected and it was very important to emphasize that there were kids out there who were getting AIDS and the other was that she did not know who she acquired it from and that person could very well be out there spreading it out to other women, that she appreciated Ms. Williams sharing very personal information.

2. ORDINANCE 497 relating to Impact Fees for Water and Wastewater Facilities; amending the Chapter 47 of the Code of Ordinances; updating Land Use Assumptions and Impact Fee Capital Improvements Plans for Water and Wastewater Facilities; establishing maximum Impact Fees for Water and Wastewater Facilities; adopting updated Impact Fees for Water and Wastewater Facilities – ORDINANCE 2000-497 - PASSED FIRST READING –

Ms. Kathleen Williamson, 1035 Legreen St., Houston, Texas 77009 (713-861-1397) appeared and stated that she was present about her neighborhood, that the Norhill Neighborhood was a subdivision that she had lived in since 1979 in a 1929 bungalow, that she was involved in the historic committee effort since the beginning helping to write the history of their neighborhood and was present to tell them that they did it in a fair way, they presented information at every meeting over the past three years, including copies of the entire ordinance for anyone who wanted to inform themselves about it, that going out into the street to sign their petitions and letter did not use fear tactics and did not even use persuasion particularly but asked people to consider it on the merits and believed they did, that they had the required percentage of homeowners who had approved of their request to be a historically designated neighborhood, that her experience with other campaigns they could never get 100% of anyone to agree with things, that recently they put park benches on their esplanade and it turned out there were people who did not want park benches because they were afraid that derelicts might stop there for a rest, but it turned out that it had not happened fortunately, that not everyone was 100% in favor, but they had complied with the rules and thought there was overwhelming support and

there would continue to be support for that move on the part of their neighborhood. Council Members Todd and Robinson absent.

Mr. Willie Childers, 1132 Dunbar, Houston, Texas 77009 (713-463-3333) appeared and stated that he was present to speak on historic designation for the Norhill district, not ordinances or anything else to cloud the issue, that he was present to ask them to vote yes for their historic designation, that they put in three years of hard work and obtained the required 67% in their petitions, that they went by the rules, that opponents had only voiced opposition in the recent weeks due only to outside influences who had no vested interest, ownership or paid taxes in Norhill, that opposition had been by phone calls telling of big brother and threats of fines, that Norhill voted under the current ordinance with a 90 day option so potential fines for noncompliance was a moot point, and once more he asked that they vote yes along with them, the residents of Norhill, for historic designation. Council Members Goldberg, Boney, Todd, Castillo and Robinson.

Mr. Jeff Debevec, 4022 Oakridge, Houston, Texas 77009 (713-463-1706) was not present when his name was called. Council Members Goldberg, Boney, Todd, Castillo and Robinson.

Mr. Todd Murphy, 1008 E. 14th, Houston, Texas 77009 (713-869-0963) appeared and stated that he lived in the proposed historic district, that he was present as a representative of the committee that worked toward that effort and he asked that they let the Norhill historic district application stand on the numbers as presented in the original application, the same application that was first acted upon by the City on January 20, 2000, with a public hearing at an HAHC meeting, that he encouraged them to listen to the calm reasoning of the Legal Department with respect to the deadline for adding or deleting signatures of support and asked them to please weigh the extremely well documented process employed during their three year effort to educate their neighbors against the undocumented last minute scare tactics of their opposition through one of their neighbors, that there was an e-mail from Larry Albert that they should have received that would shed some light on the process used last weekend which attempted to undermine the Norhill historic district, that by all means the oppositions efforts did not represent good community consensus building as did the work that they documented to them last week through the newsletters and newspaper articles that they submitted to them and he urged that they vote for the historic district. Council Members Goldberg, Boney, Todd, Castillo and Robinson.

Council Member Vasquez stated he knew there were other people in the audience to speak in favor of it and it was his understanding that when the four of them in that order that the remaining individuals would not speak in favor and asked everyone to stand that was in favor.

Council Member Ellis moved to suspend the rules to hear Mr. Mike O'Brien, Mr. Ira Jones, Ms. Cari Brookbanks and Mr. Norman Adams out of order after Ms. Jane Cahill, seconded by Council Member Bell. All voting aye. Nays none. Council Members Goldberg, Boney, Todd, Castillo and Robinson absent. MOTION 2000-0732 ADOPTED.

Council Member Bell stated he thought some very good points were made last week and thanked him for his efforts to limit the speakers this week, and Mr. Murphy stated that he knew they had to show their force last week, but thought they would be the



silent majority this week. Council Members Goldberg, Boney, Todd, Castillo and Robinson.

Mr. Eric Wensel, 828 W. Cottage, Houston, Texas 77099 (713-861-6862) had reserved time to speak, but was not present when his name was called. Council Members Goldberg, Boney, Todd, Castillo and Robinson.

Ms. Jane Cahill, 2112 Lubbock, Houston, Texas 77007 (713-880-1723) appeared and stated that she was present to speak in favor of the Norhill historic district designation, that she lived in the Old Six Ward Historic District and had the privilege of serving the City as the Chair of the Old Six Ward Tax Increment Reinvestment Zone or TIRZ created to promote the preservation of the historic district and the development of affordable housing there, that like members of the Old Sixth Ward Community who worked diligently over a long period of time to garnish support for creation of the TIRZ the members of the Norhill Community had worked diligently over a long period of time to garnish support for creation of their historic district by holding public meetings at which the pros and cons were debated, walking door to door to gather signatures on petitions and had been informed about the evolving issues every step of the way, that after years of effort Norhill had presented the City with enough petition signatures to justify creation of the historic district, that she too favored the creation of that historic district, but more than that she disfavored the attempts made recently to prevent the creation based on signature rescissions, that a year and a half ago opponents to the Old Six Ward TIRZ also relied on signature rescissions in a last minute attempt to defeat the community's long term efforts to create the TIRZ, in that case signature rescissions followed the distribution of inaccurate statements about TIRZ law printed on yellow sheets of paper, that veterans among them would remember those efforts, that most of them were not persuaded by them and none of them should be persuaded by them, that like the paper on which the inaccurate TIRZ statements were printed the effort to use signature rescissions was yellow in every sense of the word, that rather than engaging the entire community it targeted only the petition signatories, rather than promoting reason decision reached after open discussion and careful study it demanded decisions reached in short periods of time usually pressured by an impending Council vote and all too often the effort purposely distorts and sensationalizes the facts in an effort to force a decision grounded not in fact but in fear, that she stood today in solidarity with the Norhill residents who worked very hard for a long period of time to be present, that not long ago the Six Ward residents stood where they stand and she urged them to support the long term efforts of a united and collaborative community effort, evidenced by a petition signed by a super majority of property owners over the short time efforts of its opponents evidenced by only a handful of signature rescissions, so she urged them to vote for the designation of the Norhill district. Council Members Boney, Todd and Robinson.

Mr. Mike O'Brien, 12000 Briar Forest, #154, Houston, Texas 77007 (281-496-0752) appeared and stated that he was president of the Houston Homeowners Association, a citywide umbrella group and was present again on behalf of one of their long time members, Proctor Plaza, in which the Norhill proposed historic district was located and was present to ask them to vote yes tomorrow on Item #80 which was the designation of Norhill as an historic district. Council Members Boney, Todd and Robinson.

Council Member Keller stated he was in support of it because of the majority of the residents but wanted to make sure that since Mr. O'Brien saw the whole picture, not just as a neighborhood but his involvement with the City as a whole, but at the same time people needed to be warned or know soberly going into it that they had the chance of losing value on their home, that they were making a choice that two or three years from now their home may not be able to sell for as much and that was part of the equation and they recognized that in signing and wanting that, and Mr. O'Brien stated as he pointed out last week, that he recalled a meeting with the Mayor in March 1999 before Chapter 42 was passed, that the leaders from the Sunset Heights, Woodland Heights, Proctor Plaza and the Houston Heights all met with the Mayor and himself and Council Member Fraga and to a person they said that the reason they lived there was because they liked what they had, that at a Houston Heights meeting last night in which residents expressed their opinion that money was not the bottom line for them in most cases it was that they liked where they lived and they were interested in preserving that and thought that the people from Norhill had expressed that opinion, that they liked what they had and wanted to keep that. Council Members Galloway, Boney, Todd, Castillo and Robinson.

Council Member Vasquez stated that as a point of information his staff was passing out a copy of the e-mail that was sent and an abbreviated version of that to all the Council Members and also a copy of a legal opinion number 980081.

Mr. Ira Jones, 1038 E. 14th, Houston, Texas 77009 (713-864-3565) appeared and stated that last Saturday, Sunday and Monday evening he had spoken with 46 of his neighbors in regard to the Norhill historic district petition and they executed 41 letters of rescission asking Council to remove their names from the petition and he gave them to the City Attorney with an open letter to Council on the subject which was being circulated to them and submitted to them that it would mean that their petition no longer had the 67% approval rate. (Mr. Jones passed the information to Mr. Bibler) Mr. Jones further stated that tomorrow when they vote, if they accept those petitions, they had failed, that they had three years to get it together and could not do it, that today he heard talk of January 20th being the cutoff date and a review of the tape from the Council session on June 6th did not say that so he urged them to vote against it. Council Members Galloway, Boney, Todd, Castillo and Robinson.

Upon questions by Council Member Ellis, Mr. Jones stated that he was not opposed to it just the process, that he was willing to let it happen until now that he had talked to all of those people and out of 46 people 41 wanted their signature off, that should be evidence to Council of an iceberg that was sitting out there in North Norhill, that how could one person going to their neighbors by themselves, talking to them, get that many rescission signatures in that short of time, that he submitted to them that it was strong evidence that the community did not understand the issue, that they couple that with a statement that he showed them last week in bold type clearly stating that there were not going to be any fines and the issue that he talked to them about last week about talking about a 90 day escape clause on one hand while the City was drawing up something to shut that door, that people now felt there had been an innocent misrepresentation. Council Members Galloway, Boney, Todd, Castillo and Robinson.

Council Member Ellis asked Mr. Bibler that if 41 of the names on the petitions that were submitted wanted their names removed was there a percentage that they had to meet, and Mr. Bibler stated there was a percentage of 67% but he wanted to clear up a

few things, that the Legal Department had never said that at this point a person could withdraw their names, that they had issued an opinion previously that had been distributed at the table that said that once the petition was acted upon by a governmental agency that withdraw was not effective, that they were well past that point with respect to the petition, that he did think there was a potential issue there with respect to the fact that some three people said their names were fabricated and he would urge that the Planning Director check into that, that it would make just those three petitions null and void, but he was not taking that at face value, that it was something that would have to be checked. Council Members Galloway, Boney, Todd, Castillo, Parker and Robinson.

Council Member Sanchez stated that they did not know how the people sold the petition, what the pitch at the door was, so what was the remedy, obviously he had recourse in a court of law could he not file a civil action, and Mr. Jones stated he guessed it could be, that the opinion they were relying on, 98-0081, said that the rule that required exclusion of rescission did not mean however that Council could not exercise the discretion given to it under Chapter 311 of the Texas Tax Code by considering the evidence presented at the hearing, including the protest of property owners who originally signed the petition and exclude the property from the zone, and Council Member Sanchez stated if someone asked him in his neighborhood to sign a petition he would read the ordinance and find out what it was that he was signing, that he thought it was incumbent of every property owner. Mayor Brown, Council Members Galloway, Todd, Ellis, Castillo and Robinson. Mayor Pro Tem Boney presiding.

Upon questions by Council Member Tatro, Mr. Bibler stated that he believed Mr. Jones letter significantly misquoted what he said last week and also misinterpreted what they said in their opinion, and Council Member Tatro asked if there was a drop dead date or a cutoff for the petition, and Mr. Bibler stated that the cut off was when the governing body that received the petition started to take action on it, that was the HAHC and it happened months ago, that he was concerned, as he told Mr. Jones, about the fact that three people claimed that their names were forged, but as far as people changing their mind, the law was clear it was past that time, and Council Member Tatro stated that Mr. Jones had in his letter that three people did not sign the petition and asked what that meant, and Mr. Jones stated that in discussing it with the three folks, they stated that they did not sign a petition, they thought they were signing deed restrictions, that nobody was saying forgery and Mayor Pro Tem Boney asked if he was stating that they did not mean to sign a petition for a historic district, and Mr. Jones stated they thought they were signing deed restrictions. Mayor Brown, Council Members Galloway, Todd, Ellis, Keller, Castillo, Sanchez and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Bell, Mr. Jones stated for them to look at how long it took them to do it, that they could not seem to get just barely a majority, that many people did not want that out there, that they should give effect to what the people wanted and not put them in the district, that a fair resolution would be to grandfather the people who did not sign it from the people on that petition, and Council Member Bell asked if that would be allowed, to take people out of it who had not signed on it, and Mr. Bibler stated that the opinion that they wrote was about a TIRZ and did not believe that in the case of a historic district that they could have a hopscotch historical district with pieces of property left out of it, that it was done as a district, that there could be pieces of property in a historical district that had non contributing structures on them and the effect on them

would be fairly minimal as compared to the other people, that whether or not the ordinance passed and how it treated districts that already existed, and even if the new ordinance passed in the form that had been suggested he thought the question on how it would apply retroactively to existing districts was open to Council as a separate determination, that they had established a cut off date, that when an official body had taken action on a petition it was frozen, that in this case the petition was received by the HAHC and they had acted upon it and it was frozen at that point. Mayor Brown, Council Members Goldberg, Galloway, Todd, Ellis, Keller, Castillo, Sanchez and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Bell moved to suspend the rules to move Ms. Ada Edwards out of order after the Norhill speakers, seconded by Council Member Parker. No vote was Council recorded inasmuch as there was no quorum present. Mayor Brown, Council Members Goldberg, Galloway, Todd, Ellis, Keller, Castillo and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Vasquez stated that he wanted to remind Council Members that it was really two separate issues, that first was the historic designation for Norhill under the current ordinance and the second issue being the concern for proposed changes in the ordinance which again was a totally separate issue, that in terms of the cut off point he thought that all procedures were adhered to and thought it was a moot point, not only legally as Mr. Bibler had noted, but also the fact that the side in favor of the designation could go out and solicit additional signatures as well, that the speaker had mentioned that it took a long time, well it took a while to go door to door and inventory all the properties so he thought that was an appropriate amount of time and that time was not an issue in that regard as well, that there had been a lot of talk about misrepresentation, and again would remind Council Members of the e-mail that was sent out and to take a look at it and see the actions taken by those opposing it, so he hoped the Council Members would take the information into consideration. Mayor Brown, Council Members Goldberg, Galloway, Todd, Keller, Castillo, Parker and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Upon a further discussion, Council Member Sanchez stated that the ordinance the way it was written sort of led to confusion and consternation at least on his part, and on the other hand he thought the ordinance ought to be tightened up such that they give some consideration as part of the ordinance to give a requirement that a pro and a con statement be written by someone within the community, and Council Member Boney asked if the ordinance was under review and Mr. Bibler stated yes and thought that was causing a lot of the confusion, that there was a proposal on the table, a recommendation that was submitted to the Mayor by HAHC, which would significantly strengthen a number of aspects of the ordinance. Mayor Brown, Council Members Goldberg, Galloway, Todd, Keller, Castillo, Parker and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Cari Brookbanks, 811 Key, Houston, Texas 77009 (713-304-6979) appeared and stated that she was strongly in favor of the ordinance to designate Norhill a historic neighborhood, that the opposition had about 550 names to draw from over the course of the weekend, that she personally went out with a couple other folks who were part of the original group trying to get signatures on the petitions and talked to 25 new residents in the neighborhood and they were able to obtain just in a Sunday afternoon 16 additional

names, that she was somewhat offended by what she saw as scare tactics, that she personally had received one of the yellow letters. Mayor Brown, Council Members Goldberg, Galloway, Todd, Keller, Castillo, Bell and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Norman Adams, 427 W. 20th, No. 501, Houston, Texas 77008 (713-869-8346) appeared and stated he had given them, on a number of occasions regarding the City ROCIP, a number of bits of paper and information and was pretty well convinced that not all of them took the time to read those so he was going to try to give them the information in bulletin board size, (Note: Mr. Adams also distributed copies to Council), and wanted to refer to something that came out of F&A and dated 11/30/99 which told Council that the cost expended to date as of them time on the City ROCIP program for the pilot program at the airport was \$10,716,250, that in a meeting dated May 16, 2000 Ms. Mosley passed out a sheet that said that their premium, \$10 million dollars was going to play out and spend once they had used up \$90 million dollars worth of payroll, that was the first time they found out the ROCIP program was based on payroll not on hard dollars of construction, that on May 22, 2000 he was present and passed out to all Council Members information on Project 417D, that the contractor had bid at a \$1.4 million to furnish his own insurance, but the City cost was \$2.1 million dollars and he told them to let the contractor insure himself and not enroll it in a ROCIP which would save the taxpayers \$700,000, that on May 23, 2000, Ms. Mosley stated there were three ways to calculate the cost of the ROCIP, (1) the best case \$6.5 million dollars, (2) the worst case \$10.075 and (3) a probable case at \$8.375, that on June 7 Council approved another project to go under the ROCIP, that the ROCIP cost was \$418,750 and the contractor offered \$300,000, that thirty individual bids had been received on the pilot program and the average cost was 1.4%, that they were told they were going to get 10% then 5% and he told them they were not going to get that, that they were throwing away \$10 to \$15 million dollars by the time they finished the project, and he requested that at Wednesday's meeting getting 8 votes together to have the guts to terminate the ROCIP program in total and demand a full refund. Mayor Brown, Council Members Goldberg, Galloway, Todd, Keller, Vasquez, Castillo and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Bell stated that when Mr. Adams came before when they were debating it last year, he believed one of his major points of contention was that they would not know or could not believe any of the estimates, because they would not know what the actual figures were for some 6 years after all the claims came in, and Mr. Adams stated that assuming that they got a credit from the contractors that exceeded their very best or minimum cost, then it would be true, they would have to develop out the claims, but the fact of the matter was that the bids they were getting from the contractors were less than their minimum cost, and he did not think that anyone believed that their cost was \$6.5 million dollars, and Council Member Bell stated that looking at the entire concept of the ROCIP was it not fair to say that the only way to add up their savings at the end of the day was to look at their amount of losses, that the idea being if losses stayed low as time went on and the safety program worked that at the end of the idea they may have a significant difference or they may level up and come closer, that he had spoken to some people in the business and they happened to disagree with Mr. Adams in concept, that he knew that Mr. Adams was using F&A numbers, but if he looked back at his own argument as to the 6 years and having to give it time, was he just going to accept their estimates now, because they all knew that the estimates were going to be a little bit

off and even if he were an expert in the field he had to have at least a year to say what the losses were going to be, and asked if Mr. Adams disagreed with the statement he had just made, and Mr. Adams stated that he disagreed because the bids were coming in less than their cost with no claims. Mayor Brown, Council Members Goldberg, Galloway, Todd, Keller, Vasquez, Castillo and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney stated that one, they had relaxed the rules and two that he had said repeatedly that this was not the way to evaluate or debate ROCIP, that if they wanted to start setting precedent by passing around 20 minute chunks of time so Council Members could debate and assert a point they could establish that precedent but he would advise them that was a slippery slope and they would get tired of it just as he was tired of it, that they did not even have a staff person present to even attempt to respond, that it was not going to change anybody's view or point on the subject. Mayor Brown, Council Members Goldberg, Galloway, Todd, Keller, Vasquez, Castillo, Quan and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Tatro stated that Mayor Pro Tem Boney was absolutely consistent in that each time they brought up ROCIP he looked to limit the debate, that one of the procedures they were going to go through was the budget in this years Fiscal Year 2001 and it was not a philosophical endeavor it was a numbers endeavor and they had been relying on F&A's estimates for the last year to bring them to an end result this year and would say they used the estimates throughout the year and thought that Council would agree that some of F&A's estimates, ever changing, were not as solidified as they should be, and he would remind Council that the numbers were in and they were simply relying on the same estimates that F&A had given them and they were simply pointing them out as they would analyze a budget and thought that Mr. Adams had spoken directly to the points. Mayor Brown, Council Members Goldberg, Galloway, Todd, Ellis, Keller, Vasquez, Castillo, Quan and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Ada Edwards, 5500 Martin Luther King Blvd. #55, Houston, Texas (713-623-2108) appeared and stated that they were not present asking for money or shaming or blaming and accusing, what they were saying was they had decided to take action regarding the HIV and AIDS problem in their community, that what they wanted to talk to the City about was trying to involve them in that process, that when they declared a State of Emergency at some point and time they had to get out of the war room and onto the battlefield, that they had been sitting there close to six hours and every thirty minutes an African American woman was infected by HIV in the City and asked that they do the math, that she wanted to make points about some statements that were made, that there was a statement about the City spending \$100,000 on urban radio, that they were very appreciative of that money, that under the leadership of Ernie Jackson of Clear Channel Radio Communications those stations had put in 300 hours of free broadcasting, that they had developed a promotional program that included CBO's, they had given out televisions and man hours and now they had developed a program that would be implemented throughout the Country in all urban radio stations, so they appreciated the monies that had been spent but wanted them to know that based on the group present and what they were doing at their station they were not waiting for money, what they were talking about was that there needed to be an action plan in their communities, especially the targeted areas, and offered a copy of press releases to Council, that they would go



door to door to make sure that every household that was in the targeted area was dealt with by user friendly information, that they went to every Laundromat, beauty shop, barbershop, car wash and everybody's house to make sure they knew what was going on, that the program would be starting in July in Acres Homes, they would carry it out as long as they had the feet, arms and telephones to do it with, that they had 300 people in the park that morning, they had people who took off of work, they were not welfare recipients, prostitutes, whores or drug dealers, they were working men and women in their community and had taken off work just to say what they had to say, that one thing she would also like to stress was that the work that Steve Walker, Dr. Galloway and Dr. Kendrick's and been great and they appreciated it. Mayor Brown, Council Members Goldberg, Galloway, Todd, Ellis, Keller, Vasquez, Castillo, Quan and Robinson. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Bell asked what in particular did Ms. Edwards want the City to do, and she stated that they wanted the City to do was to help them identify resources so they could get the door to door campaign off the ground, that they needed people with feet and phones and that was not necessarily a line budget item, that it was something they needed to do, that they would also like the City to show collective leadership regarding removing the stigma of being tested for AIDS and having the collective Council get tested, that they did not need to know their results and did not want to know the results, but it should a leadership and removed the stigma of them and us, that it was all of us, that they declare a day where all City employees be encouraged to get tested, that they had to remove the stigma that all HIV people were drug addicts, prostitutes, homeless and whatever, that was not the truth, that one of the things that was very disappointing was that the great plan that was done and presented in December the meetings that she had been invited except for one had been cancelled with the representatives of the City, and Council Member Bell asked if she had a chance to see the educational materials that the City produced, and Ms. Edwards stated she had seen some of them, that a lot of the material they could not just say no, that it was out, that what they were saying was they had to have access and materials that were germane to the students and children's lives, that the City had a youth summit and one of the things that was constantly brought up was that there was no relevant consistent dialog between adults and young people. Council Members Goldberg, Galloway, Todd, Keller, Vasquez, Castillo, Quan and Robinson. (NO QUORUM PRESENT)

Council Member Quan thanked Ms. Edwards and her group for being present, that she asked about the new Council Members being educated and taking time, that he definitely wanted to learn and asked that she let him know how he could help and testing, how they could set an example and appreciated the fact that she was willing to do it without asking them for monies, but if they could find some way to get more money, that on the agenda this week there was an item for 75,000 more leaflets about AIDS and sexually transmitted diseases and would like her input in looking at them, and Ms. Edwards stated that one of the things that needed to be addressed was that they were looking on a life and death issue that was predicated upon ignorance, that HIV was 100% preventable and they did not have to be going through those hoops but people had to know the information to be able to make reasonable and knowledgeable choices, that African Americans needed the information. Council Members Goldberg, Galloway, Todd, Keller, Vasquez, Castillo and Robinson.

Council Member Parker stated that Ms. Edwards posed an intriguing challenge, that her blood had been tested for AIDS and if they had a City employee testing day she would be glad to stand up and be tested again and she challenged her colleagues to publicly go for an AIDS test to show that there was no stigma to the test, and Ms. Edwards stated that she could not impress upon her how powerful that was, because as of now it had always been, you people get tested, and it was we people that all needed to be tested, and until they got that message across people would always determine testing on whether or not they were in the you people category or the other people category, and it was all people category. Council Members Goldberg, Galloway, Todd, Keller, Vasquez, Castillo and Robinson.

Ms. Carol Moore, 2915 Druid, Houston, Texas 77091 (713-682-5071) appeared and stated that she was present on an emergency in her community that they had declared, that they had a call to action and they were here for that call to action, that every thirty minutes an African American woman was infected with HIV, that it was not a joke but a very serious issue, that they were present because they were their foot soldiers, that they did not mind taking it to the streets, that they had done it before and would do it again, that there were women who were younger than her, but they were still taught by the same principle, together they stood, divided they fell, that it was in their house, it was no longer a joke it was in their house, that it was real to them so therefore they were going to get on the streets without any money and take the information they had and give it to them the way that they understood it, and they were going to talk to them in the language that they understood, that if they were on the corner or at the beer joint they were going to the beer joint, if it was at the lady's house doing her thing they were going to go there to, they were going to get the right information and they were going to know one thing that it came from the Rock because they did care, that they were going to reclaim them because they could not reclaim dead folks, that they did not reclaim people at the cemetery and that was happening at their houses every day, that today they had a mock funeral but today somebody had a real funeral, that they were tired of burying their mothers, grandmothers, aunts, cousins and nieces to a disease that was 100% preventable, that no longer were they going to sit around and say you might use a condom or wait for the pastor to say it was okay to talk about AIDS, because it might be okay this election season and not okay the next election season, so what they were going to do was take it to the streets like they had already done before and hoped they had all their support, that they were going to start in the Acres area. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr. Carlos M. Sera, 4828 Loop Central No. 850, Houston, Texas 77081 (713-668-6641) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Sylvia Louie, 3923 Bryon, Houston, Texas 77005 (713-348-5201) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr./Coach 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 Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson

absent. (NO QUORUM PRESENT) Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Lue Williams, 3301 Charleston, Houston, Texas 77021 (713-474-7184) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Dorris Ellis, 1520 Isabella, Houston, Texas 77004 (713-524-4474) appeared and stated that since 1983 she had served as the editor and publisher of The Houston Sun Newspaper and all of the issues that she had heard today she had the opportunity and privilege to cover them and make sure that they were covered so that their citizenry could have a better idea in the African American Community and the full community and the world at large so it was indeed a pleasure to sit while people came to speak to them today, however she did not come to speak on any of those issues that she covered on a continuous basis, that today she was present to talk to them about the future and she was talking to them about the future from which her future began which was in Africa, that she wanted to share with them today an opportunity for the City to take a look at what they termed throughout the world as the Day of the African Child, that the Day of the African Child was set for June 16<sup>th</sup> and was sure that many of them paid attention to Nelson Mandela turning on the torch last year and did it on the Day of the African Child which was June 16<sup>th</sup> and he termed it National Youth Day, that what the Houston League of Business and Professional Women did each year since 1994 was to represent the Day of the African Child to bring attention to it using children, but this year one of their members decided that maybe they should do more than what they had been doing in the past by donating books to various day care centers working with their children and people who worked with their children on a daily basis, and to present to their City government an opportunity for them also to gain a better understanding of some of the things that some of the volunteer organizations did, that they presented books, generally by African Americans, to day care centers and this year they were going to present the book The Fortune Tellers or the book Fly Bessie Fly which was written by a Texas native, and because of that they wanted the Mayor to know and in the future they wanted him to proclaim June 16<sup>th</sup> as Day of the African Child Day and issue proclamations and they were going to provide some ceremonies in the City so that their City Council just as those in 87 cities across the Country participate in this day, that they were not going to ask him to do it this year, that they were going to ask him to do it next year, that they wanted to educate him about the Day of the African Child, which he probably already knew and was presenting copies of the two books to the Mayor. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that they looked forward to working with her. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Brenda P. Smith, 3422 Berry Grove, Spring, Texas 77388 (713-721-2310) appeared and stated that her name was Dr. Brenda Page Smith and was present to give them some startling information, that every 30 minutes an African American female was infected with HIV in Houston, that African Americans represented 61% of the new HIV infections during the past year, that there were 60 individuals tested at the Pan African

Festival, twelve of them were positive that was a 20% ratio, that African Americans were 13% of the U.S. population and they were 40% of the AIDS cases, that they must take an aggressive approach in their efforts to change the trend, that they must develop prevention interventions that dealt with the whole person, mind, body and spirit, that without holistic prevention interventions they would continue to see a rise in HIV incidents in the African American Community, that they did not have time as a luxury, they must act now if they were going to stop the spread of HIV. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Judith Lahi-Momoh, 11700 Bissonnet, Houston, Texas 77009 (713-524-2200) appeared and stated that talking from an international point of view she was present representing blacks born out of the U. S., that when they heard about an epidemic of HIV they knew that Africa and the Caribbean was leading but yet very little was done to bring that part of the community together to fight HIV and AIDS, that every thirty minutes an African American woman was infected with HIV, that she used to work as a counselor she had that inside information too, that her point today was to bring a global view of HIV, that it was not only an African American problem it was a Black problem and a human problem so they must work together and treat it as a human problem, that she knew that some of them had their prejudices but they had to lay them aside because every life that was lost was a life that could have been very productive for their community, that HIV was just about eight hours flight away from Houston, that HIV did not need a passport to get here, that because of the strategic location of Houston and the attraction of business commerce and tourism in Houston, and she was glad that Houston promoted a lot of cultural diversity and welcomed everybody, but that also brought a problem that they had to be ready for so they should not be fragmenting the HIV issue, it should be a general issue to, that it encompassed everybody in the City, that when they started looking at Africa, Asia and Cuba they had blacks coming out of every place and they knew that the rates were high so they must work together, that with the immigrant communities representing the African Caribbean, it was an old community, yet programs were not focused to that community and she thanked the City for at least providing some resources to do a needs assessment for that community and that should be going on in the summer but they needed to do more educational intervention towards that population because if they did not prevent it now then when, were they going to wait until so many people were dead before they started taking action, that a lot of the Africans who contracted HIV and lived in Houston went back to Africa to die so those figures were not really documented, and when they looked at the reports they did not even know which were African or African American, that they needed help and the issue was prevention. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Pastor Ruth Ollison, 3251 Beulah, Houston, Texas 77024 (713-659-5645) appeared and stated that their church Beulah Land Community Church was located in the Upper Third Ward and as such they were at the front lines of the issue, that she and her sisters were present not so much to complain but to raise awareness, that they would ask that when they declared a State of Emergency that they really as a public need to see and sense and participate in something as if it was an emergency, that it was an emergency to them, that she saw a lot of people who were suffering with that problem, not long ago a man who had been a flight attendant who had been all over the world ended up at her office asking for change and explained that he was sorry for the way he smelled but he

had HIV and as a result could no longer work and could not even afford to wash his clothes, that she had dealt with women who had sores broken out on their bodies, that because she happened to know and had worked with agencies like Over the Hill they were able to help get resources for people and relate to them information that they needed, but they were present to ask for a comprehensive effort and they were present to join the war, that they were not present to complain they were present to say they wanted to fight the problem and ask where do they sign up. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Council Member Boney stated that unfortunately, as she probably already knew, the media did not always necessarily tell the story, give the facts or present the information that they would like, that they did not put enough of the information out, that he was not talking about Majic 102 and The BOX, that Ernie Jackson was something special and through his leadership much had happened, that he did not know why they did not have 30 minute talk shows on community issues anymore, that he did not know why Channel 26, 11, 13 or 2 or all of them could not run an hour long special on HIV and AIDS in the African American Community, that there was a lot more that a lot of other folks could do, but he invited her suggestions and involvement, and Ms. Ollison asked that they invite the media to be a part of the task force, that no longer could the media act as if they were in the community as spectators, that the media drank, had sex, engaged in risky behavior, that they had children and were at risk as everyone else and they had to demand that they become a part of the community not just as spectators or watchdogs. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Council Member Boney stated that he was willing to continue to try to reach out in other ways and other places, that at the same time what they had said to people was not to wait on anybody else, to go out on their own and do what they thought they should do while keeping in touch, that there was a multiplicity of efforts on HIV and AIDS and were impossible to coordinate, that all they could do was hope that at least they could match calendars and share information of those things they could partner on, that if somebody had the commitment and the will to go out and do something they should not wait on anybody else, they need to go ahead and do it, that the strategic plan of action that was developed by the Health Department had specific targeted neighborhoods and specific measurable goals, and when they went to the Federal Government and asked for more money they were able to be in a better position because they could say they had a plan and a measure of goals. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Council Member Tatro moved to continue the Council Meeting after 5:00 p.m., seconded by Council Member Quan. No vote was recorded inasmuch as there was no quorum present. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Cardinal Monifa McIntosh, 5500 M.L.K. Blvd., Houston, Texas 77021 (713-748-2824) appeared and stated that she had listened to the many things that had been said by the Council and about the concerned Black women and what hit her mind was that it was an epidemic and they were in a State of Emergency, that she looked up at the sign that said "The People Are the City", that the people were dying and what was the

Council's responsibility and what was theirs, that the reality that faced them was so frightening that it pierced the soul like a knife with a pain that was unbearable, that the statistics from the City of Houston Health Department reported that African American women represented 61% of new HIV infection reports in 1999, that they looked at the reality, the female was the carrier of life for any group of people so if the female was dying so was the race, that not only did they face the reality that the deadly disease could be transmitted to children but they also faced the possibility of tens of thousands of black orphans, that it had already occurred in New York because of parents who had already died from AIDS and nationally there were at least 25 million orphans, African, Black blood orphans who were orphans because their immediate family was gone, that they did say that the community must be able to take action and they would take action, that community institutions as well as the church were needed to help fight the epidemic, that the church was the only institution that remained in their control, that the churches needed support from elected officials, that she remembered the issue about rescinding Affirmative Action and Mayor Bob Lanier getting on television and making announcements that rescinding Affirmative Action was not right, that she saw some faces on Council that would serve some purpose if they saw their faces on television, in the community, and if they heard from them, that they did not hear from them quite often on the issue, that maybe it did not affect their district but they were talking about death, that they were talking about things they did not even see yet, that they were going to have to spend millions of dollars just taking care of Black children, that they wanted to avoid that and stressed that they needed to deal with it as an emergency situation, that in an emergency what ever they could do to save a life was deemed valid, that she heard a statement that meant a lot, that evil triumphed when good men did nothing, that AIDS killed when good men did nothing, that everybody could do something to change the situation. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Nefertiti Hall, 5702 M.L.K. Blvd., Houston, Texas 77021 (713-853-3814) appeared and stated that she was also a member of the Shrine of the Black Madonna and represented the youth of their church, that she was present to say that their youth and their church talked about the AIDS epidemic and the seriousness of HIV and AIDS but her peers at school did not know anything about it and were ignorant about the matter and she was present to ask if there was a way to get education inside the schools to educate the children because they were the future and they were being affected by the disease and they were being raised in the population of those with AIDS, that she talked to the youth about it, that they knew about AIDS but did not know the seriousness of it so was there something that the Council could do to get the information to the schools.

Mayor Brown stated that there were opportunities and the Health Department currently worked with the schools in accomplishing that and asked Dr. Kendrick to respond.

Council Member Tatro moved to suspend the rules to hear from Dr. M. de Vignes Kendrick, seconded by Council Member Quan. No vote was recorded inasmuch as there was no quorum present. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)



Dr. Kendricks appeared and stated that they had met with HISD and in a combination with Council Member Boney and others they would be meeting additionally with the Board and key members of HISD, that they had looked specifically at the kind of materials, curriculum and kind of interactive ways of learning and exchanging information and HISD had committed to work with them to make a difference for the educational materials with students, that they had also entered into certain other opportunities that were much more interactive and thought would actually be the kind of information that she was talking about, that they were funding the development and production of 14 performances of a Song of Abstinence and that was a play that discussed HIV, STD, pregnancy and abstinence and was targeted to school age youth, that she was very serious when she said that they around the table did not have all the answers and thought there was a lot of good information and very innovative ways that they could come together as a community and share information, her learning style, their learning style was going to be very different from other learning styles, that together they could make that difference, so she was asking along with Council Member Boney and others who were working on it to get as much feedback from them and she would like to meet with all of them at their convenience to get that kind of information and together she believed they could put together information that probably would be the best, if not in Texas, which she expected it to be, but in the Country, and most importantly that the information would translate into changes in behavior and or not ever getting involved in risky behavior so that their numbers, lives and what they did in their communities would truly be representative of a healthy community. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Sara Selber, 3202 Wesleyan Annex, Houston, Texas 77027 (713-623-6796) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Maya Waldman, 318 Hyde Park No. A, Houston, Texas 77006 (713-523-4929) appeared and stated that she was present because people were dying, African American women, that it was caused by HIV, that they should do something now, yesterday, that in response to Council Member Bell's comments earlier it was a very important point, that here was discrepancy between knowledge about the virus and the disease AIDS and people's risk behavior, that how much did each of them participate in risk behavior, not eating the right foods, not exercising, smoking perhaps, that they did a lot of things that were risky to their lives and it was hard for them to see themselves at risk, unless sometimes someone in their own life was affected, that earlier Council Member Boney talked about condoms and abstinence, but she thought they needed to focus on mind set, that people looking at themselves as at risk and how that happened and what it was about, that just because they knew about something and just because they tell people about HIV did not mean that they were going to see themselves at risk for HIV, that they needed to stop talking about HIV crisis in the community and do something about it, that she was concerned about what had happened since the State of Emergency was declared, and she did understand that Council Member Boney had made comments that a lot of what had been done had not been in the media, that there was concern about that and perhaps that was something they could address, that women, specifically African American women, needed to be seeing themselves at risk, they needed to give them esteem and people to turn to, they needed in a sense to put a mirror in front of them to

see themselves as potential HIV infected people, and she pleaded to Mayor Brown to further his legacy, that he had already done so much, that above the Chamber doors she noticed as many people did, that "The People Are the City" and African American women and all people were included in it, and in closing they were their friends, sisters and parents, perhaps mistresses, people that they worked for and people who work for them. Mayor Brown stated that they looked forward to working with her. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Council Member Bell asked what comment she was referring to, and Ms. Waldman stated that he made a comment about education and outreach, that she could not recall the specific comment she just had a note to herself, but she just wanted to further emphasize the point that it did not matter how much they advertised, they needed, as so many had stated today, to get out there in the community and have people see their faces and say this was you, this was me, this was all of us, and Council Member Bell stated he thought it was actually a question regarding if the educational materials were connecting with their intended audience and there was obviously a concern that if they were going to spend the money on materials they wanted to make sure they were speaking to the folks they were intended to speak to, and Ms. Waldman stated that was something she was also very concerned with working in the school system and also being a student. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Teesha Muhammad, 4443 Old Spanish Trail, Houston, Texas 77021 (713-284-7496) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr. Alvin Freeman, 5011 Andrea, Houston, Texas 77021 (713-748-4487) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that concluded all the speakers on the AIDS issue and thanked them all for being present, that they could count on them working together with them to address the very serious problem. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr. Mark Medina, 4310 Polk, Houston, Texas 77023 (713-926-2703) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Billie Garcia, 7812 Ford, Houston, Texas 77012 (713-923-1800) appeared and stated that she was present fighting for her street that she started working on it in 1992, polling the neighbors, getting the petition and doing all the right things to get reconstruction and sewer drains on their street, that she was told in 1995 that it was on line and would be done in June 1998, that come June 1998 they saw nothing and nobody and finally got back in and it had been changed on a CIP list from an NCR432 to NCR432A, that she was told in 1998 that it would be 1999, told in 1999 that it would be

2000, that she started checking on it last month to see if they were still on line and now it was on the CIP book at this time 2003, that was not acceptable, that she had been at it for eight years by herself and there was not a day that went past that her neighbors did not say Billie where were their drainage ditches or drains, where was the reconstruction of the street, and she stated she did not know, that now they were telling them 2003, that was not acceptable, that it was 7800 Ford, that it was in Magnolia Park, one block that ran between 78th and 79th Streets, that she had been in her house 57 years, that two years ago they came through on the Neighborhood to Standards with the resurfacing only, that it was the first time that their street had been repaved since she was eight years old and she was close to 60 years old, that they had not had anything out there except patching a hole here and there, that they had City people out there from Street and Bridge and Public Works and from this one and that one and then they said maybe they could put mud in behind the curbs, that was not going to help anything because one end of the street was higher than the lower end and water did not drain uphill, but they finally did come out and did what was called resurfacing only, that she got out in her wheel chair in the middle of the street and told them that until they lowered the curbs they were not going to solve the problem, that they were wasting the City's money and their time, that they finally got someone out there that surveyed it and discovered that it was higher, and now eight years later they were still waiting for their sewer drains, sidewalks and their reconstruction of their street. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Wes Johnson, Public Works and Engineering would meet with her, that he did not know the answer to the problem but would ask Mr. Johnson to get to the bottom of it and work with her to see what needed to be done and report back to him. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr. Richard Healy, 3131 Timmons Ln., Houston, Texas 77027 (713-629-4661) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr. Lionel Alexander, 7931 Booker, Houston, Texas 77028 (713-673-4765) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr. Ed Robert, 4602 McKinney, Houston, Texas 77023 (713-921-1525) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

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

Mr. Wilbert Williams appeared and read from a petition written by Ms. Theresa Williams, President, Smith Addition Civic Club which was also passed out to each Council

Member which stated that they would like to request the building of a recreation facility for the youth of their community, the east end of the City known as Smith Addition, located southeast of Harrisburg and due south of Manchester and north of Milby High School, that the community was growing with new citizens from the Hispanic community; that they had a place in mind, there was a concrete slab left from the burning of an old school building, S.G. Kay Elementary School; that they badly needed a place for their youth to play, that the children now used the streets as a playground, that they were headed for an accident, kids versus cars, that a multi purpose recreation center was vital for the community. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that there was a process that the City had to go through before a new facility could be constructed, funding and all of that, that he was going to give it to the right person and would have someone visit with him and explain it all in detail so he would know exactly what they could do and when they could do it, rather than any prolonged discussion about what and when it could be done. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

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

President Joseph Charles, P.O. Box 53831, Houston, Texas 77052 (713-710-1715) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he was HIV positive and thought it would be a good idea for all of them to get tested also and wanted to know whether they were HIV positive as well, that he was present to talk about Council Member Keller, that his comments on his whole situation, that he was not present but had come up to him earlier and told him that he would be present at 6:30 p.m. and he told him that he tried to get him moved up on the agenda but he could not because they all said no so he wanted to know if there was a motion because a Council Member could make a motion to take somebody out of order because they did it all the time and he wanted to know what the vote was because that was why he could not stand none of them, those little games they played, of course they were not going to take him out of order because he did not like none of them, he thought every single one of them were crooks and expected that, but he wanted to know who voted and if the motion was made, that Mayor Brown was not there, so he wanted to know if Council Member Keller asked Council Member Boney to take him out of order Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

At 5:28 p.m. Mayor Brown stated that Council was recessed by previous motion until 6:30 p.m. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Castillo, Quan, Sanchez and Robinson absent. (NO QUORUM PRESENT)

At 6:47 p.m. City Council reconvened in the Council Chamber, City Hall and the continuation of the Public Hearing on the City Budgets for the time period July 1, 2000 through June 30, 2001 was announced. Council Members Goldberg and Todd absent.

Mayor Brown requested the City Secretary to call the list of speakers. Council Members Goldberg and Todd absent.

Mr. Dudley Smith, 1100 Northville, Houston, Texas 77038 (281-448-8898) appeared and stated that he was president of Incident Management Services a towing company a group of them formed a few years ago in response to regulation, that he was speaking on a budget item, that the City was proposing that the Police Department tow trucks take over the towing of City vehicles that break down, specifically HPD Special Services Fund Budget line item 1689 as described on page 130 to perform citywide towing for City vehicles, that in 1997 the City was paying \$70 to \$90 per tow for City vehicles and that year the City entered into a contract with Incident Management Services for towing the vehicles, that the contract was still in effect until 2002 for \$50 per tow and it was their understanding as of May 1, 2000 the Police Department trucks had been towing vehicles that would be covered under the contract, that when they entered into the contract they spent money and time getting ready to gear up for it and enlisted the cooperation of several small subcontractors, that combining the various subcontractors with the eight tow companies that owned IMS allowed them to provide effective citywide coverage at an economical rate, that their trucks were already out all around the City and very often very near the place where a vehicle had broken down, that they had heard the number of \$47 as the cost for the HPD truck to tow a vehicle, that their experience in the towing business did not support that number and he had enclosed a brief calculation, in the handout, of cost only looking at three major components, vehicle amortization, payroll and fuel, with just these components the cost would be over \$47 a tow, that any insurance, downtime or repairs would be on top of that, that they also assumed that the truck would average 30 tows per week, a very optimistic number, that another explanation they heard was that if the existing Police Department tow trucks may not be fully utilized picking up HPD patrol cars, if that was the case they could provide the towing services for the HPD cars also saving the City thousands of dollars per year, that as he watched various hearings on the budget the recurring theme seemed to be a shortage of money, that he did not understand why the City would be spending funds to get into the towing business especially when there was already a contract for those services, that when they entered into the contract they understood that the City was making a commitment to outsource the services that could be effectively provided by private industry, that they had worked hard to fulfill their obligations and had not had any notice from the City of any problems that needed to be addressed, they believed they could tow all of those vehicles in an efficient manner and allow the Police Department to focus on its primary mission, public safety. Council Members Goldberg, Boney, Todd and Robinson absent.

Council Member Ellis stated that Mr. Smith had passed out a towing cost analysis and asked if it was his towing cost analysis per car or for the City, and Mr. Smith stated they just did a basic estimate of what it cost in general to try and tow the vehicles when they devoted a truck specifically to it, that they did not have the Police Departments budget breakdown and all their detailed cost, it was just based on their experience, that IMS had a contract with the City and it would expire in 2002. Council Members Goldberg and Todd absent.

Mayor Brown stated if they wanted to resolve the issue Mr. Haines had some information and apparently what was being depicted was not what in fact was going to happen and asked Mr. Haines to clarify it for the Council. Council Members Goldberg and Todd absent.

Mr. Haines stated that apparently there was included in the budget a provision where the Police Department would assume responsibility for the towing of City vehicles citywide, that there was a study that was done a couple of years ago and suggested that there was nominal savings that could be generated by the Police Department doing the tows, that there was currently a five year agreement that the City had for that service and they were not recommending at all that it be changed, and Council Member Ellis asked if they had ten wreckers and what would transpire with the wreckers. Council Members Goldberg, Boney and Todd absent.

Council Member Ellis moved to suspend the rules to hear Chief Bradford, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Goldberg, Boney and Todd absent. MOTION 2000-0733 ADOPTED.

Chief Bradford stated that they utilized the tow trucks they had now to tow Police Department vehicles on a 24 hour day basis, that they had done that for a number of years and also towed vehicles that were at crime scenes into the Police Crime Lab stall and that type of thing to maintain the Chain of Custody in the evidence when they go out to crime scenes and towing vehicles was the primary reason and as Mr. Haines had stated the very nominal savings would have been rendered under the proposed plan and that had been rescinded. Council Members Goldberg, Boney and Todd absent.

Council Member Castillo moved to suspend the rules to add Mr. Alfredo Blanco to the speakers list, seconded by Council Member Keller. All voting aye. Nays none. Council Members Goldberg, Boney and Todd absent. MOTION 2000-0734 ADOPTED.

Upon further questions by Members of Council, Chief Bradford stated that under the proposal the savings were very nominal and the analysis that was conducted a couple of years ago indicated that they could do the towing for about \$45 or \$47 dollars per tow as opposed to the current contract that was in place, that in part the thought was yes that they would do city wide towing of City vehicles, but given the analysis that was conducted that occurred a couple of years ago, but as had been indicated by Mr. Smith the last couple of years and last recent months the cost of fuel and the nominal savings that they were going to accomplish were pretty much washed out, that there were monies allocated in the budget to do citywide tows, that what they had in the budget were existing employees doing the tows it was not additional employees or equipment to do the tows, that there were no additional dollars were budgeted for the service, that with the reduction in the Police Department fleet it allowed the existing tow truck operators inside the Police Department, who were not exclusively tow truck operators, they did other things in the mechanic tire shop, that they were not police officers they were tow truck operators and civilian classification, that he had been in HPD for 20 years and they were doing it when he came to HPD, that they had the contract with IMS for about two years, that the Police Department had its own employees towing Police Department and crime scene vehicles, that the issue today was regarding other City Department vehicles that may need towing,



that they would continue to tow their own Police Department vehicles. Council Members Goldberg and Todd absent.

Council Member Castillo stated that he was glad that the chief had amended the proposal to the extent that he was not adding new services to what he was doing now, but he wanted to consider what the savings would be not only in terms of the dollar costs of doing it under the existing contract, but the time savings that they would gain when a police officer had to sit on the roadside with a car that was broke down and how long it would take, he would like to know what that response time was because they only had 10 trucks and they had 625 square miles to cover and that was a lot of area and a long time, and Mayor Brown asked Chief Bradford if he had calculated the response time or had any estimation, and Chief Bradford stated that the analysis was done two years ago and he had not looked at it since the analysis was done two years ago, and Mayor Brown asked that he provide that information to the Council, and Council Member Robinson stated that the question was going to cut three ways, (1) what was the response time with their own fleet, (2) the response time under the contract and (3) would he get a swifter, quicker and faster response time if he treated an HPD vehicle like any other car on the side of the road that needed a tow or would he get a better deal under the contract and just in terms of response time. Council Members Galloway, Goldberg and Todd absent.

Ms. Jeanette Rash, 2104 Lyons Avenue, Houston, Texas 77020 (713-228-8872) appeared and asked that since the Police Department started towing the vehicles May 1 and were they going to continue towing the other City vehicles since they were presently doing that. Council Members Galloway, Goldberg, Todd and Sanchez absent.

Chief Bradford stated he was not aware that they had started doing it and if they had they would cease and desist. Council Members Galloway, Goldberg, Todd and Sanchez absent.

Ms. Paula Arnold, 1023 Cheshire, Houston, Texas 77018 (713-956-5262) was called and advised that she would not speak. Council Members Galloway, Goldberg, Todd and Sanchez absent.

Ms. Billie Garcia, 7812 Ford, Houston, Texas 77012 (713-923-1800) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd and Sanchez absent.

Mr. Richard Carper, 106 Pennsylvania, Houston, Texas 77029 (713-675-4575) appeared and stated that he was present on a capital improvement plan, that he was Precinct Judge of 164 and also the vice-chair of the Clinton Park Advisory Council, that they in the Clinton Park Fidelity and Clinton View Communities wanted to make sure that the projects listed for their area and the current capital improvement plan would be completed as promised, that they included the replacement of the multi-use pavilion for Clinton Park, the renovation of the Clinton Park Center building and the upgrade to standard of the Tri-Community Senior Center, that they were told that the Clinton Park pool facility would also receive upgrades concerning the changing area, repair of a crack in the pool and new tanks for the chemicals for water treatment, but he did not see it listed in the copy of the current capital improvement plan, that also there was an oil painting that was done by a student of Dr. John Biggers of TSU back in the 1970's, that they in the Clinton Park Fidelity and Clinton View Communities were very proud of it, that

the oil painting was in the current park building and it needed restoration and were wondering if the restoration could be funded by the Civic Art Restoration Program, that they were not complaining they just wanted to know. Council Members Goldberg, Boney, Todd, Ellis and Robinson absent.

Council Member Castillo stated that Mr. Carper brought up an interesting dilemma in that they had a lot of art assets out in the community that did not come under the umbrella of the Civic Arts Program because it was not new construction and so he thought that what he was asking for was whether they could find a way to include the preservation of civic art that existed in buildings where they were doing some renovation and not necessarily new construction, and Council Member Parker stated that there was a component of the new Percent for Art that was set aside for renovation of existing art and they had an ongoing program and did not know if there was anyone present who could address whether that particular piece was on the list, but there was money set aside for that, that she would be glad to follow up on it and would put him with the folks in the Municipal Arts Conservation area of the City Parks Department. Council Members Goldberg, Boney and Todd absent.

Mr. Dewayne Lark, 10954 Buffum, Houston, Texas 77051 (731-2230) had reserved time to speak, but was not present when his name was called. Council Members Goldberg, Boney and Todd absent.

Ms. Glenda Barrett, 14958 Bramblewood, Houston, Texas 77079 (713-942-7275) appeared and stated that she was executive director of the Park People, and was speaking on behalf of their board of directors, that since their founding in 1979 representatives of the Park People had appeared before City Council many times, in fact annually, promoting increased funding for the City of Houston Parks and Recreation Department operating budget, and they had been working during those years to increase the City's awareness of the importance of a system of parks and greenspace that grows and flourishes with its population, that they commended Parks Director, Oliver Spellman for his excellent maintenance of the Parks System since his arrival in Houston and they applaud his willingness and ability to find ways to cut back on expenses without lessening the quality of the services provided, that they regret however that he was asked to do so, that they request that Council continue their overall support for the Parks and Recreation Department, but particularly in three important areas, the Master Plan for Houston Parks which contained recommendations for additional parkland all over the city and delineated areas where the needs were greatest, abundant parks and greenspace weighed in heavily as quality of life issues with companies considering a move to Houston, especially now with their well publicized air quality problems, and speaking of air quality they urged their continued support for the Forestry Section of the Parks Department which plants and maintains the trees that help to clean the air and shade their streets and parks, that the Park People had worked closely with the City Forester Victor Cordova and his excellent staff for many years and the Tree Scape Program that they shared with Trees for Houston and Scenic Houston had established a very effective partnership with the Forestry Section, that their third request was for continued support of additional equipment for the Parks Department and adequate, well maintained fleet of up to date vehicles would benefit both the air quality and park maintenance.

After further discussion, Council Member Robinson stated that he was told that TEX DOT was running about \$17 million dollars behind in their tree program and wanted to

find out what they could do to be of help in that area also and Ms. Barrett stated that she would check on it and let him know, and Council Member Castillo stated that during a budget hearing workshop there was a discussion about park maintenance versus park land acquisition, that they needed to do both where they were under parked, and wondered if they could start a parallel program to help with the maintenance, upkeep and in many cases renovation of the parks facilities and Ms. Barrett stated they would be interested in pursuing that with him, and Council Member Keller stated that parks were basically infrastructure to the City, and asked if they had someone who actively pursued local business to help donate money to help maintain existing parks and equipment that was needed to maintain existing parks and did those companies get a tax abatement of some sort, and Ms. Barrett stated that the Park People would be very much for a program that rewarded corporations or individual citizens in that way and did know that some corporations had adopted certain greenspace areas, and encouraged that and often celebrated their efforts at the annual awards program. Council Members Goldberg and Todd absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he was surprised to see so many of them present and guessed that it was more important than listening to the public speakers earlier today because earlier today only like about two or three of them stayed there so he wanted the record to show that Council Members Goldberg and Todd were not at the meeting and he also wanted the record to show that he was the Libertarian Candidate for Texas Representative 147 and that his web site address was [www.galvan.org](http://www.galvan.org) and that whoever controlled the airwaves were going to control the City of Houston and so he was going to take advantage of his time, that he wanted to continue his comments from earlier today where he signed up to speak about Council Member Keller situation, but since Police Chief Bradford was present he wanted to get back to his case, that his case was stalled, that James Honey who lived at 1607 Frances and who attacked him, who damaged all his art work and his house, he had still not been put in jail, that they all knew who did it, but they wanted three estimates from him and he had not gotten three estimates, that he said that it was worth \$2 million dollars, that if some lady in Harris County right now was settling out of court and for a false arrest they were giving her \$600,000 just for a false arrest then his art work to him was worth more than \$2 million dollars and he wanted the City of Houston to help him get those three estimates, that they tell him where to go and get those three estimates because he was not satisfied with that case at all, that it was stalled right now and he wanted James Honey put in jail. Mr. Partsch-Galvan continued to voice his personal opinions until his time expired. Council Members Goldberg and Todd absent.

Council Member Castillo moved to suspend the rules to add Mr. Sergio Davila and Ms. Jessica Hulseley to the speakers list, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Goldberg and Todd absent. MOTION 2000-0735 ADOPTED.

Mr. Sergio Davila appeared and stated that he represented East Lawndale Civic Association and also was Precinct Judge of Precinct 72 Mason Park, that he was present because he wanted to know if they were able to find some budget money to put up caution lights on Lawndale above the bayou, that they had a couple of wrecks last month, that it was a very long street and they only had one speed limit sign, that he wanted caution lights on both sides of the bridge with a speed limit sign in the middle, so whoever

was driving around and drinking could slow down a little bit and they would be able to save lives on the street, and also if possible they would like to create a plaza in the old tennis courts in Mason Park, that he had been asking for help for many years and had not been able to produce anything, that his community had been carried very high and then let him go again, that he wanted a small plaza so that the senior citizens could go out there and listen to the music, that there was no place for them, and previously they had requested a total reconstruction to Alta Vista Street from Santiago to Satsuma, that it had been almost nine years and he had been told that it would be next year and next year, that he had heard last week that the job was supposed to be awarded this week and wanted to know if they had an answer for that. Council Members Goldberg and Todd absent.

After further discussion, Council Member Castillo stated that the project along with other streets was approved by Council last week and in fact he brought it to the attention of the administration that they were doing the part of Alta Vista that was in the middle of the whole street that they were going to overlay the north and south end so that it would look even, that it was a total reconstruction from the ground up, that his request for a warning light was probably a maintenance and operation thing that they ought to be able to do and Mayor Brown asked that Mr. Roland meet with him and get all the information necessary. Council Members Goldberg and Todd absent.

Council Member Quan asked where the bridge was and Mr. Blanco stated that it was on Lawndale across from the Forest Park Cemetery, that as to the plaza that he requested, that on the old tennis courts there was nothing being done there, and he asked for help to clean the area because it was so bad, that he had called Mr. Spellman from the Parks Department and he never had any response, and Council Member Sanchez asked if he knew what the plans were for the old tennis courts and Mr. Blanco stated no, that the previous Parks Director had given them authorization to create the plaza there, but it was sent to Louis May and all of a sudden they dropped them, that he had been working on it for more than two years, that he had sent an e-mail to the 2000 Projects and had no response, and Mayor Brown stated that he would have the Parks Director get in touch with him, and Council Member Sanchez stated that he would also help with some private and public grant money so they would not have to dip into the City's CIP if that had been the problem, and Mayor Brown asked Mr. Spellman to meet with Mr. Blanco at this time. Council Members Goldberg and Todd absent.

Mr. Sergio Davila appeared and stated that he was with the Eastwood Civic Association and was present about the CIP plan, in particular about youth programs, that he knew that youth programs were important to Mayor Brown, that the youth in East End were disproportionately involved in gangs and had a high drop out rate, that apparently the past year at Austin High School 180 less students took the TASS than last year and the reasons given by the principle and superintendent were lower enrollment, which was a HISD euphoniums for dropouts and freshmen not passing four core subjects, English, Math, Social Studies and Science before they could become sophomores and take the TASS, that before him he had 13 incidents that had occurred in Eastwood and Second Ward, murders and aggravated assaults, that currently the Flores Library Branch was on the CIP project for some design work in Fiscal Year 2002 and they were wondering if anyway they could find monies to move that up forward, that it was definitely too small to serve the communities of not only Eastwood but all of Second Ward and Oaklawn/Fullerton; that at Eastwood Park he had submitted CIP requests for the past

four years, that he hoped they could find some monies for the East End because as he mentioned before their youth were being lost, as either drop outs or getting involved in gangs. Council Members Goldberg and Todd absent.

After further discussion, Council Member Castillo stated that Mr. Davila was very committed to that area of town where he was raised and continued to live, that he pointed out some projects that were very sorely needed, that it just highlighted the great need that they had in the inner City to refurbish the facilities they had and to expand the ones that the growth had made too small, and Mayor Brown stated they had taken note of items he addressed and would have someone follow up on each one of them and see what they could do. Council Members Goldberg and Todd absent.

Ms. Jessica Hulsey appeared and stated that she was present with a very special request and it was in reference to the After School Programs, that she was Precinct Judge for Precinct 11 and also the president of Oaklawn/Fullerton Civic Association, that Eastwood Park was very important to them, that they had a lot of After School Programs and she would like to get the support of Council Member Castillo and Mayor Brown and the rest of the Council Members to be supportive of the After School Programs, that she had two children herself and they were very involved with them, that she had a second important issue and it was a traffic safety issue, that she was involved with the Hike and Bike, Rails to Trails and that on the streets that cross the bike trails they had been having problems with vehicles going too fast and they needed to have some type of stop signs, speed humps or something to slow down the vehicles, also they would like to see more monies go to the Parks Departments especially because the East End had Eastwood Park and that was about the only place for their children to go, that they had a very small community center, also the parking space was not much. Council Members Goldberg and Todd absent.

Mayor Brown stated that on the traffic problem he was going to ask Chief Bradford to do some enforcement out there immediately and then Mr. Tom Roland to look at the engineering problem and concerns and that she knew he supported the After School Program and also urged the Council Members to support them as well, that there were different viewpoints on Council about After School Programs, some support and some did not and some felt they should not use General Fund monies to support the children and asked what Ms. Hulsey's thought was about using money from the General Fund for After School Programs and Ms. Hulsey stated that for those who were not very supportive she urged them to support the programs because that was all they had for the children and for those who were not familiar she invited them to go and visit the area that she represented, that she knew that Council Member Robinson had attended some of their meetings, and Ms. Hulsey asked that Council Member Sanchez be supportive of the After School Programs, that she knew that Council Member Parker had been to the neighborhood, and invited them all to tour the neighborhood. Council Members Goldberg and Todd absent.

After further discussion, Council Member Galloway stated she was glad that Ms. Hulsey had been present to speak about the After School Programs and was certainly going to support the After School Program out of the General Fund, and Council Member Quan stated that he was familiar with Eastwood Park and supported After School Programs, and Council Member Tatro stated he hoped the Mayor would allocate the CDBG monies or the Child Safety Funds to her district, and Council Member Keller stated

that there was still another study that they approved recently at council and would certainly be willing to fund out of his CIP After School Programs that were in his district, and Council Member Sanchez stated that he had never been against After School Programs in fact he believed that if done correctly they would work, and that they had asked for a number of studies and hoped the administration would provide those to them in a timely manner so they could make an intelligent decision as to which programs worked and which did not, and Council Member Boney stated that the evaluation and assessment for the After School Programs was going to come in by July, that the After School Program ended in June when school ended so it was impossible to turn right around and give them a full evaluation by July 1st, that it was physically impossible and he supported After School Programs, and Council Member Bell stated that he had always been supportive of After School Programs and had actually voted for the program. Council Members Goldberg and Todd absent.

Mr. Dewayne Lark, 10954 Buffum, Houston, Texas 77051 (731-2230) appeared and stated that he was encouraged by the number of citizens that had come out tonight, and wanted to make two particular comments about the process, that it appeared to him that there were some, at least from what they read as citizens, problems with finalizing the budget, that there seemed to be some shortfalls, that he would like to reflect for a moment, that there was a wealthy transfer from Metro just a few years ago, about \$30 million dollars, and he did not know if it was continued, slimmed down or stopped but that seemed to be a similar number from what he heard about shortfalls, that they seemed to have an increase in construction, that they seemed to have hundreds of millions of dollars to use in the City on buildings but they seemed to be short on the fundamental essentials of the daily operations of the City and they also seemed to have an increase and excess of revenues in the Convention Center Budgets, so much so, that he heard that they floated the idea that they perhaps could finance the new arena, that if they had that kind of excess funds floating what was the problem and he submitted to them that what they needed to do was get their priorities straight, that they needed to reprioritize their thinking and make sure that the essentials were taken care of before they were so apt as representatives of government and elected officials to support rich projects for rich people, and he suggested to them that there should be no discussion as to whether or not they had adequate funding or adequate funding resources, that at a time when they had the highest property value known, they were collecting more revenues on the County level and on the City level and on the school board level since they had since he had been born, but yet they had that discussion today and he was not pointing any figures, that he was just frustrated because he was present asking for dollars for certain things and there were no dollars, particularly in the Police Department. Council Members Goldberg, Todd and Castillo absent.

Council Member Robinson stated that the conversation today was about preparing the budget for FY 2001 and one of the things that was reported was that they took a more conservative route this year in terms of what they were projecting to come in and what they hoped was that revenues would be higher than the projection and then they would have a different conversation as they moved mid year as opposed to being two rows in their scenario, so they did not want to say they were going to have a lot and then it would turn out that they over projected, and he asked Mr. Lark if he would be supportive of looking to the Sports Authority and any surplus beyond their debt service and reprogramming those funds to Parks and Libraries, and Mr. Lark stated that they could



use that money legislatively speaking on various items now including public venues for entertainment, parks, etc. Council Members Goldberg, Todd and Sanchez absent.

Council Member Castillo moved to close the hearing and the matter was taken under consideration by City Council, seconded by Council Member Boney. All voting aye. Nays none. Council Members Goldberg and Todd absent. MOTION 2000-0736 ADOPTED.

At 7:45 p.m. upon motion by Council Members Castillo and Boney the City Council was recessed until 9:00 a.m. Wednesday, June 14, 2000.. Council Members Goldberg and Todd absent.

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, June 14, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Richard Lewis, Deputy Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director and Ms. Linda Layton, Agenda Office, present.

At 8:15 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

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

### **HEARINGS**

3. **PUBLIC HEARING** to consider the creation of the **LEADER CROSSING PUBLIC IMPROVEMENT DISTRICT** in the area that is generally along Synott Road, south of Bellaire Boulevard and within the City limits - **DISTRICT F - ELLIS - 9:00 A.M.** - was called.

Mr. Bill Calderon, Planning and Development, stated that the hearing was for public comment on the creation of the Leader Crossing Public Improvement District; that the city received a petition from VIP No. 1, the developer of the subject tract of land to assist with the cost of development associated with the tract for their proposed development of 114 single family houses; that it was 25 acres in size south of Bellaire on Synott about one mile west of Beltway 8; that the petitioner owned 100% of the land and he planned to pass on the assessment through property owners through homes sold to cover the cost of the improvements; that the appraised value of land was approximately \$1.4 million set at 49 cents per \$100.00 evaluation and estimated to generate approximately \$58,653.00 annually; that the public improvement district was intending to finance \$1.2 million of project cost which would include construction of water, wastewater facilities and storm sewers, etc., it was anticipated the average sales price of the houses to be developed would be between \$110,000 and \$114,000 with a proposed investment on the project of about \$12,500,000 by the developer; the expected build-out of the infrastructure on the 114 homes was intended to occur within the next two years and once development was complete the city could expect to receive approximately

\$66,000 annually from property taxes, that figure assumes homestead exemptions, upon creation of the district they would go back to Council and hold the second hearing required by state law to consider the service plan and establish an assessment for the improvement district; and Mr. Yate, the primary developer, was present along with Mr. Patterson to answer any of Council's questions. Council Members Galloway, Todd, Keller and Parker absent.

Upon questions by Council Member Ellis, Mr. Calderon stated that the assessment would go for the infrastructure funding in the neighborhood, it would basically take the city off the hook for the funding; that it would be paid in a 20 year period and there was to be no assessment on anyone living there at this time it would be those buying in. Council Members Todd and Parker absent.

Note: No one had signed up to be heard at the hearing.

Council Member Ellis moved to close the hearing, and seconded by Council Member Castillo. All voting aye. Nays none. Council Member Todd absent. MOTION 2000-0737 ADOPTED.

### **MAYOR'S REPORT**

Council Member Vasquez moved to suspend the rules to take Item 80 out of order. Council Member Robinson stated that he would like to add Items 22 and 49, and was seconded by Council Member Castillo. All voting aye. Nays none. Council Member Todd absent. MOTION 2000-0738 ADOPTED.

80. RESOLUTION designating the **NORHILL AREA** as an Historic District - **DISTRICT H - VASQUEZ** – **(This was Item 7 on Agenda of June 7, 2000, TAGGED BY COUNCIL MEMBERS TATRO and TODD)** – was presented.

Council Member Tatro stated that he wanted to thank Ms. Gafrick in Planning for going over information with him; that he did think there were significant gaps in the current ordinance and he hoped it would be addressed in the rewrite; and he did support the designation of the Norhill District. Council Member Todd absent.

Council Member Keller stated that he supported this and was hopeful it would be successful, but they must recognize there was a chance their home values may not appreciate and may be worth half as much as the market would bear.

A vote was called on Item 80. All voting aye. Nays none. RESOLUTION 2000-28 ADOPTED.

Council Member Vasquez stated that he wanted to recognize the residents of Norhill for their hard work over the last three years and thank Council Members for recognizing the distinction between the current and proposed ordinance and he hoped the Historic Commission would take into account Council Member's comments on the proposed ordinance.

22. RESOLUTION authorizing application to the **TEXAS WATER DEVELOPMENT BOARD** for Financial Assistance and an application to the Texas Natural

Resources Conservation Commission for an amendment to a Water Rights Permit, all in connection with the Allens Creek Reservoir Project – was presented. All voting aye. Nays none. RESOLUTION 2000-29 ADOPTED.

49. ORDINANCE approving and authorizing water supply contract between the City of Houston and the **CITY OF JERSEY VILLAGE** – was presented. All voting aye. Nays none. ORDINANCE 2000-498 ADOPTED.

**Consent Agenda (Items 4 through 73) were considered as follows:**

**MISCELLANEOUS** - NUMBERS 4 through 10

4. CONFIRMATION of the appointment of **MR. R. C. JONES, SR.**, to Position B, of the **HOUSTON CLEAN CITY COMMISSION**, for a one year term – was presented, moved by , and seconded by – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0739 ADOPTED.
6. REQUEST from Mayor for confirmation of the appointment and reappointment of the following to the **CIVIL SERVICE COMMISSION**:  
Position 1 - **MS. LUECRETIA DILLARD**, reappointment, to an unexpired term ending 6/14/2001  
Position 2 - **MR. SCOTT A. LEMOND**, appointment, for a term beginning 6/15/2000 and expiring 6/14/2003  
Position 3 - **MS. JUANITA ELIZONDO**, reappointment, to an unexpired term ending 6/14/2002  
– was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0740 ADOPTED.
7. RECOMMENDATION from Director Convention & Entertainment Facilities Department for supplemental allocation in the amount of \$500,000.00 on contract with the **HOUSTON IMAGE GROUP** - General and Enterprise Funds - had been pulled from the Agenda by the Administration, and was not considered.
9. RECOMMENDATION from Acting Chief of Police for Extension of Leave of Absence without pay for Police Officer **BRANDON E. BURGESS**, Employee #106124 – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0741 ADOPTED.
10. RECOMMENDATION from Acting Director Department of Public Works & Engineering to approve refunds over \$5,000.00 for Water & Sewer Accounts for various customers - \$135,285.45 Enterprise Water & Sewer Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0742 ADOPTED.

**ACCEPT WORK** - NUMBERS 11 and 12

11. RECOMMENDATION from Acting Director Department of Public Works & Engineering for approval of final cost of \$1,574,174.93 and acceptance of work on contract with **KINSEL INDUSTRIES, INC** and **PM CONSTRUCTION - A Joint Venture** for Sanitary Sewer Rehabilitation by Sliplining and Pipebursting Methods, GFS R-0266-68-3, (4257-11) - 00.10% under the original contract amount - Enterprise Fund – was presented, moved by Council Member Boney, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-0743 ADOPTED.
12. RECOMMENDATION from Director Department of Aviation to accept work on contract with **JERDON ENTERPRISE, INC** for Fire Protection for Rental Car Area at William P. Hobby Airport (HOU); Project 433, CIP A-0141, A-247 and A-0350 - 01.18% over the original contract amount Enterprise Fund - **DISTRICT B – GALLOWAY** – was presented, moved by Council Member Boney, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-0744 ADOPTED.

**PROPERTY** - NUMBERS 13 through 14A

13. RECOMMENDATION from Acting Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from James Baxter, on behalf of H. L. Bradford, for sale of ±5,405 square feet of excess fee-owned land out of Lots 41, 42 and 43, Block 2, Carver Terrace Addition, SYO-070 - **STAFF APPRAISERS - DISTRICT B – GALLOWAY** – was presented, moved by Council Member Boney, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-0745 ADOPTED.
14. ORDINANCE appropriating \$15,730.00 out of Park Special Fund Number 491 (Edward Allday Trust Fund Account) to pay the amount of the Agreed Final Judgment in connection with the settlement of the eminent domain proceeding styled City of Houston v. Pavol Vido, et al, to acquire Parcel Number B98-4, for the **MILROY PARK EXPANSION PROJECT**, GFS/CIP F-0206-50-1 - **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 Member Robinson absent.
- 14a. RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Pavol Vido, et al., Cause Number 704,222 for a total consideration of \$134,679.00 and pay appraisal services of \$1,750.00; in connection with the **MILROY PARK EXPANSION PROJECT**, GFS/CIP F-0206-50-1 - **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 Member Robinson absent.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 15 through 21

21. **CERTIFIED/LVI ENVIRONMENTAL SERVICES, INC** for Emergency Asbestos and Lead Abatement Services for the Fire Department - \$48,100.00 and

contingencies for an amount not to exceed \$50,505.00 - Fire Department Revolving Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-0746 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 22 through 73

23. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of the excess, fee-owned Clearwood Street Right of Way containing 2,046 square feet of land, more or less, being part of Lot 7, Block C, Hales Addition, Harris County, Texas; vacating and abandoning said tract of land to Barbara Jean Abramcik, the abutting owner, in consideration of owner's payment of \$1,841.00 and other consideration to the City - **DISTRICT E – TODD** – was presented. All voting aye. Nays none. ORDINANCE 2000-499 ADOPTED.
25. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of Lockwood Drive Street Right of Way containing 11,497 square feet of land, more or less, out of the Clayton Place Subdivision, located in the Malcolm Terrell Survey, A-772, Harris County, Texas; vacating and abandoning said tract of land to Georgia-Pacific Corporation, the abutting owner, in consideration of the owner's dedication of an easement for sanitary sewer purposes containing 869 square feet of land, more or less, and an easement for utility purposes containing 18 square feet of land, more or less, and payment of \$7,236.00 and other consideration to the City - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2000-500 ADOPTED.
26. ORDINANCE consenting to the addition of 10.7005 acres of land to **HARRIS COUNTY FRESH WATER SUPPLY DISTRICT NO. 61**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2000-501 ADOPTED.
27. ORDINANCE consenting to the addition of 1.5055 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 185** for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2000-502 ADOPTED.
28. ORDINANCE consenting to the addition of 103.132 acres of land to **NORTH MISSION GLEN MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2000-503 ADOPTED.
29. ORDINANCE consenting to the addition of 57.325 acres of land to **WOODLANDS METRO CENTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district – was presented. All voting aye. Nays none. ORDINANCE 2000-504 ADOPTED.
31. ORDINANCE approving and authorizing an Occupancy Agreement between **CAREER AND RECOVERY RESOURCES, INC** as occupant, and the City of Houston, Texas, as owner, for space in the Metropolitan Multi-Service Center -

**DISTRICT D – BONEY** – was presented. All voting aye. Nays none. ORDINANCE 2000-505 ADOPTED.

33. ORDINANCE approving and authorizing contract between the City and the **ARTS COUNCIL OF HOUSTON/HARRIS COUNTY REGION** for Promotion of the Arts - Enterprise Fund – had been pulled from the Agenda by the Administration, and was not considered.
34. ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for Convention and Tourism Services Enterprise Fund – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
35. ORDINANCE approving and authorizing Use and Lease Agreements between the City of Houston and **SOUTHWEST AIRLINES COMPANY; CONTINENTAL EXPRESS, INC; DELTA AIR LINES, INC** and **AIRTRAN AIRWAYS, INC** at William P. Hobby Airport - Revenue **DISTRICT E – TODD** – was presented. All voting aye. Nays none. ORDINANCE 2000-506 ADOPTED.
36. Omitted
39. ORDINANCE appropriating \$100,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to Professional Telecommunications Consulting Services Contract between the City of Houston, Texas and **SUPERIOR CONSULTANT COMPANY, INC** (formerly Comsul, Ltd.), approved by Ordinance 97-722, for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field; (Project 409F); CIP A-0138 - **DISTRICTS B - GALLOWAY and E – TODD** - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
40. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to Professional Geotechnical Services Contract between the City of Houston, Texas and **BANDY & ASSOCIATES, INC** (approved by Ordinance 97-721), for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field; (Project 409E); CIP A-0138 **DISTRICTS B - GALLOWAY and E – TODD** - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
41. ORDINANCE appropriating \$48,000.00 out of Airport System Commercial Paper Series A, C (AMT) and approving the purchase of approximately 3.482 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 Josephine Kattar Elvey, Helen Kattar Faour, George Stephen Anton and Alice M. Anton 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. ORDINANCE 2000-507 ADOPTED.

42. ORDINANCE appropriating \$33,000.00 out of Airport System Commercial Paper Series A, C (AMT) and approving the purchase of approximately 0.9967 acre 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 Josephine Kattar Elvey and Jody Perkes Hughes 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. ORDINANCE 2000-508 ADOPTED.
43. ORDINANCE appropriating \$42,500.00 out of Airport System Commercial Paper Series A, C (AMT) and approving the purchase of approximately 1.651 acres of land out of the Amos Barber Survey, Abstract 125, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving a Purchase and Sale Agreement with Shannon W. Kleiber, Trustee, Waldema E. Kleiber Irrevocable Trust 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. ORDINANCE 2000-509 ADOPTED.
44. ORDINANCE appropriating \$990,000.00 out of Airport System Commercial Paper Series A, C (AMT) and approving purchase of approximately 40.0006 acres of land out of the W.C.R.R.. Company Survey, Section 3, Block 5, A-927, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and authorizing the Mayor to execute a Purchase and Sale Agreement with **MONE COMPANY** 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. ORDINANCE 2000-510 ADOPTED.
45. ORDINANCE approving and authorizing amendment No. 1 to contract between the City of Houston, Texas and **JOHNSON CONTROLS WORLD SERVICES, INC** for Fleet/Vehicle and Equipment Maintenance Services for the Houston Airport System – was presented. All voting aye. Nays none. ORDINANCE 2000-511 ADOPTED.
46. ORDINANCE approving and authorizing professional services contract between the City of Houston and **CHUBB SECURITY SYSTEMS, INC** for Installation of Alarm Systems at City's Swimming Pools; providing maximum contract amount - \$65,253.20 - Equipment Acquisition Consolidated 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.
47. ORDINANCE approving and authorizing contract between the City and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Library Services at Marshall Middle School and Jefferson Davis Senior High School - Revenue - **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.

50. ORDINANCE appropriating \$137,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Cost Sharing contract between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 89** for construction of 12-inch water line south of the Beltway and west of Cullen Boulevard, CIP S-0700-06-3 - DISTRICT E – TODD – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
51. ORDINANCE approving and authorizing amendment No. 1 to amended Interagency Agreement between the City of Houston, **HARRIS COUNTY, HARRIS COUNTY FLOOD CONTROL DISTRICT** and the **TEXAS DEPARTMENT OF TRANSPORTATION** related to National Pollutant Discharge Elimination System Permit No. TXS001201; providing a maximum contract amount – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
52. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT**; authorizing acceptance of \$200,000.00 from Harris County and deposit of such funds into Harris County Construction Fund for construction of Allen’s Landing Redevelopment, GFS N-0669-01-3 (N-0669-01) - DISTRICT I – CASTILLO - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
- 52a. ORDINANCE appropriating \$1,514,600.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **STEVEN R. HILL CONSTRUCTION CO., INC** on low bid of \$1,290,887.30 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** in the amount of \$30,000.00 for Allen’s Landing Redevelopment Site Development Task Two, GFS N-0669-02-3 (N-0669-02); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund DISTRICT I – CASTILLO – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
53. ORDINANCE approving and authorizing Transportation Improvement Agreement between the City of Houston, the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)**, and Harris County; authorizing acceptance of \$1,500,000.00 in funds from Harris County and deposit of such funds in Harris County Construction Fund and acceptance of \$4,000,000.00 in funds from METRO and deposit of such funds into the METRO Construction Fund for Reconstruction of Almeda Genoa Road between SH288 and Almeda Road, GFS N-0493-01-3 (N-0493-01) - DISTRICT D – BONEY – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

- 53a. ORDINANCE appropriating \$5,313,728.04 out of Street & Bridge Consolidated Construction Fund, \$1,500,000.00 out of Harris County Construction Fund, \$1,105,667.96 out of Storm Sewer Consolidated Construction Fund, \$1,282,407.05 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$7,782,993.50 and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING, INC** in the amount of \$220,000.00 for construction of Almeda Genoa Road; proposed Paving, Drainage, Sanitary, Signals, and Water Improvements, GFS N-0493-01-3 (N-0493-01); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund, the Harris County Construction Fund, the Water & Sewer System Consolidated Construction Fund and the Storm Sewer Consolidated Construction Fund DISTRICT D – BONEY – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
54. ORDINANCE appropriating \$793,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **JIMERSON UNDERGROUND, INC** on low bid of \$666,362.00 and approving and authorizing professional services contract for engineering testing services with **HERCULES ENGINEERING AND TESTING SERVICES, INC** in the amount of \$20,000.00 for Julia, Liberty, Starkey and Wylie Relief Sewers in the Northside II Service Area, GFS R-2011-11-3 (4741); 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. ORDINANCE 2000-512 ADOPTED.
58. ORDINANCE appropriating \$3,370,319.00 out of Street & Bridge Consolidated Construction Fund and \$1,564,091.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION COMPANY, INC** on low bid of \$4,350,819.80 and approving and authorizing professional services contract for engineering testing services with **HTS, INC CONSULTANTS** in the amount of \$105,000.00 for construction of West Little York Road from Bingle Road to City Limits, GFS N-0586-05-3 (N-0586-05); 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 A – TATRO – was presented. All voting aye. Nays none. ORDINANCE 2000-513 ADOPTED.
59. ORDINANCE appropriating \$1,286,470.00 out of Street & Bridge Consolidated Construction Fund and \$165,530.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RAY SMITH CONSTRUCTION, INC** on low bid of \$1,272,058.30 and approving and authorizing professional services contract for engineering testing services with **BANDY & ASSOCIATES, INC** in the amount of \$40,000.00 for Woodridge Improvements, IH-610 (South Loop) to Winkler, GFS N-0695-01-3 (SB-9013); providing funding for contingencies relating

to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2000-514 ADOPTED.

60. ORDINANCE appropriating \$6,699,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **BOYER, INC** on low bid of \$5,945,325.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LAB, INC** in the amount of \$100,000.00 for Buffalo Bayou Siphon, GFS R-0270-01-3 (4717-2); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS H - VASQUEZ and I – CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2000-515 ADOPTED.
62. ORDINANCE appropriating \$1,861,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **FERGUSON CONTRACTORS, LTD** on low bid of \$1,595,354.00 and approving and authorizing professional services contract for engineering testing services with **ASSOCIATED TESTING LABORATORIES, INC** in the amount of \$25,000.00 for Sims Bayou Sanitary Sewer Improvements, GFS R-2011-07-3 (4737); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I – CASTILLO** - had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
63. ORDINANCE appropriating \$2,250,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TROY CONSTRUCTION, INC** on low bid of \$2,008,814.41 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$20,000.00 for Water Main Replacement in Magnolia Park Subdivision, GFS S-0478-01-3 (10481); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2000-516 ADOPTED.
65. ORDINANCE appropriating \$2,348,590.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **DEI CONSTRUCTION SERVICES, INC** on low bid of \$2,088,817.50 and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** in the amount of \$30,000.00 for Water Main Replacement in Mykawa Industrial Section and Overbrook Subdivision, GFS S-0035-44-3 (10544); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS E - TODD and I – CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2000-517 ADOPTED.

66. ORDINANCE appropriating \$1,885,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on low bid of \$1,630,000.00 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** in the amount of \$33,000.00 for Water Main Replacement in Central City Subdivision and portions of LaSalette Place and Southland Place Subdivisions, GFS S-0035-43-3 (10543); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D – BONEY** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
67. ORDINANCE appropriating \$8,691,200.00 out of Water & Sewer Contributed Capital Fund, awarding contract to **INDUSTRIAL TX CORP** on low bid of \$7,470,600.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$100,000.00 for Southeast Water Purification Plant - Immediate Firm Capacity Improvements, GFS S-0012-20-3 (10484-2); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer Contributed Capital 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.
68. ORDINANCE appropriating \$2,107,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PATE & PATE ENTERPRISES, INC** on low bid of \$1,806,536.25 and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICE INDUSTRIES, INC** in the amount of \$30,000.00 for Sludge Force Main Enlargement from WCID #47 to Howard Drive Lift Station, GFS R-0523-02-3 (4718-2); 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. ORDINANCE 2000-518 ADOPTED.
69. ORDINANCE appropriating \$7,474,500.00 out of Street & Bridge Consolidated Construction Fund and \$1,475,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$7,590,553.00 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$220,000.00 for construction of West Fuqua from South Belt to Campden Hill, GFS N-0489-01-3 (N-0489-01); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT D – BONEY** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

70. ORDINANCE appropriating \$4,714,300.05 out of Storm Sewer Consolidated Construction Fund, \$2,553,534.45 out of Street & Bridge Consolidated Construction Fund and \$783,765.50 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **GARVER CONSTRUCTION, LTD** on low bid of \$7,319,250.50 and approving and authorizing professional services contract for engineering testing services with **MCBRIDE-RATCLIFF AND ASSOCIATES, INC** in the amount of \$220,000.00 for Austin Street Paving and Drainage Improvements, Contract No. 1, GFS M-0244-01-3 (M-0244-01); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer System Consolidated Construction Fund, Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT I – CASTILLO** – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
72. ORDINANCE appropriating \$8,000.00 out of Police Consolidated Construction Fund, CIP G-NA-00-1 and \$5,000.00 out of Parks Special Fund (Edwin Allday Trust Account), CIP F-0206-55-1; for payment of appraisal costs, for and in connection with projects within the City of Houston's Capital Improvement Plan – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

**Items removed from the Consent Agenda were considered as follows:**  
**MISCELLANEOUS**

5. REQUEST from Mayor for confirmation of the appointment and reappointment of the following to the **PLANNING COMMISSION**:
- Position Two - **MR. RICHARD RICE**, appointment, for an unexpired term ending 9/30/2001
  - Position Three - **MR. JAMES JARD**, reappointment, for a term to expire 9/30/2001
  - Position Five - **MR. MARK KILKENNY**, reappointment, for a term to expire 3/31/2001
  - Position Seven - **MR. DAVID COLLINS**, reappointment, for a term to expire 9/30/2001
  - Position Eight - **MR. JOHN CHIANG**, reappointment, for a term to expire 9/30/2001
  - Position Nine - **MS. ROBIN REED**, appointment, for an unexpired term ending 9/30/2000 and for a new term beginning 10/1/2000 and expiring 9/30/2002
  - Position Fourteen - **MR. SAMIR J. FOTEH**, appointment, for a term to expire 9/30/2001
  - Position Nineteen - **MR. JON STRANGE**, reappointment, for a term to expire 9/30/2001
- was presented, moved by Council Member Boney, and seconded by Council Member Sanchez.

Council Member Castillo stated that the Planning Commission was a very important commission and it was his belief it should have a diverse and proportionate representation among the membership; that he had recommended to the Administration



that when there was a resignation or non-reappointment that they maintain parity among the groups and in Position Two they were replacing a Hispanic with a non-Hispanic and it may seem trivial but it really was not because many times property owners who came to appeal had a challenging time when people on the Commission were not familiar with the area or situation; that he did not know what could be done unless he divided the question to vote against them. Mayor Brown stated that he did agree with him and throughout the process they had taken it into consideration, though there was a change here he would make sure they took care of it as additional positions became available.

A vote was called on Item 5. All voting aye. Nays none. MOTION 2000-0747 ADOPTED.

8. RECOMMENDATION from Director Parks & Recreation Department for approval of supplemental allocation to increase spending authority by \$145,000.00 from \$1,274,748.23 to \$1,419,748.23 to **UNISYS CORPORATION** for Hardware Maintenance Services Contract - General Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez and was tagged by Council Member Goldberg.

#### **PURCHASING AND TABULATION OF BIDS**

15. **SCHWEIZER AIRCRAFT CORPORATION (Bid No. 2)** for Purchase of Two Turbine Helicopters for Police Department - \$1,600,000.00 - Grant and Equipment Acquisition Funds – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0748 ADOPTED.
16. **RF TECHNOLOGY, INC** for Airborne Microwave Video Downlink Systems for Police Department New - \$122,000.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0749 ADOPTED.
17. **SERVE HOUSTON** for Six Full-time Staff Counselors for Comprehensive Strategy Grant related Programs - \$24,000.00 - Grant Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0750 ADOPTED.
18. **GULFTON AREA ACTION COUNCIL** for Compensation for space leased for the Comprehensive Strategy and Weed & Seed grant programs in the Gulfton Community - \$19,212.00 - Grant Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0751 ADOPTED.
19. **DENVER SOLUTIONS GROUP, INC** for Purchase of Computer Mainframe from the State of Texas General Services Commission's Contract through the State of Texas Cooperative Purchasing Program for Finance & Administration Department - \$226,760.00 - Equipment Acquisition Fund – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0752 ADOPTED.

20. **ETR ASSOCIATES** - \$34,008.00 and **CHANNING L. BETE COMPANY, INC** - \$20,749.35 for Pamphlets for the Health & Human Services Department - Grant Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and was tagged by Council Member Todd. **(Note: Council Member Todd released his tag later in the meeting.)**

Upon questions by Council Member Boney, Council Member Todd stated that some of the material was directed at minors and he wanted to read the material. Mayor Brown stated that there was no change in the material from years past; and Council Member Todd stated that he could not tell and would like to see the material.

Council Member Boney moved to suspend the rules to hear from Dr. Kendrick, and was seconded by Council Member Parker. All voting aye. Nays none. MOTION 2000-0753 ADOPTED.

Dr. Kendrick stated that they believed the informational brochures were very important materials for the communities to have as they did strive to address questions and issues related to HIV/AIDS and would continue to work with them; that a committee in the department did look at all material recommended and approval was given before it was forwarded to her; that they would continue having community involvement and add in more information as it became available; that she believed to delay action on this item made yesterday's discussion one that was not very successful; that they were essentially the same materials as before though there was one on Hepatitis C, there had been requests by Council Members and community and department members to have more information on Hepatitis C and that brochure was being added into the package and had to do with risk factors, how to protect yourself, etc. Council Members Goldberg and Vasquez absent.

Council Member Boney stated that he had addressed the HISD School Board regarding HIV/AIDS and also addressed the principals, etc., and there was a cooperative effort between the school district and the Health Department and the materials were present and he would suggest moving it to the end of the Agenda to give Council Member Todd time to read over it, but speakers in yesterday's meeting stated that every thirty minutes an African American woman was infected with it and he would move not to delay the item any longer and would move to override the tag, and was seconded by Council Member Bell. Council Members Goldberg and Vasquez absent.

Upon questions by Council Member Todd, Dr. Kendrick stated that one brochure regarding Hepatitis C was in the package and one was on the way; that type of information was available from the Liver Foundation and other medical entities involved with Hepatitis C so they were pamphlets considered accurate and up to date; that they did have some available for distribution but were now working on purchasing the material and when the others came available for purchasing then those would be provided to Council Members. Council Member Todd stated that he was a Council Member who had asked her to develop an overall plan for Hepatitis C; and upon questions, Dr. Kendrick stated that the pamphlet present was not related to his memo but was an approach to it; that they had submitted a grant application to the Texas Department of Health for \$144,000 and received an award for approximately \$80,000 and that would allow them to do surveillance and review on the amount of Hepatitis C

that they believed may be acute or other cases in the community and they would look to determine risk factors involved in those cases; that they had also applied for additional dollars to allow them to be more proactive and those were now still in the process; that they had also met with many representatives on that issue including physicians and pharmaceutical companies who were working with them and they did have a comprehensive approach they were following. Council Member Todd stated that he would hope they had a more detailed plan; that he was disappointed in the response the Health Department had to his memo which was basically they had no overall plan; and Dr. Kendrick stated that they did have a comprehensive plan and it did involve getting a certain degree of resources to achieve outcome associated with the plan and they met with individuals who may be able to support it in an economic way and if he had other suggestions they would look at that also. Council Member Todd stated that he would like to see more pro-activity in her department; that it was not his responsibility as a Council Member to be creative or an expert on Hepatitis C, it was her job, and he wanted her to do more than say they would be relying on the federal government; and Dr. Kendrick stated that was not what they were doing, they had applied and would continue to apply including in the City of Houston for funds that may be available; and they were seeking public and private dollars. Council Member Todd stated that he would make sure he attached a copy of her memo on Hepatitis C to the back of his motion for a performance audit of her department.

Council Members discussed with Dr. Kendrick the brochures and educational efforts and funding for HIV/AIDS and Hepatitis C; and Dr. Kendrick discussed the funding applied for, the brochures and where they could be located such as at clinics, community based organizations, churches, shelters, festivals, etc.; a play entitled "Abstinence"; billboards, radio advertisements and the multiple venues being used.

Council Member Todd stated that he would remove his tag and move the item to the end of the Agenda to allow him time to get a complete package to look at.

Council Member Sanchez stated that he would agree they should not diminish one disease over another, but thought one should recognize that Hepatitis C and its awareness was a more recent phenomena than HIV and therefore they had the upper leg on HIV but they could use that as an asset to begin moving information generated to the community; that these were multi ethnic and multi gender diseases but as HIV disproportionately affected African American women he thought Hepatitis C also disproportionately affected the Hispanic community and it was equally important for them to be aware of information and know procedures in being tested; and the Centers for Disease Control were predicting that Hepatitis C was a huge health concern issue across the country; and he felt collective work should be in assisting the department in finding additional funding whether it be private or public dollars. Dr. Kendrick stated that he was absolutely right and they were addressing within their service delivery within their department and other community organizations to provide ongoing and increasing services to the Hispanic community, they did not want to see trends they had seen in other communities, however, they had declared a state of emergency in the African American community for HIV/AIDS and of the 1999 infections 61% was in the African American community; 15% in the Hispanic community; 23% in the Anglo community and Asian and other ethnic groups 1%.

Council Member Parker stated that this was an issue she was emotional about but working on it and wanted to thank the Health Department and Steve Walker for working with her; that there was to be a presentation June 22 as a part of Gay and Lesbian Pride Week as an update on what the City's current plans and activities were around HIV/AIDS, what the changing phase was in Houston and where the city's dollars were going.

Mayor Brown stated that the tag had been released and the item would be taken up at the end of the Agenda.

### **RESOLUTIONS AND ORDINANCES**

24. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of two portions of the Gardner Avenue Right of Way containing 3,059 square feet of land, more or less, Parcel S98-038, and 2,817 square feet of land, more or less, Parcel S98-039, both located between Blocks 46 and 47 of Brooke Smith Addition, Sections 1 and 2, Houston, Harris County, Texas; vacating and abandoning (i) Parcel S98-038 to **S. K. LODGING GROUP, INC**, the abutting owner, and (ii) Parcel S98-039 to **CALTEX INVESTMENTS**, the abutting owner, in consideration of (i) S. K. Lodging Group, Inc's dedication back of a 10-foot wide by 10-foot long Fire Hydrant Easement, and payment of \$10,832.00 and other consideration to the City and (ii) Caltex Investment's payment of \$10,141.00 and other consideration to the City **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. Council Member Galloway absent. ORDINANCE 2000-519 ADOPTED.
30. ORDINANCE amending the **CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the provision of Free Parking Privileges to Registrants of Vehicles that have certain Veteran's License Plates; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. All voting aye. Nays none. Council Member Galloway absent. ORDINANCE 2000-520 ADOPTED.
32. 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 Home Investment Partnerships ("HOME") Program, among others, to the United States Department of Housing and Urban Development ("HUD") under the authority of Title II of the Cranston-Gonzalez National Affordable Housing Act, as amended – was presented, and was tagged by Council Member Castillo. Council Member Galloway absent.
37. ORDINANCE appropriating \$150,000.00 out of Airports Improvement Fund and approving and authorizing professional engineering services contract between the City and **COBB, FENDLEY & ASSOCIATES, INC**, for Miscellaneous Projects at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; Project 409I, CIP A-0138 - **DISTRICTS B - GALLOWAY and E – TODD** – was presented. All voting aye. Nays none. Council Member Galloway absent. ORDINANCE 2000-521 ADOPTED.

38. ORDINANCE appropriating \$100,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to the contract for professional architectural services between the City of Houston, Texas and **AMBROSE AND McENANY, INC** (approved by Ordinance 97-1103), for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field; (Project 409G); CIP A-0138 **DISTRICTS B - GALLOWAY and E – TODD** – was presented, and was tagged by Council Member Keller. Council Member Galloway absent.

Council Member Keller stated that he had requested a package earlier and the department said they would be getting it to him, but he did want to give a heads up as he wanted to know why there would be geotechnical in existing buildings and wanted to know which facilities may need the renovating. Mayor Brown absent. Mayor Pro Tem Boney presiding.

48. ORDINANCE correcting Item Number 3 in the Assessment Roll included within Ordinance Number 84-1958, which ordinance levied assessments with respect to the improvement of a portion of Bingle Road, Longpoint Road, and Hammerly Boulevard in the City of Houston, Texas **DISTRICT A – TATRO** – was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-522 ADOPTED.
55. ORDINANCE appropriating \$749,338.00 out of Street & Bridge Consolidated Construction Fund, \$356,530.00 out of Water & Sewer System Consolidated Construction Fund and awarding contract to **PEDKO PAVING, INC** on low bid of \$936,406.75 and approving and authorizing professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** in the amount of \$29,000.00 for construction of Neighborhood Street Reconstruction Project No. 432A-Phase II, GFS N-0364-03-3 (N-0364-03); providing funding for construction management and 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. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-523 ADOPTED.
56. ORDINANCE appropriating \$3,161,020.00 out of Street & Bridge Construction Fund, \$453,416.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **CONRAD CONSTRUCTION COMPANY, INC** on low bid of \$3,166,158.05 and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICE INDUSTRIES, INC** in the amount of \$100,000.00 for Fulton Road: from Lyerly to Tidwell, GFS N-0542-01-3 (N-0542-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT H – VASQUEZ** - was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-524 ADOPTED.

57. ORDINANCE appropriating \$501,808.00 out of Street & Bridge Consolidated Construction Fund and \$35,492.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RAY SMITH CONSTRUCTION, INC** on low bid of \$470,540.90 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$15,000.00 for construction of Gaylord Drive from Memorial City Way to Bunker Hill Road, GFS N-1034-02-3 (N-1034-02); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT G – KELLER** was presented, and was tagged by Council Members Parker, Quan and Keller. Mayor Brown absent. Mayor Pro Tem Boney presiding.

Council Member Keller stated that he wanted a legal opinion as to when and if the Memorial City TIRZ and the exact boundaries of it were included in it and if it (Gaylord Drive) could be included in it if it was not and when and if the Memorial City TIRZ received county approval and came into position could that TIRZ reimburse the citizens of Houston or City of Houston for the amount; and he would like to know this week if such language could be added; and Mayor Pro Tem Boney stated that someone would visit with him. Mayor Brown and Council Member Sanchez absent. Mayor Pro Tem Boney presiding.

Council Member Quan stated that many Council Members received letters from the Mayor of Hedwig Village and in her letter she stated that she had made six attempts to contact Mayor Brown concerning the project and he did not think it good policy to simply ignore requests of discussion with Mayors of other cities on projects that would affect them and he would like the Administration to make effort to communicate with other communities; and Mayor Pro Tem Boney stated that would be followed up on. Mayor Brown and Council Member Sanchez absent. Mayor Pro Tem Boney presiding.

Council Member Keller stated that he also would like a good neighbor policy with the villages and yielded to Mr. Haines to give information on the taskforce efforts made. Mr. Haines stated that contact was made with Mayor Brown and it was agreed they would work through the issues with a special taskforce which included himself, Council Member Keller and members of his office on this issue and on general drainage issues and he was satisfied a significant amount of time and effort was spent with them on the matter; that they had started meeting with the Mayor of Hedwig Village he believed in January and there had been ongoing meetings since then with representatives of Public Works, the engineering community, Hedwig Village and City of Houston and representatives of Council Member Keller's office. Mayor Brown and Council Member Sanchez absent. Mayor Pro Tem Boney presiding.

61. ORDINANCE appropriating \$1,472,100.00 out of Storm Sewer System Consolidated Construction Fund, awarding contract to **JIMERSON UNDERGROUND, INC** on low bid of \$1,290,199.00 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$40,000.00 for Winlow Place Storm Sewer Relief, GFS M-0224-WP-3 (M-0224-WP); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer



System Consolidated Construction Fund - **DISTRICT D – BONEY** – was presented. All voting aye. Nays none. Mayor Brown and Council Member Sanchez absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-525 ADOPTED.

64. ORDINANCE appropriating \$1,273,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$1,133,385.50 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING AND TESTING, INC** in the amount of \$15,000.00 for Water Main Rehabilitation/Replacements at South Rice, Milwee, Shepherd, Sherman, Harrisburg/Broadway, Lawndale and Lockwood, GFS S-0480-01-3 (10483); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; C - GOLDBERG; F - ELLIS; G - KELLER and I – CASTILLO** – was presented. All voting aye. Nays none. Mayor Brown and Council Member Sanchez absent. Mayor Pro Tem Boney presiding. ORDINANCE 2000-526 ADOPTED.
71. ORDINANCE appropriating \$991,250.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on bid of \$875,000.00 and approving and authorizing professional services contract for engineering testing services with **ATSER, LP.** in the amount of \$20,000.00 for Hunterwood MUD Service Area Diversion, GFS R-0536-05-3 (4719-1); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I – CASTILLO** – was presented.

Council Member Quan stated that Jimmerson Underground was \$40,000 less than RWL and he knew there was controversy on how the bid was prepared with a couple of lines being left blank, but he was concerned they were putting form before substance at the cost of \$40,000; that he would like further discussion and tagged Item 71. Mayor Brown and Council Member Sanchez absent. Mayor Pro Tem Boney presiding.

73. ORDINANCE relating to Impact Fees for Water and Wastewater Facilities; amending the Chapter 47 of the Code of Ordinances; updating Land Use Assumptions and Impact Fee Capital Improvements Plans for Water and Wastewater Facilities; establishing maximum Impact Fees for Water and Wastewater Facilities; adopting updated Impact Fees for Water and Wastewater Facilities - **SECOND AND FINAL READING** – was presented.

Council Member Tatro stated that this was being adjusted for the CPI (Consumer Price Index), but in 1997 an amendment was passed excluding houses of a medium income bracket from the impact fee and while on one hand they were looking at promoting development they were looking to raise the impact fee by 30% and burdening them more while on the other hand giving a 100% discount, waiving the discount, for a medium income house with a study showing to be \$103,000 and he would think that a bit excessive; that he would like a more graduated rate and would support a 50% or 60% discount at probably 80% of the median putting it around \$80,000 and 100% discount at

the lower end which would be lower than 80% of the median; that he believed a graduated approach shared the burden much more evenly throughout the housing spectrum; and requested consideration be given to the graduation of discount and he hoped the Administration would bring back to the table the graduated rate in the 80% range with a 50% discount and not just have a 100% discount at the median price range; that he would support the ordinance but would like it to be more fair. Council Members Todd and Sanchez absent.

Council Member Quan stated that he believed setting the maximum amount was reasonable and the discussion last week was fair and well thought out, but he did believe discounting half the homes and using the median level was too generous; that in a time of austerity they needed to look more at a graduated rate to more evenly distribute the cost of the fees; that he thought the Administration was going to look into it and he would like a commitment to it. Mayor Brown stated that today they were interested in setting the impact fee, it would be appropriate to look at the exemptions and they could bring that back to Council at a later time. Council Members Boney, Todd, Castillo and Sanchez absent.

Council Member Robinson stated that he would be supporting the impact fee adjustment for inflation, but if they were going to look at the exemption they needed to look at the big and broad policy of housing in the City of Houston and the truth and reality was there were not that many homes in the city being built at \$103,000 or less; that he lived in an area of the city where townhomes were selling at \$250,000 to \$325,000; that they should be careful in examples used and look at the totality of things and taking one thing off the table could have a potential impact on the overall effort and he wanted to make sure that the Community Development Corporation and the Affordable housing building community was a part of any discussion relative to the tipping point if the exemption was removed and if the houses were not built what would be the offset in loss of property tax revenue versus the small exemption they would provide. Council Members Boney and Sanchez absent.

Council Member Castillo stated that he believed the ultimate goal of recovering the cost of maintaining and expanding the infrastructure was important to the city to the extent they did not collect revenues to offset the cost it would slow down the expansion or be unfair to some category of housing; that the committee appointed to determine the rates followed the law and he would not be in favor of changing it. Council Members Boney, Goldberg and Robinson absent.

Mayor Brown stated that today they were voting on the impact fee and would study exemptions to be brought back later; and called for a vote on Item 73. Council Members Todd, Ellis and Keller voting no. Balance voting aye. Council Members Goldberg, Boney and Robinson absent. ORDINANCE 2000-527 ADOPTED.

**The Non Consent Agenda (Items 74 and 75) were considered as follows:**

**PROPERTY**

74. RECOMMENDATION from Acting Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Larry J. Mueller, Turner Collie and Braden, Inc., on behalf of South Alabama

Development, L.P., a Delaware limited partnership {Galleria Developers, LLC, a Delaware limited liability company [USC Developers, Inc (John Haywood, president), managing member], general partner}, for abandonment and sale of McCue Street, between West Alabama Street and Hidalgo Street, in exchange for the conveyance to the City of land and improvements for the relocation of this segment of McCue Street, located in the William White 1/3 League, Abstract 836, Parcels SYO-056 and AYO-063 - **APPRAISERS DISTRICT C – GOLDBERG** – was before Council. Council Member Goldberg named Thomas A. Bazan and John Fonteno, Jr., as the appraisers, and moved approval of the recommendation, and was seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-0754 ADOPTED.

75. RECOMMENDATION from Acting Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Belinda King, Lovett Homes, on behalf of 5177 Builders Ltd. [Lovett Amherst Homes, Inc (Frank M. K. Liu, president), general partner], for abandonment and sale of the remaining portion of Mathews Street, from West Webster Avenue to Oak Place Street, in exchange for the conveyance to the City of a 15-foot wide sanitary sewer easement, located within the Subdivision of Lot 34, Obedience Smith Survey, Parcels SYO-066 and DYO-039 - **APPRAISERS - DISTRICT D – BONEY** – was before Council. Council Member Boney moved to postpone Item 75 one week, and was seconded by Council Member Ellis. All voting aye. Nays none. MOTION 2000-0755 ADOPTED.

**FY 2001 BUDGET MATTERS** – NUMBERS 76 through 78

76. ORDINANCE related to the Fiscal Affairs of the City; approving the Annual Budgets of the City of Houston, Texas, for Fiscal Year 2001 for the General, Enterprise, Special, Revenue, Internal Service, Revolving, Debt Service and Tax Increment Reinvestment Zone Funds; appropriating excess funds in the General Fund Fund Balance and authorizing their transfer; providing for future adjustment to the beginning fund balances; making various amendments to the proposed budgets; establishing a cost for copies of the budget; making certain findings related thereto; providing a repealing clause; providing for severability – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.
77. RECOMMENDATION from Acting Director Department of Finance & Administration to approve proposed **FISCAL YEAR 2000-2004 CAPITAL IMPROVEMENT PLAN** and **establish a charge of \$20.00 plus tax and postage** for the approved CIP documents – had been pulled from the Agenda by the Administration, and was not considered.
78. ORDINANCE providing for the continuation of appropriations for the support of the City Government pursuant to the requirements of Article VIa, Section 1 of the City Charter; making appropriations from the Public Works & Engineering/Accumulated Unexpended Fund; Tax Increment Reinvestment Zone Funds and the Housing Special Revenue Fund making other provisions related to the subject; containing a severability clause – had not been received, and the City

Secretary announced it would be considered at the end of the Agenda if received during the meeting.

**MATTERS HELD** - NUMBERS 79 through 82

79. MOTION by Council Member Boney/Seconded by Council Member Sanchez to **ADA RESOURCES, INC** for Fuel, Reformulated Gasoline for Finance & Administration Department \$22,974,940.00 - Central Services Revolving Fund - **(This was Item 5 on Agenda of June 7, 2000, TAGGED BY COUNCIL MEMBER ELLIS)** – was presented. All voting aye. Nays none. MOTION 2000-0756 ADOPTED.
81. ORDINANCE approving and authorizing contract between the City and **JUSTEX SYSTEMS, INC** for Development and Administration of Process for Promotion of Rank of Lieutenant in the Houston Police Department; providing a maximum contract amount - \$166,891.00 - General Fund – **(This was Item 15 on Agenda of June 7, 2000, TAGGED BY COUNCIL MEMBER TODD)** - was presented. All voting aye. Nays none. ORDINANCE 2000-527 ADOPTED.
82. ORDINANCE appropriating \$275,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing professional engineering services contract between the City of Houston and **C/e CONSULTANTS, INC** for Design of the 2000 Safe Sidewalk Program, CIP N-0610A-05-2 (SB 9007); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund – **(This was Item 26 on Agenda of June 7, 2000, TAGGED BY COUNCIL MEMBER VASQUEZ)** - was presented.

Council Member Keller stated that he wanted to be assured there were actual dollars in place; that once the design was completed there were actual construction dollars; and Mayor Brown stated there were funds available.

A vote was called on Item 82. All voting aye. Nays none. ORDINANCE 2000-528 ADOPTED.

**Items received during the meeting were considered as follows:**

14. ORDINANCE appropriating \$15,730.00 out of Park Special Fund Number 491 (Edward Allday Trust Fund Account) to pay the amount of the Agreed Final Judgment in connection with the settlement of the eminent domain proceeding styled City of Houston v. Pavol Vido, et al, to acquire Parcel Number B98-4, for the **MILROY PARK EXPANSION PROJECT**, GFS/CIP F-0206-50-1 - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2000-529 ADOPTED.
- 14a. RECOMMENDATION from City Attorney to settle eminent domain lawsuit styled City of Houston v. Pavol Vido, et al., Cause Number 704,222 for a total consideration of \$134,679.00 and pay appraisal services of \$1,750.00; in connection with the **MILROY PARK EXPANSION PROJECT**, GFS/CIP F-0206-50-1 - **DISTRICT H – VASQUEZ** – was presented, moved by Council Member Sanchez, and seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-0757 ADOPTED.
34. ORDINANCE approving and authorizing contract between the City and the **GREATER HOUSTON CONVENTION AND VISITORS BUREAU** for Convention and Tourism Services Enterprise Fund – was presented, and was tagged by Council Members Vasquez and Keller.  
  
Council Member Keller stated that he had a question as to why they had \$450,000 in membership dues; and Mayor Brown stated that he would be briefed.
39. ORDINANCE appropriating \$100,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to Professional Telecommunications Consulting Services Contract between the City of Houston, Texas and **SUPERIOR CONSULTANT COMPANY, INC** (formerly Comsul, Ltd.), approved by Ordinance 97-722, for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field; (Project 409F); CIP A-0138 - **DISTRICTS B - GALLOWAY and E – TODD** – was presented, and was tagged by Council Member Keller.
40. ORDINANCE appropriating \$200,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to Professional Geotechnical Services Contract between the City of Houston, Texas and **BANDY & ASSOCIATES, INC** (approved by Ordinance 97-721), for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport, and Ellington Field; (Project 409E); CIP A-0138 **DISTRICTS B - GALLOWAY and E – TODD** – was presented. All voting aye. Nays none. ORDINANCE 2000-530 ADOPTED.
46. ORDINANCE approving and authorizing professional services contract between the City of Houston and **CHUBB SECURITY SYSTEMS, INC** for Installation of Alarm Systems at City's Swimming Pools; providing maximum contract amount - \$65,253.20 - Equipment Acquisition Consolidated Fund – was presented. All voting aye. Nays none. ORDINANCE 2000-531 ADOPTED.

47. ORDINANCE approving and authorizing contract between the City and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Library Services at Marshall Middle School and Jefferson Davis Senior High School - Revenue - **DISTRICT H – VASQUEZ** – was presented. All voting aye. Nays none. ORDINANCE 2000-532 ADOPTED.
50. ORDINANCE appropriating \$137,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing Cost Sharing contract between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 89** for construction of 12-inch water line south of the Beltway and west of Cullen Boulevard, CIP S-0700-06-3 - **DISTRICT E – TODD** – was presented. All voting aye. Nays none. ORDINANCE 2000-533 ADOPTED.
51. ORDINANCE approving and authorizing amendment No. 1 to amended Interagency Agreement between the City of Houston, **HARRIS COUNTY, HARRIS COUNTY FLOOD CONTROL DISTRICT** and the **TEXAS DEPARTMENT OF TRANSPORTATION** related to National Pollutant Discharge Elimination System Permit No. TXS001201; providing a maximum contract amount – was presented. All voting aye. Nays none. ORDINANCE 2000-534 ADOPTED.
52. ORDINANCE approving and authorizing Interlocal Agreement between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT**; authorizing acceptance of \$200,000.00 from Harris County and deposit of such funds into Harris County Construction Fund for construction of Allen’s Landing Redevelopment, GFS N-0669-01-3 (N-0669-01) - **DISTRICT I – CASTILLO** - was presented. All voting aye. Nays none. ORDINANCE 2000-535 ADOPTED.
- 52a. ORDINANCE appropriating \$1,514,600.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **STEVEN R. HILL CONSTRUCTION CO., INC** on low bid of \$1,290,887.30 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** in the amount of \$30,000.00 for Allen’s Landing Redevelopment Site Development Task Two, GFS N-0669-02-3 (N-0669-02); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2000-536 ADOPTED.
53. ORDINANCE approving and authorizing Transportation Improvement Agreement between the City of Houston, the **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY (METRO)**, and Harris County; authorizing acceptance of \$1,500,000.00 in funds from Harris County and deposit of such funds in Harris County Construction Fund and acceptance of \$4,000,000.00 in funds from METRO and deposit of such funds into the METRO Construction Fund for Reconstruction of Almeda Genoa Road between SH288 and Almeda Road, GFS



N-0493-01-3 (N-0493-01) - **DISTRICT D – BONEY** - was presented. All voting aye. Nays none. ORDINANCE 2000-537 ADOPTED.

- 53a. ORDINANCE appropriating \$5,313,728.04 out of Street & Bridge Consolidated Construction Fund, \$1,500,000.00 out of Harris County Construction Fund, \$1,105,667.96 out of Storm Sewer Consolidated Construction Fund, \$1,282,407.05 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$7,782,993.50 and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING, INC** in the amount of \$220,000.00 for construction of Almeda Genoa Road; proposed Paving, Drainage, Sanitary, Signals, and Water Improvements, GFS N-0493-01-3 (N-0493-01); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund, the Harris County Construction Fund, the Water & Sewer System Consolidated Construction Fund and the Storm Sewer Consolidated Construction Fund **DISTRICT D – BONEY** – was presented.

Council Member Keller stated that he was showing the item came up with about 17% in engineering contingencies; that he was told it was including the \$155,000 for project management and the \$654,000 for construction management which was in the backup but the RCA did not say that; that he thought it had 16.9% for engineering and contingencies and he thought it was high and above state fees and if so he wanted to know why they had to follow the state guidelines as he understood they did not have to; and tagged Item 53a. Mayor Brown stated that someone would visit with him on the issues raises. Council Member Boney absent.

62. ORDINANCE appropriating \$1,861,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **FERGUSON CONTRACTORS, LTD** on low bid of \$1,595,354.00 and approving and authorizing professional services contract for engineering testing services with **ASSOCIATED TESTING LABORATORIES, INC** in the amount of \$25,000.00 for Sims Bayou Sanitary Sewer Improvements, GFS R-2011-07-3 (4737); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT I – CASTILLO** - was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-538 ADOPTED.
66. ORDINANCE appropriating \$1,885,100.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on low bid of \$1,630,000.00 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** in the amount of \$33,000.00 for Water Main Replacement in Central City Subdivision and portions of LaSalette Place and Southland Place Subdivisions, GFS S-0035-43-3 (10543); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT D – BONEY** – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-539 ADOPTED.

67. ORDINANCE appropriating \$8,691,200.00 out of Water & Sewer Contributed Capital Fund, awarding contract to **INDUSTRIAL TX CORP** on low bid of \$7,470,600.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$100,000.00 for Southeast Water Purification Plant - Immediate Firm Capacity Improvements, GFS S-0012-20-3 (10484-2); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer Contributed Capital Fund – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-540 ADOPTED.
69. ORDINANCE appropriating \$7,474,500.00 out of Street & Bridge Consolidated Construction Fund and \$1,475,500.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$7,590,553.00 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$220,000.00 for construction of West Fuqua from South Belt to Campden Hill, GFS N-0489-01-3 (N-0489-01); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT D – BONEY** – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-541 ADOPTED.
70. ORDINANCE appropriating \$4,714,300.05 out of Storm Sewer Consolidated Construction Fund, \$2,553,534.45 out of Street & Bridge Consolidated Construction Fund and \$783,765.50 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **GARVER CONSTRUCTION, LTD** on low bid of \$7,319,250.50 and approving and authorizing professional services contract for engineering testing services with **MCBRIDE-RATCLIFF AND ASSOCIATES, INC** in the amount of \$220,000.00 for Austin Street Paving and Drainage Improvements, Contract No. 1, GFS M-0244-01-3 (M-0244-01); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer System Consolidated Construction Fund, Street & Bridge Consolidated Construction Fund and Water & Sewer System Consolidated Construction Fund - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-542 ADOPTED.
72. ORDINANCE appropriating \$8,000.00 out of Police Consolidated Construction Fund, CIP G-NA-00-1 and \$5,000.00 out of Parks Special Fund (Edwin Allday Trust Account), CIP F-0206-55-1; for payment of appraisal costs, for and in connection with projects within the City of Houston's Capital Improvement Plan – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-543 ADOPTED.
20. **ETR ASSOCIATES** - \$34,008.00 and **CHANNING L. BETE COMPANY, INC** - \$20,749.35 for Pamphlets for the Health & Human Services Department - Grant

Fund – was presented, previously moved by Council Member Boney, and seconded by Council Member Sanchez – was again before Council.

Council Member Todd moved to delete from Item 20 the pamphlets entitled “101 Ways To Have Sex” and “Safer Sex Can Be Fun”, and was seconded by Council Member Ellis.

Mayor Brown stated that for clarification the first pamphlet did not exist and the second there was no copy of and therefore he felt it was appropriate to support his motion and he would like to see what was present voted on.

**ROLL CALL VOTE ON MOTION TO AMEND:**

|                                     |                                     |
|-------------------------------------|-------------------------------------|
| Mayor Brown voting aye.             | Council Member Vasquez voting aye.  |
| Council Member Tatro voting aye.    | Council Member Castillo voting aye. |
| Council Member Galloway voting aye. | Council Member Parker voting no.    |
| Council Member Goldberg voting aye. | Council Member Quan voting aye.     |
| Council Member Boney voting aye.    | Council Member Sanchez voting aye.  |
| Council Member Todd voting aye.     | Council Member Bell voting aye.     |
| Council Member Ellis voting aye.    | Council Member Robinson voting aye. |
| Council Member Keller voting aye.   | MOTION TO AMEND CARRIED.            |

**ROLL CALL VOTE ON MAIN MOTION AS AMENDED:**

|                                     |                                      |
|-------------------------------------|--------------------------------------|
| Mayor Brown voting aye.             | Council Member Vasquez voting aye.   |
| Council Member Tatro voting aye.    | Council Member Castillo voting aye.  |
| Council Member Galloway voting aye. | Council Member Parker voting aye.    |
| Council Member Goldberg voting aye. | Council Member Quan voting aye.      |
| Council Member Boney voting aye.    | Council Member Sanchez voting aye.   |
| Council Member Todd voting aye.     | Council Member Bell voting aye.      |
| Council Member Ellis voting aye.    | Council Member Robinson voting aye.  |
| Council Member Keller voting aye.   | MOTION 2000-0758 ADOPTED AS AMENDED. |

RESOLUTION 2000-30, a resolution commending Dr. Harry P. Pachon for his 23 years of service to NALEO Educational Fund, in his roles of founder, executive director, board member and board fund’s naturalization assistance and civic participation activities.

**MATTERS TO BE PRESENTED BY COUNCIL MEMBERS:**

Council Member Vasquez stated that Studewood/Studemont was passed last summer to be constructed and he would like an update as to when that would be; and Mayor Brown stated someone would give him an update. Council Member Todd absent.

Council Member Keller stated that he wanted to thank his colleagues who expressed concern and friendship for him during the week and he also wanted to apologize to them and to the Mayor for any embarrassment he may have caused along with undue attention because it did take much of their time; that he would not forget their support and would work hard to make it the best thing that had ever happened to him and continue to work hard to earn their support in the future. Council Member Todd absent.

Council Member Castillo stated that he wanted to thank members of Council who attended the budget sessions; that they were being broadcast live and that brought much response from the viewing audience; that he felt tomorrow's meeting would be valuable in terms of reviewing all amendments received; that it was a productive experience and he thanked everyone. Council Member Todd absent.

Council Member Boney stated that he wanted to advise there was a Regional Planning Council Committee Meeting this afternoon and that was important as it had to do with ETJ matters and he would like all amendments submitted to Council Member Castillo so they could all be discussed and avoid a possible tag. Council Member Todd absent.

Council Member Goldberg stated that in the Glenshire Subdivision there was a one hour motel starting to go up and he met with the owner and was told that was not his intention, but he would like Legal to work with him and place some restricted covenant so that even if the property was sold it would not be able to be used.

Council Member Goldberg stated that in South Hampton he had alleyways in need of repair and he would be meeting with the civic club but would like someone from Public Works to meet with him and see what could be done to alleviate it.

Council Member Goldberg stated that he wanted to comment on Council Member Keller's situation; that as an attorney he had handled DWI cases and not only did he not receive preferential treatment, but in his opinion he received worse treatment with probably worse scrutiny than any of his clients would have; that he had never before had a client willing to plead guilty to a case that could not have been proven in court; that every American had the right to make prosecution prove their case and in his he did not believe it could have been proven without a police officer's testimony or breath test; that he believed Bert Keller set the standard much higher, maybe out of the reach of normal politicians to admit to something that could not have been proven in court, to take full responsibility and he wanted to commend him for that; and his only regret was that he set the standard even higher, higher than it should have been and he felt that needed to be recognized.

Mayor Brown stated that someone from Legal would meet with him on the legal issue and someone from Public Works on his alley issue.

Council Member Todd stated that on Item 73, the impact fees, he would like to have a no vote recorded if there were no objections; and Mayor Brown stated that with the consensus of Council, Council Member Todd voted no.

Council Member Todd yielded to Council Member Goldberg who stated that he would like a no vote recorded on the item also. NOTE: The record was not changed to comply with Council Member Goldberg's request as he was absent when the vote was called on Item 73.

Council Member Keller stated that he would also like a no vote recorded on Item 73; and Mayor Brown stated that the same would go for Council Members Goldberg and Keller.

Council Member Todd stated that Council Member Bell had spoken about the bikeways on W. Alabama and he drove down W. Alabama and saw the lanes and would concur with his assessments; that he was in favor of encouraging people to ride bicycles but on W. Alabama he was not sure it was appropriate because of the congested traffic and thought it should be reevaluated and would suggest the reevaluation because of the negative effect on traffic flow.

Council Member Todd stated that there was a left turn lane placed onto Kirby and Shepherd and that was a good move so he wanted to give them kudos on that. Mayor Brown stated that on the bikeways he did ask for it to be looked at and they would report back once it had been surveyed.

Council Member Galloway stated that about three weeks ago she brought to Mayor Brown's attention about the unsafe bridge on Lockwood and she wanted to commend him and his staff as work had started, she received a memo from Mr. Rolen stating bids had been received; that she also wanted to thank Chief Bradford for having the weight limit checked because they found trucks had been going across weighing twice as much as what the load limit was; and she would like to hurry and get this on the Council table as it was a dangerous situation and was looking to the Mayor to get it on Council's Agenda as soon as possible so the contract could be approved; and Mayor Brown stated that they would hurry and asked Mr. Rolen to expedite the matter.

Council Member Robinson stated that he wanted to remind his colleagues that at the June 27 hearing of the Transportation and Technology Infrastructure Committee they would have the debarment and street cut ordinances up and he would ask that all look at them and if they had questions or comments to share them with Mr. Bibler and Pat Kiley and Diane Morrow had made comments so if they did not have their comments they should let him know so they could get copies to them.

Council Member Quan stated that during his travels he liked to read the "Wall Street Journal" and it had articles on other cities; that Houston was cited for the most dogfights so that was their recognition of Houston, but Chicago was mentioned and their Mayor was marketing Chicago by using things like the official drink and putting it up for bid and raising millions for their treasury; that in this time of budget austerity he would ask that Mayor Brown look at other alternatives on how they could raise money for the city; that he would be going to Chicago this week to look at their 311 system and he would see if he could get other ideas; and Mayor Brown thanked him.

Council Member Tatro stated that he had distributed to Council copies of a memo received from Mr. Rolen after asking for drawings in Public Works that did not have construction dollars, basically designs paid for and sitting on the shelf, and he got back a list of about eight, but in the lead memo it said those were designed projects awaiting construction dollars in the CIP and he would like conformation that it was all design drawings and not water and sewer sitting in Public Works whether they were scheduled for CIP or not; and Mayor Brown stated that it would be confirmed.

The City Secretary stated that Item 76 was now in.

76. ORDINANCE related to the Fiscal Affairs of the City; approving the Annual Budgets of the City of Houston, Texas, for Fiscal Year 2001 for the General,

Enterprise, Special, Revenue, Internal Service, Revolving, Debt Service and Tax Increment Reinvestment Zone Funds; appropriating excess funds in the General Fund Balance and authorizing their transfer; providing for future adjustment to the beginning fund balances; making various amendments to the proposed budgets; establishing a cost for copies of the budget; making certain findings related thereto; providing a repealing clause; providing for severability – was presented, and was tagged by Council Members Ellis, Robinson, Todd, Quan, Vasquez, Keller, Tatro and Castillo.

There being no further business before Council, the City Council adjourned at 10:52 a.m. upon MOTION by Council Member Ellis, seconded by Council Member Castillo. All voting aye. Nays none. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary