

City Council Chamber, City Hall, Tuesday, June 27, 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, June 27, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell, and Carroll G. Robinson; Mr. Paul Bibler, Senior Counsel, City Attorney's Office, Mr. Richard Cantu, Director, Citizens Assistance; Ms. Martha Stein, Agenda Director and Ms. Linda Layton, Agenda Office present. Council Member Jew Don Boney, Jr. absent on city business.

At 2:06 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Galloway lead everyone in prayer and pledge of allegiance. Council Members Todd, Keller, Sanchez and Robinson absent.

Mayor Brown requested the City Secretary to call the roll. Council Member Boney absent on city business. Council Members Todd, Keller, Sanchez and Robinson absent.

Ms. Tenika Torrence, 2905 1/2 Alabama, Houston, Texas 77024 (713-527-0834) had reserved time to speak, but was not present when her name was called. Council Members Tatro, Todd, Sanchez and Robinson absent.

Council Member Vasquez recognized some students present who were with the Parks Department Funquest Program and stated that they were from the Settagast Community Center, that they represented students from Rusk and Lanthrop Elementary Schools and lived in the Second Ward, that every Tuesday they visited different sites and today they were visiting City Hall and learning about City Government, and Mayor Brown stated he hoped they had a very productive summer in addition to having fun. Council Members Tatro, Todd, Sanchez and Robinson absent.

Mr. Dave Wilson, 505 Melbourne, Houston, Texas 77022 (713-699-4488) appeared and stated that he was present to speak to them about the Feasibility Appraisal Study for the Convention Center Hotel that was done by PKF Consulting, that he made an open records request for that report and after it going past the 10 day deadline he called the Attorney General's Office and finally got the report, that the report was nothing more than a draft at this time and to his knowledge the report had been paid for, \$102,000 had been paid in full before the report was completed or even done, that he thought it was real bad business for the City to be paying for work that was not complete, that on the report, he noticed when he read it, the numbers had been supplied, for the report on the appraisal and feasibility study, by the City so they just plugged in City numbers, that also the report was unsigned and of the four people that were on the signature page only two of them were trainees for appraisers, so they had a report that had been paid for in full, done with City numbers by trainees that was unsigned and he was real skeptical of the validity of that report, that the report was going to be used to sell bonds and to underwrite that and he would like to remind them that the appraiser for Whitewater spent 36 months in jail because of his appraisal and the way that Mr. Clinton and Mr. McDougal got out of it was they thought the appraisal was done by a certified person who was competent, that it was Council's fiduciary responsibility to take a hard look at that whole hotel deal, that if it was such a good deal to build that there should have been a good appraisal and a good feasibility study done and there was not, that it was being ramroded through full force and

money was being spent to buy up land right now which no one knew about, that money was being spent that was earmarked for the convention center remodel which was being spent for the hotel, that if the hotel was such a good deal a private investor would come along and step forward to build it, that the City of Houston was here to provide streets, water maintenance, police and fire protection and building that hotel was a total boon dogle and he would encourage the Mayor and City Council to vote against it. Council Members Tatro, Todd and Robinson absent.

Council Member Keller stated that it was already voted and he appreciated Mr. Wilson's take on it and analytical thinking, that Council did not vote on it, that Council's job was to make the best of the situation they had, that Council had worked earnestly regardless of whether they would have voted for the hotel or not, that they could not go back to 1997, 1998 or even 1999 that the vote was voted and there was no way they would go back to it, that he would look into the feasibility study, and Mr. Wilson stated that it was not a matter of politics, but a matter of a feasibility study that was going to underwrite bonds and they needed to take serious look at it. Council Members Tatro and Todd absent.

Council Member Ellis asked if there was anyone present to answer questions directed towards the allegations and Mayor Brown stated no, and Council Member Ellis stated that they should go to the board members of the local government corporation they formed to build the hotel and let them respond to Mr. Wilson's allegations, that he would like some type of response and was sure the other Council Members would as well and Mayor Brown stated they would get the questions to them and a response. Council Members Tatro and Todd absent.

Mr. Michael Hoke, 11018 Sage Leaf, Houston, Texas 77089 (281-484-5547) appeared and stated that he was a small business owner and would like an opportunity to approach the City employees as individuals, not as doing business with the City, that it was called a human service provider, that the service he provided was to pick up their dry cleaning at work and return to them at work, oil changes, inspection stickers and other services he could provide, that he would like the opportunity to approach the employees by going into the buildings. Council Member Todd absent.

Mayor Brown stated he would have Lonnie Vara, Director of Human Resources get in touch with him and see what the City policy was on that and see if they could give some accommodation to him, and Mr. Hoke stated he would pass a copy of his services to Council Members. Council Member Todd absent.

Ms. Ivan Johnson, 9217 Clinton Dr., Houston, Texas 77029 (713-670-9284) appeared and stated that she was present with a question concerning the Section 8 Housing, that she had been waiting approximately 9 years to be approved for housing and had not heard anything and wanted to know what she was doing wrong, that the main thing she wanted to know was, yes, no or why she had not been approved for housing, that she had been approved but had not been given any date to come in and speak with anyone. Council Member Todd absent.

Mayor Brown stated they had contacted the Housing Authority on her concern and their policy was to reward the housing on a first come first serve basis, that currently there was a waiting list of some 20,000 applicants and the reason she had not been

selected was because there were those who were ahead of her and there was a long waiting list, that there were those who applied before her, that when her name came up the offer would be made to her, and Ms. Johnson stated she understood but some people had been approved in less than six months and she knew they had and wanted to know why and if not she would go ahead and forget about housing and do something different, and Mayor Brown stated he was not aware of those who had been approved earlier than that. Council Member Todd absent.

Mr. Richard Johnson, 8738 Fannette, Houston, Texas 77029 (281-850-5040) appeared and stated that he wanted to express his appreciation to Ms. Bingham and the staff over at Housing and Community Development for working well with the Benji's Academy and assisting them to move forward and placed on the agenda to come before Council in regards to their lease agreement, that he also would like to thank Mr. Embry for his hard work in helping folks over there to try to bring the dilapidated building up to a standard that the community could be proud of, as well as Ms. Stein in her due diligence in bring the item before Council, that they had a problem when they had individual in the community who had done everything that folks had asked them to do, everything that the experts, the department director all the way down to individuals within the department to meet the standard, and when it came before the body without discussion was sent back to the same entity that said there was nothing else that they could provide, that they provided all that they could, that there was no logical reason on the table that had been brought forward to the owners in rationale for that action, that in the absence of institutional experience they must summon institutional wisdom, that they must summon it to speak with logic in regards to moving a project forward in an economically blighted area of town where it was well needed, that he must state for the record, the goals of his friends who tended to move from one extreme to another, that in this case they could not blame the Republican Party for holding Benji's Academy back, they could not blame Euro Americans for holding Benji's Academy back, they had to look to their own leadership and those who were leading the charge to kill the dream that had existed for 21 years in the Fifth Ward Area, that was who was killing the dream and the vision, and he submitted to them that they had an opportunity to bring literacy into Jensen Drive and continue that work, that there were 21 employees, 17 African Americans and 4 Hispanics that worked at Benji's Academy that taught children how to read in that economically disenfranchised, blighted, appeared to be third world country looking area, that there were also 169 children that attended, that families were being feed, education was being delivered, but they needed the help of Council and he urged them to bring the item back before Council or at least look at it in the Council committee so they could move the ball forward and continue the progress in the area. Council Member Todd and Sanchez absent.

Upon questions by Council Bell, Mr. Johnson stated that he had spoken with the Director of Housing and Community Development and it had met all of the criteria to move forward, that it was brought before Council and sent back to the Administration, that he had seen in the past that if a Council Member had some further questions or further research that needed to be done it was referred back to the committee so the research could happen in the committee and the Council Members could be made aware as a team along with the department directors, that they would like to see that happen but it had been sent back to the administration as of last week, that Benji's Academy provides special education services for those special needs children that were physically as well as mentally challenged and they also provided regular academic services for the main stream as well as daycare, that one of the number one pluses of a daycare system in-

house on the same grounds as an educational facility was that they had a lot of single parent young mothers who for reasons that they have children do not leave home and go to school, so if they were allowed to go to school and have a daycare in the very near vicinity they had a better chance of capturing that group. Council Members Todd and Sanchez absent.

Council Member Bell asked if daycare was not one of the biggest needs in the neighborhood and Mr. Johnson stated that daycare and education, that they had an extremely high illiteracy rate in that area, and Council Member Bell asked if he had been given any indication by the administration as to when it might reappear on the agenda and Mr. Johnson stated he had talked to the administration yesterday and they stated that there was nothing else they could do or nothing else they needed from Ms. Robinson and Benji's Academy, that they just needed to bring it forward, and Council Member Bell asked how long Benji's Academy had been in existence and Mr. Johnson stated 21 years, that they were talking about no funding. Council Members Todd and Sanchez absent.

Council Member Galloway stated that she had some concerns, that Benji's Academy had been in service for 21 years but had not been chartered by the State for 21 years, that it had just recently been chartered by the State, that TEA had not done an audit of the school to make sure that it was in compliance, that she had some questions about Benji's Academy because messing with the mind was more serious than what they were trying to provide, that TEA was going to do an audit because she wanted to make sure that the mental and handicap youngsters were getting the proper education and proper nurturing to make them productive citizens, that there was a lot that it entailed, that she did not see any washing machines to teach them how to wash and to just teach them to do the simple basic things, that she wanted an audit by TEA because she wanted to make sure if the City was going to furnish a building to Benji's Academy and that they were doing what was best for the young people as a whole. Council Members Todd, Castillo and Sanchez absent.

Mr. Johnson stated that they would like to do anything and everything to amicably move the project forward, that in terms of the Texas Education Agency (TEA), as early as that morning Ms. Robinson was on the phone with them and they had stated that Ms. Robinson and Benji's Academy were in compliance.

Council Member Galloway stated she understood that TEA and Council were a separate entity but they had a stake in it as well and needed to cover all their bases, and Mayor Brown stated he had directed that the issues he raised be looked at and would try to resolve it as expeditiously as possible, and Mr. Johnson stated that in regards to the project, Ms. Robinson and Benji's Academy staff had been working in good faith effort along with the department and to that essence they had invested over 6 figures of money they raised into the building and also Ms. Robinson's personal earnings into the building and without that long term agreement it made it difficult to move forward with the other third party lending institutions to complete the project, so he urged their consideration. Council Members Todd, Castillo and Sanchez absent.

Ms. Theola Robinson, 2903 Jensen, Houston, Texas 77026 (713-229-0560) appeared and stated that she was the founder of Benji's Special Education Academy, that the organization was founded in May 1981 and the reason that she organized the

program was that she had a son who was 22 years old who was mentally challenged, that she understood the plight of parents that had special need children and had worked with her own child for 21 years, that presently he was a musician for New Harvest Ministry and the percussionist at their church Pane Chapel, that she knew her son had progressed from the program, that he started when he was 1 years old and was 22 years old, that he graduated from high school and was doing excellent, that her mission in Fifth Ward, and she lived in Fifth Ward on Jensen Drive, was to help those children who were unfortunate and needed someone who was compassionate, sensitive and caring for them, that she had been on that street for 21 years and everyone knew of the program they provided, that they had gotten referrals from HISD for special need children to enter into their program, that they were not present for a political fight or to disseminate problems, that there was not a problem, that all they were asking for was an old dilapidated building that they had utilized since 1996 and had raised funding to complete the renovation on it, that they were also present to ask for the vacant field in back that they had kept up since 1996, that they had done a lot to the building and had sent invitations for the Mayor to visit their site, and would not stop until he did come and visit to see what they were doing, that Council Member Galloway came by and there were washing machines in the building in the kitchen area and she did not take the time to look, that she was in a hurry, and she invited Council Member Galloway again to come over, that if she wanted to see their curriculum it was there available for her, that with 21 years of experience in education and the mother of a special needs child for 22 years she felt sure she knew what she was doing, that they were chartered by the State of Texas and licensed by the State of Texas, that she prayed to God that they understood what they were trying to do in their community and help them and not fight them, because she did not want to fight, she just wanted God to be in everybody's heart and work the way they should in their community for the betterment of their children. Council Members Keller, Castillo, Sanchez and Robinson absent.

Council Member Bell asked Ms. Robinson if she was aware that questions had been raised about the academy prior to last week, and Ms. Robinson stated that she had answered all of the questions and sent a copy to Ms. Bingham on June 10 and faxed another copy to Council Member Galloway's office, that there had never been any confusion about the charter, that they had the charter school since 1998 and had the daycare since 1991, that there was no confusion and no conflict of interest, that they had two separate accounts and there was no reason for any questions, that they were scheduled for an audit in 2001 which was scheduled by TEA, that they were in good standing with TEA and had no problems, that they had only been in the program for 2 years so there were no previous audits, that 167 children participated at the academy and that included daycare and curriculum. Council Members Keller, Castillo, Sanchez and Robinson absent.

Mayor Brown stated they would get an answer to her as rapidly as possible. Council Members Keller, Castillo, Sanchez and Robinson absent.

Ms. Tenika Torrence, 2905 1/2 Alabama, Houston, Texas 77024 (713-527-0834) appeared and stated that she was present regarding housing assistance for her and her two children, that she had called a lot of numbers in search of housing, that she had a criminal background and could not get assistance, but had just gotten off parole, that she needed someone to talk to the Housing Authority for her, and Ms. Torrence continued to

describe her situation until her time expired. Council Members Keller, Castillo and Robinson absent.

Mayor Brown stated that Mr. Richard Cantu, Citizens Assistance would meet with her and work with her to see how they could be helpful to her in her difficult time. Council Members Keller, Castillo and Robinson absent.

Council Member Todd asked if this was the kind of thing that SEARCH could help with, and Ms. Torrence stated she had already talked to them with no results, and Mayor Brown stated that was why he wanted someone to work with her from his staff to help her. Council Members Keller, Castillo and Robinson absent.

Ms. Daintaha D. Krieger, 1405 Hyde Park, Houston, Texas 77006 (523-3089) appeared and stated that she was proud to be an American, and loved the Country, that a week ago Friday at the George R. Brown Convention Center at the Republican Convention, Houston experienced its first defeat with intimidation by a group of militants led by Mr. X in combat gear and guns, that Mayor Brown needed to read *The Gathering Storm* by Winston S. Churchill published in 1948, that it was very revealing, that in 1919 Hitler began his quest, an unknown with only 29 men and they infiltrated various groups and by 1933 Hitler was Chancellor of Germany, that their code was any living organism which ceased to fight for its existence was doomed to extinction, that a country or race which ceased to fight was equally doomed, and she asked Mayor Brown to not let that group infiltrate the Police Department, intimidate the Police Department, to remember that it happened in Germany and history did repeat itself, that it was a wakeup call. Council Members Keller, Castillo and Robinson absent.

Mr. Lev C. Hamblet, 10934 Boone Loop Rd., Houston, Texas 77099 (281-495-9843) appeared and stated that he had an inexpensive two wheel trailer stolen off his property in 1998, that he reported it stolen on November 1, 1998, that on August 12, 1999 he saw his trailer on the other side of a fence, that he went to the west side station to report that he saw his trailer, that they had him call Auto Theft, that the people took off with the trailer and his son-in-law followed and they parked it in their driveway with a car behind it, that he met the police there and they impounded the trailer, that he had all the papers where he bought the trailer, that in January 2000 he tried to get a Property Disposition Hearing and was told to contact Mr. Gilbert Douglas, Assistant City Attorney, that he called him and did not get return calls.

Mayor Brown asked if Mr. Hamblet was aware there was a dispute about the ownership of the trailer between him and his nephew and Mr. Hamblet stated yes, and Mayor Brown stated that was the reason the Police Department had not released it, that there had to be a resolution of the dispute to prove the owner and that he had been advised to go to the Justice of the Peace and have a hearing so a determination could be made about the ownership and once that was done the police would be able to make the release, and Mr. Hamblet stated that the lady at Court Number 1 told him she could not give him any form and he could not make the request himself, that he had to get an attorney to do it, and Mayor Brown stated there was also a possibility of getting it resolved at Precinct 1 and was not sure what that procedure would be but there was an Assistant Chief in chambers to work with him and do whatever they could to help resolve the matter. Council Members Keller, Castillo and Robinson absent.

Council Member Todd stated there was a State Statute that pertained to the situation Mr. Hamblet was dealing with and the statute in essence stated that when an governmental authority had possession of his property and it had been impounded the only way for him to compel the governmental authority to give it back was to file a special proceeding in JP Court, that he did not have to have an attorney file the action, and encouraged Mr. Hamblet to go the Law Library and to look up the forms or contact the Houston Bar Association, that there was a special proceeding that he needed to file. Council Members Tatro, Keller, Castillo, Sanchez and Robinson absent.

Mr. Floyd Duke, 6525 Tadlock, Houston, Texas 77085 (713-729-1277) appeared and stated that he would like to ask in regard to the same question that Mr. Hamblet asked them, and asked why they could not appoint two or three of the courts in Municipal Courts to handle that type of case, that the vehicle had been in there over a year and nothing had been done about it, that if it stayed in there too much longer they would take it for their own personal use, and asked why could it not be handled in Traffic Court. Council Members Tatro, Keller, Castillo, Sanchez and Robinson absent.

Council Member Todd stated that the Justice Court was the court with the jurisdiction to do that and asked Mr. Bibler if he recalled if that was still the way it read, and Mr. Bibler stated that City Council had passed an ordinance a few weeks ago allowing Municipal Court to handle those cases and they were trying to expedite them with the Police Department basically preparing the pleading for the non-contested ones and presenting them over to Municipal Court, however as this one had been described today, if there was a real live controversy about who owned the trailer and made it much more complicated than the stuff they were going to try to walk through Municipal Court to help people with, and in fact if the trailer had a title he was not sure that they might have to go through an even more complicated procedure, that the fact that there was a title in some circumstances involved proceedings under the Transportation Code. Council Members Tatro, Keller, Sanchez and Robinson absent.

Mayor Brown stated that as it stood right now the City Council could not do anything to resolve it, that there was a procedure by law where they had to go before a Justice of the Peace and have their hearing and then the Justice of the Peace would make a ruling, then the Police Department could act accordingly, and Mayor Brown asked Mr. Bibler if it was necessary to have a lawyer in a Justice of the Peace Court, and Mr. Bibler stated there were two divisions of the Justice of the Peace Court, that there was the Small Claims Court which did not have jurisdiction over this, and then the regular Justice of the Peace Court, that it was not necessary, but if they did not know how to fill out the forms they would probably need the assistance of a lawyer, and Mayor Brown stated they had to follow procedures, that there was no run around, just that they had to follow procedures. Council Members Galloway, Keller, Vasquez, Sanchez and Robinson absent.

Mr. Willard Hunter, 4801 Scott, No. 3, Houston, Texas 77004 (713-521-9601) appeared and stated that he heard on television that Johnny Holmes was stepping down and retiring and Ned Holmes was stepping down and retiring and wanted to make sure that they were told they could run but could not hide and Mr. Hunter continued to voice his personal opinions on the Port of Houston until his time expired. Council Members Galloway, Keller, Vasquez, Sanchez and Robinson absent.

Mr. Arthur Moore, 8800 Broadway, No. 5328, Houston, Texas 77004 (713-645-3056) appeared and stated that City Attorney, Anthony Hall needed to be fired because all the hate crimes against his people since 1983 and the merger with the Klan on the waterfront, he witnessed everything wrong and did not help, that the Mayor would not say nothing, that they could help everyone else, that he had Black men down on the waterfront that had worked too hard and too long, that the Mayor was not doing anything at the Port of Houston; that Council Member Quan spoke highly of Mr. Edmonds who was talking Ned Holmes place at the Port Commission and he had just got here and must not know anything about Ned Holmes and asked Council Member Quan what he knew. Council Members Galloway, Keller, Vasquez, Sanchez and Robinson absent.

Council Member Quan stated that he had a chance to work with Mr. Holmes in the past and found him to be a very fair person in their dealings, that the port had made a lot of progress and knew that Mr. Moore disagreed with that position and felt that as the largest port for international trade in the Nation and the second largest port in the whole Country they had a lot going with the Port of Houston, a lot that was helping the economy, that it was important that they maintain a strong position through the Port of Houston, that he would be glad to share more of his views on that and thought it was important to keep the port and Port Commissioners that did take an active role to make sure they promoted the port and to continue to be the dominant container port of the whole gulf, that Mr. Moore could look at policy, but he had to look at the overall impact to the community in general, that he was not saying to leave anybody out, but was saying that they needed to have strong leadership to continue that. Council Members Galloway, Keller, Vasquez, Parker, Sanchez and Robinson absent.

Ms. Janice Blue, 1799 Rosewood, Houston, Texas 77004 (713-522-6899) appeared and stated that 10 years ago a City magazine did a story on her renovated house called Herb Blue Heaven and the hand painted sign above the front door entrance read Wild Blue Garden and Animal Sanctuary, that all of her cats and dogs were rescued animals, that Honey Bear was the queen of all cats, that on June 13 she came back into town and Honey Bear was the first pet to greet her and for the next few days followed her everywhere, that Sunday she let her outdoors after dinner and around two in the morning she awoke to her dogs barking frantically downstairs, that she heard a commotion coming from the front of the house and opened a window and heard a fury of dogs, that she let Taos, her larger dog, out the front gate hoping he would chase the pack away but instead he ran up to Honey Bear who was lying still across the street in her neighbors driveway, that as she ran toward her she saw two dogs run towards Almeda and towards Crawford, that she set out for the Westbury Animal Clinic but her cat died in her arms, that she called the South Central Police Station but the dispatcher officer told her there was nothing the police could do, that it was a case for the City's Animal Control, that she asked if they had a 24 hour number but they did not so she called them at 9:00 a.m. to report the pack attack, that they stated they would send someone out during the day, but she stated the dogs were night prowlers and slept during daylight, that her cat owner friends in West University stated if they reported a night pack killing cats to the West University Animal Control something would be done immediately, that she wanted Animal Control to work the night shift. Council Members Galloway, Keller and Sanchez absent.

Council Member Todd moved to suspend the rules to hear Ms. Gloria Moreno, Health and Human Services Department, seconded by Council Member Parker. All

voting aye. Nays none. Council Member Boney absent on city business. Council Members Galloway, Keller and Sanchez absent. MOTION 2000-0827 ADOPTED.

Upon questions by Council Member Todd, Ms. Moreno stated that basically as indicated by Ms. Blue they did get calls after the attack, that they went out on the 20th to do a sweep of the area to see if they could find any loose dogs, that what was communicated to Ms. Blue was that they did not have Animal Control Officers doing midnight sweeps, that (1) for the safety of the officers, and (2) that dogs were generally nocturnal animals and unless they were in heat they were not out running around, that regarding Ms. Blue's suggestion on doing 24 hour captures was that they did not have the number of officers available to put a shift out there. Council Members Galloway, Keller and Sanchez absent.

Council Member Todd asked if they had a report about a pack of dogs running loose did they have any plans to send a crew out there especially for that, and Ms. Moreno stated not at this time, that they had crews that went out in the early morning hours and late afternoon hours and all day long, but not in the middle of the night, that they did not have the ability to send a crew out at this time, that they had been working with the police department to train police officers on the use of tranquilizer guns and as indicated they did periodic sweeps of the area, that since January 2000 they had done 11 sweeps of the area and the most recent when they captured dogs was on May 23rd and 24th, but since the allegation was made they did send people out on June 20th and June 24th, and Council Member Todd requested that the Mayor work with BARK and get them out there at night, and Mayor Brown stated that they should recognize they had a problem and have the people go out and solve the problem whether it was night or day, morning or evening, and Ms. Blue asked if she could put up signs of compassion to warn about the dog packs and Mr. Bibler stated that they did not wave anything but the flag and there was no waiver for those signs, and Mayor Brown stated if it was on private property it was fine but not on public property. Council Members Galloway, Keller and Sanchez absent.

Ms. Mary Boone, 5212 Crawford, Houston, Texas 77004 (713-623-9232) appeared and stated that she was Ms. Blue's neighbor and had cats and she was present to support Ms. Blue. Council Members Galloway, Keller and Sanchez absent.

Council Member Quan moved to suspend the rules to hear Ms. Tenika Torrence, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney absent on city business. Council Members Galloway, Keller, Parker and Sanchez absent. MOTION 2000-0828 ADOPTED.

Ms. Tenika Torrence, 2905 1/2 Alabama, Houston, Texas 77024 (713-527-0834) appeared and stated that Mr. Richard Cantu, Citizens Assistance called for an apartment for her and there was one available for her, that he was a good man, that he called several numbers and got her some assistance and she appreciated it and thanked Mayor Brown. Council Members Galloway, Keller, Castillo, Parker and Sanchez absent.

Ms. Sheri Cortez, 8722 Sterlingame, Houston, Texas 77031 (713-988-0772) appeared and stated that she was present to express her concern about the events that occurred at the George R. Brown Convention Center on June 16th, that it was her belief if they continued to put politics before safe policing they were asking for trouble, that she

would like to express her difference of opinion with Chief Bradford that there was not probable cause to stop and question the members of the New Black Panthers as they protested with assault rifles and shotguns in their possession, that Probable Cause Number 1 was considered a high risk vehicle, that she got the information from the General Orders issued to the Police Department and the General Orders that she did have were signed by then Chief Lee Brown, that a high risk vehicle stated what was the difference between the local street gang riding around with weapons in their car about to do a drive-by and the New Black Panthers standing up in a convertible Humvee showing their weapons, that any officer allowed to do their job would have stopped the vehicle just to find out what the intentions were, that during the stop, for his safety, he would have had the guns checked and the people carrying them, that if everything came back clear they then would have been sent on their way to their destination with unloaded guns, that Probable Cause Number 2 was special threat situation, any situation involving sniper, a barricaded suspect with or without one or more hostages or any terroristic activity, that definition of terroristic activity as far as the General Orders given to the Police Department cadets at the Police Academy, terroristic activity was any in progress acts such as political terrorism that created or designed to create the fear of death or immediate bodily injury in the minds of others, that was in fact what happened at the George R. Brown Convention Center, that if locking the Republican Delegates in the convention center to protect them from harm was not an act of fear then she did not know what was, that the people who were in charge of the Black Panthers designed the protest to cause that fear so Probable Cause Number 2 they should have been stopped and checked and released if everything was clear, that if what they were saying was that police had no right to stop a group of people walking around with weapons just to find out their intentions then how were they supposed to stop the person walking down the street about to rob a bank, that how many of the officers working at the convention center would have been there if they would have known that they would have had to be out there with armed men and not be able to question them, that obviously there were people in the group who could not control their temper due to the fact that an assault did occur, what would have happened if those people would have lost control with a weapon, that people and officers would have been hurt if not killed, that she watched it on television, and she called Special Ops Division to find out if they were aware of what was going on and they were aware. Council Members Galloway, Keller, Castillo and Sanchez absent.

Mr. Robert Smith, 9342 Greensward, Houston, Texas 77080 (713-984-1352) appeared and stated that recently in April the City of Houston was installing new water meters around Houston, that he did not know it at the time and was inside his house taking a shower when all of a sudden the water went off, that he left for a meeting and came back 6 1/2 hours later to find a new meter sticking out about six inches above the ground, that he walked into his house and realized he had forgotten to turn off the nozzle when his water went off, that he had water flowing for 6 1/2 hours, that was \$20 dollars and not a big deal, that he thought anybody replacing meters and shutting off the water should at least notify the people, such as the light company did, that he moved in with his father in May to take care of him and his bill was now \$279 for someone who did not even stay there and use any water, that his fathers bill had gone from \$8.50 per month to \$80.00 in two months, that something was very wrong, that he was a former inspector with the Water Department back in 1963 and knew the procedures and something was very wrong, that he was also a volunteer with the City for the handicap parking, that something was wrong and he did not get any answers from the Water Department, that

they sent a man out who said the meter was right and that was it, that he did not like the policy that way. Council Members Galloway, Keller, Castillo and Sanchez absent.

Mayor Brown asked Mr. Robert DeYoung to meet with Mr. Smith to get to the bottom of the matter. Council Members Galloway, Keller, Castillo and Sanchez absent.

Mr. Bartholomew Stephens, 3914 Heatherbrook, Houston, Texas 77045 (713-413-3144) appeared and presented a packet to all City Council Members which stated reasons for review and response of his mishandled employee misconduct complaints and that he was confident they would see that justice was done and that the City Discipline Police was administered across the board regardless of race, sex, creed, national origin or a person's disability. Council Members Goldberg, Galloway, Keller, Castillo, Sanchez and Robinson absent.

Mayor Brown stated they would review it and get back with him. Council Members Goldberg, Galloway, Keller, Castillo, Sanchez and Robinson absent.

Father Bill Davis, 7539 Avenue K, Houston, Texas 77012 (713-923-2391) appeared and stated that they were with TMO and present to talk about the ladder truck at Station 18, that he was asked by members of the neighborhood to come and speak, that he knew nothing about fire trucks and firemen so he visited four stations and when he met the different Fire Department members he found out the difference between a ladder truck and a pumper and found what a thermo imaging camera was and what the jaws of death were and found out what the golden hour was, that it was all brand new to him, that when he got together with the rest of the members of TMO they said that the truck was going to go over to Sunnyside at Station 55, that there were two pastors present from that neighborhood who stated they needed a ladder truck in their neighborhood so not to deny them, that as he talked to the different firemen they stated that nobody asked the firemen their opinion, that in every station he went they showed him the map and where Station 18 was, that they wanted to get to a fire within 3 1/2 minutes, that he wanted them to please take a look at that neighborhood where Station 18 was and if they had to take away the ladder truck to make sure there were funds to bring another one in there, that they should talk to the firemen, that they were undermanned. Council Members Galloway, Keller, Castillo and Sanchez absent. Council Members Goldberg, Galloway, Keller, Castillo, Sanchez and Robinson absent.

Reverend Donald Waddleton, 4310 Hollaway Dr., Houston, Texas 77047 (713-733-4630) appeared and stated that he was a member of the Sunnyside area and was pastor of United Methodist Church in that area, that there were some 550 members, that he was part of the TMO Organization that was composed of some 40 congregations in the Third Ward, Fourth Ward, Second Ward and Sunnyside area, that they were definitely in need of a pump truck at Station 55, but they also believed that Station 18 was in need of a pump truck, that as he understood the rating agency from the State Board of Insurance said some 8 years ago that Station 55 should have a pump truck and since that time areas in Clear Lake and Willowbrook had received pump trucks when Station 55 did not, that they in Sunnyside did want a pump truck but they wanted a new pump truck that did not come from Station 18, that of the three trucks that he understood had been budgeted for in the new budget maybe one of those trucks needed to go to Station 55 rather than moving one from Station 18, that they needed to have the truck but they also needed to understand that the density of their population and the Station 55 area was not

as much as that of Station 18, that they did not have two major institutions, TSU and the University of Houston as Station 18 did, but they still had the need for the truck so they wanted to support those who were fighting the issue of moving it out of Station 18, but they also wanted to say to them to send one to Station 55, that they also were in need of it. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

Reverend Rufus Kyles, 11623 M.L.K. Boulevard, Houston, Texas 77048 (713-738-1131) appeared and stated that he knew the phrase robbing Peter to pay Paul probably did not apply, but he did feel that even though the moving of the ladder truck from Station 18 to Station 55 was possibly going to do something for the insurance rating however at the time it was not their prime objective because a lot of the homeowners in the areas of Stations 55 and 18 were not even able to have homeowners insurance, the only thing they had to depend on was having a ladder truck in both of those areas, so that was the reason they were present, to request that they reconsider along with the fire chief moving the ladder truck from Station 18 to 55 and purchasing a new truck for Station 55, that it would be well appreciated and thought that many of the homeowners and the business owners in that area had burglar bars and some of the other areas were already secured from fire, and he asked that they reconsider and take care of Peter and Paul. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

Council Member Castillo thanked the pastors and Father Bill for being present, that he agreed with the general notion that they needed to keep ladder 18 and all of the equipment that they currently had if not more in the service area of the east end particularly at Station 18, that he had spoken about it both publicly and privately to the Mayor and hoped that between all of them they could convince the administration, and particularly the Fire Chief that the Mayor put a lot of confidence and trust in to help them to protect not just the property but the lives in that part of the City, that he had always held that one of the reasons why the ladder trucks were being moved around, as well as other equipment, was because of the insurance rating that was mentioned, that the rating was basically geared for protecting and reducing a loss of property through fires, that he was more interested in cutting down any potential to losing human lives. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

Mayor Brown stated that as Council Member Castillo indicated and based upon his concern and other concerns voiced from the community the Fire Chief had put a hold on that and was studying the whole configuration of moving the fire equipment around, that they had put together a plan to increase the number of firefighters, that was the goal they were working at. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

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

Mr. Alex Wallenwein, 1412 Westheimer, Houston, Texas 77006 (713-522-2514) appeared and stated that he was present with a solution and would like to ask for their support in both disseminating information about the program and getting any advice they may be able to give him, that he had founded the City Youth Business Resource Inc. and they aimed to teach disadvantaged kids from inner city neighborhoods to become independent business owners rather than just teach them job skills, that as business

owners they would be independent and be able to bring economic advantages to their neighborhoods, that they would have an opportunity to become self reliant and create jobs and more businesses in their neighborhoods, that the business they chose was to become independent or professional martial arts instructors and help them actually set up their own business, that it was a publicly funded company, a non profit organization, that they did not have funding yet and had applied for funding from the Federal Government, that he was asking for any suggestions on where to get demographic data to back up the grant proposal to governmental and private sources, that he would like to get any letter of support which would help him get the funding that was necessary in order to start the program, that the program would cost \$260,000 per year and that sounded like a lot of money but if they compared it to the cost of only one kid not falling into the descending cycle of crime, drugs, poverty, drug rehabilitation and cost associated with that, that only one kid like that over a life time would already makeup for that cost, that most kids they could bring into the system and teach them the values and a positive outlook. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

Mayor Brown suggested that he set up a meeting with Mr. Donald Hollingsworth, Coordinator of Youth Programs. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202FA34511) had reserved time to speak, but was not present when his name was called. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

Mr. Norman Adams, 427 W. 20th, Houston, Texas 77008 (713-869-8346) had reserved time to speak, but was not present when his name was called. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he was disappointed that he missed all the excitement last week when Council Members were calling each other hypocrites and when State Representative Wilson called Council Member Keller, Judge Judy, what was wrong with Judge Judy, he liked Judge Judy, that he was present to bring to attention an article in the Houston Chronicle, that New Mexico Governor Says Marijuana Should Be Legal, that of course it should be legal. Mr. Partsch Galvan discussed a play and stated that his website was www.galvan.org, that he wanted to be identified as James Partsch Galvan, Libertarian Candidate for Texas Representative 147. Council Members Goldberg, Galloway, Keller, Sanchez and Robinson absent.

At 3:51 p.m. upon motion by Council Members Parker and Quan the City Council recessed until Wednesday, June 28, 2000 at 9:00 a.m. Council Member Boney absent on city business. Council Members Galloway, Goldberg, Keller, Sanchez and Robinson absent.

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, June 28, 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 8:23 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:13 a.m. Mayor Brown called the meeting to order. Council Members Goldberg, Todd, Keller, Vasquez and Sanchez absent.

MAYOR'S REPORT

Council Member Robinson moved to suspend the rules to take Item 48 out of order, and was seconded by Council Member Bell. All voting aye. Nays none. Council Members Goldberg, Todd, Keller and Vasquez absent. MOTION 2000-0829 ADOPTED.

Council Member Bell moved to suspend the rules to take Items 35 and 16 out of order, and was seconded by Council Member Parker. All voting aye. Nays none. Council Members Goldberg, Todd, Keller and Vasquez absent. MOTION 2000-0830 ADOPTED.

48. MOTION by Council Member Boney/Seconded by Council Member Castillo to adopt recommendation from Director Convention & Entertainment Facilities Department for supplemental allocation in the amount of \$1,000,000.00 on contract with the **HOUSTON IMAGE GROUP** - General and Enterprise Funds – **(This was Item 4 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBERS TODD, TATRO and KELLER)** – was presented. Council Member Tatro voting no. Balance voting aye. Council Members Goldberg, Keller and Vasquez absent. MOTION 2000-0831 ADOPTED.

Council Member Ellis stated that he did not like to spend General Fund money when they could be spending Enterprise Money and it seemed there were a number of groups marketing and promoting the city and since Mr. Tollett had the biggest budget for promotions and so forth he could take a look at the different entities they were overlapping; that he went with it because it was the last year of the contract, but he did hope it would be looked at and studied to find ways to quit overlapping and save money.

Council Member Quan stated that he believed the city should be promoted and Mrs. Lanier was doing a wonderful job as chairman of the board, but he discussed with her the seeking of outside sources from industry to promote.

Council Member Boney stated that it was important to know that even though individual entities were doing promotions some of the overlapping would happen anyway because the airport was focussed on issues related to the airport and the Port had to raise issues on the Port; and he would like to know how much money they had committed to the private sector to the Houston Image effort; and Mr. Tollet stated that in direct cash they had about \$500,000 and then in kind from the Chronicle and others probably about a quarter of a million.

Council Member Robinson stated that he had inquired and asked that they focus on a coordination between everyone with advertising budgets in the city so they could

have a greater level of coordination and he hoped it would be taken care of as they moved forward because he thought they had to promote the city.

Council Member Boney stated that he would like provided comparisons of other cities, to what they were putting into market, because they were putting up a tremendously significant amount more than Houston. Council Member Parker absent.

Council Member Keller stated that he was in support of the overall effort and it did increase revenue to the city, but at some point did C & E reimburse or go into the black with the \$500,000 coming out of the general Fund; and Mr. Tollett stated that was right; that there was money coming back to the General Fund and the Grand Prix was an example; that Convention and Entertainment invested in the street work and it created about \$32,000,000 in economic benefit.

Council Member Todd stated that he wanted to compliment the Image Group on their strong efforts to include all parts of Houston; that last week he spoke on technology in the NASA community and how helpful the Image Group had been in that respect; that he heard there was a real need to bring more focus to the Life Sciences going on in Houston and to the Space Science community; and moved to suspend the rules to hear from Ms. Elise Lanier, and was seconded by Council Member Boney. All voting aye. Nays none. MOTION 2000-0832 ADOPTED.

Ms. Elise Lanier, Chairman of the Board of the Houston Image Group, appeared at the podium and stated that she had no prepared comments, but did want to thank all for their consideration of the item; that other cities were spending a huge amount of money that were public funds; that Houston Image had raised private funds as well and she hoped everyone understood how really important this was, they found even citizens living in Houston did not know as much about the city as they thought.

Council Member Sanchez stated that they were spending money to enhance the city's image and METRO had a commercial which began by announcing that Houston had the dirtiest air in the nation and he would like the Image Group to try and coordinate with other agencies to make suggestions that when they start a commercial broadcast to millions stating Houston had the dirtiest air in the nation which was not factual because Houston was only in violation of one EPA standard and that was ground level ozone; and Ms. Lanier stated that she did not realize that was what they were saying, but she did agree with him; that the city could be its own worst enemy in what it said, and though it was hot outside today 350 days of the year you could be outside and there was traffic but not near as bad as other places such as New York, L.A., Paris, London, etc., and it did bother her for an agency to talk about what was wrong instead of what was right. Council Member Parker absent.

Council Member Ellis stated that he wanted to clarify that they had about a \$9,000,000 budget to promote Houston with Convention and Entertainment and about \$1.5 million within Aviation; METRO, etc., and that was why he wanted to see everyone come together instead of overlapping each other. Ms Lanier stated that it was a great idea if they could get together with METRO and the Port and other agencies because it was wrong to contradict and make Houston out to be the dirtiest city or something when it was not and they would start doing that. Council Member Parker absent.

Upon questions by Council Member Ellis, Mr. Tollett stated that the Convention Bureau's budget was about \$9,000,000 and that was for tourism, conventions, marketing, protocol, etc., that some was done in-house and they had relationships with marketing firms with the State of Texas. Council Member Ellis stated that next year they would be in the same position and he wondered if they could budget out of his department and Aviation's department the \$500,000 to keep the Houston Image going; and Ms. Lanier stated that whatever other enterprise funds they went after he knew nothing about but regarding the Bureau she had an idea of what they did and to try and get more than \$250,000, there was so much they gave them in kind along with all the other projects they did and she thought it would be really difficult; that she did not know about Aviation, but her understanding was the Bureau was really stretched for dollars. Council Member Ellis stated that he would disagree on that point.

Council Member Keller thanked Ms. Lanier for all the time she sacrificed towards the venture and he was assured by Mr. Tollett about the General Fund question and when it came up again he did not think it would be taken that serious; and upon questions, Ms. Lanier stated that one of their board members was from the Economic Development Division of the Partnership and when they formed the Image Group they said they would always have someone from the Partnership and the Bureau on the board and when they first formed it was the idea that the Partnership, Bureau and City would all work together and she thought that the idea of METRO and the Port being included should be and that would be one of their next steps to talk to them within the next few days; that they found out from researching that lots of companies would be interested in Houston but employees were not sure they wanted to go because it was hot or because of the traffic but after getting here almost 100% of the time they thought it was not as bad as where they came from so that was where they found they needed to change perceptions of Houston.

Mayor Brown thanked Ms. Lanier for her leadership and stated that it was appreciated.

35. ORDINANCE appropriating \$4,928,000.00 out of Convention & Entertainment Construction Fund and \$1,558,698.00 out of 1995 Series Revenue Bond Capital Improvement Fund, awarding construction contract to **STEWART-MATL, LTD.**, on low bid of \$5,870,000.00 and approving and authorizing professional services contract for engineering testing services with **HTS, INC, CONSULTANTS** in the amount of \$35,000.00 for Renovation of Jones Plaza; GFS B-0015-03-3; providing funding for construction management and contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund and the 1995 Series Revenue Bond Capital Improvement Fund - **DISTRICT I – CASTILLO** – was presented.

Council Member Keller stated that this was brought up in Neighborhood Protection and he voiced questions but did not get a lot of the answers until last night and this morning, but he wanted to know why \$1.5 million was coming from CIP for the project; and he thought it clear when he said he wanted to prepare his own bid and wanted the exact information one would need to turn in a bid; that he got a lot of response from Trinh Phan; and moved to suspend the rules to hear from Ms. Trinh Phan at this time, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0832 ADOPTED.

Upon questions by Council Member Keller, Ms. Phan stated that for the construction management in the project they would be getting a full-time administrator which was the construction manager type to be on board for 120 hours a month; a secretary type to do management process and development of paperwork; an inspector as needed on the project as well as a project manager before hours which would oversee basically the concept of the construction management; and she would assure him that the base drawings were attached with alternates 1, 2 and 3 when they were put out to bid. Council Members Todd and Sanchez absent.

Upon further questions by Council Member Keller, Mr. Tolettt stated that the Plaza was built in the late '60's on top of the parking garage, the garage had a slab on top for water protection and Public Works originally did not realize how difficult it would be to strip the top of the Plaza, waterproof it and then lower it; that people would not go up on the plaza because they could not see the top so they were lowering it; that they now had a unique opportunity to bring the plaza down, the landscaping to the streets and it was a centerpiece of the Theatre District. Council Member Keller stated that a few minutes ago he was adamant on tagging the item, but he was not going to; that he felt out of principal that because he asked for something on the 19th and did not get it until the 27th, but did want to compliment Ms. Phan on being so knowledgeable and able to answer the questions. Council Members Goldberg, Todd and Sanchez absent.

Council Member Bell stated that he wanted to speak to the merits of the project; that many of Council was disappointed when something cost more than expected, but it was important to remember this was a part of the signature projects for Downtown when the revitalization efforts began, it was a very important piece of space and it was not able to be utilized to its highest and best use because of its defects; that the design had won awards and it would be a very usable piece of green space adding greatly to the revitalization effort of the theatre district and he was very glad to see it moving forward. Council Members Goldberg, Todd, Keller and Sanchez absent.

Council Member Castillo stated that he did intend to vote for the project and it was a focus of activities in the theatre district and construction cost had gone up over the years; and urged Council Members to support the item. Council Members Goldberg, Todd, Keller and Sanchez absent.

Council Member Boney stated that he wanted to join Council Member Bell who laid out the issue well and thanked representatives of the staff; that it made a abundance of good sense to pass the item and create another asset for the city downtown; and would join Council Members Bell and Castillo and urge passage of the item. Council Members Goldberg and Todd absent.

Council Member Parker stated that her comments had been made and she also supported the project. Council Members Goldberg and Todd absent.

A vote was called on Item 35. All voting aye. Nays none. Council Members Goldberg and Todd absent. ORDINANCE 2000-584 ADOPTED.

16. RESOLUTION consenting to the enlargement of the boundaries of the Midtown Management District - **DISTRICTS D - BONEY and I –CASTILLO** – was presented.

Upon questions by Council Member Sanchez, Council Member Castillo stated that the chairman of the zone was present; and moved to suspend the rules to hear from the chairman of the board of the Midtown management District, and was seconded by Council Member Parker. All voting aye. Nays none. Council Members Tatro and Boney absent. MOTION 2000-0834 ADOPTED.

Upon questions by Council Member Sanchez, Mr. John Gonzales stated that he was chairman of the district and not the zone and that the enlargement was to be by public hearing and consideration of their board and they would be having public hearings as soon as Council gave consent. Council Member Sanchez stated that he thought Management District enlargement would bring in additional properties to be taxed; and Mr. Gonzales stated that was correct. Upon questions by Council Member Sanchez, Mr. Gonzales stated that after Council's consent they would be sending out notice and holding hearings, but he understood Council had to consent to the process. Council Members Boney and Vasquez absent.

Upon further questions by Council Member Sanchez, Ms. McAbee stated that enlargement of the boundaries of the zone did require consent of Council and she believed the public notice they were speaking of was for assessment of the land;. Council Member Sanchez tagged Item 16. Council Members Boney and Vasquez absent.

Council Member Castillo stated that this was for enlargement of the zone; that four parcels were added to the TIRZ and he believed those were the parcels being added, but many were already included and upon questions, Mr. Bill Calderon, Planning and Development Department, stated that the project plan implementation had affected the vast majority of the zone and the annexation of the six parcels were added and approved by Council last summer; that if he remembered correctly the vast majority of those parcels were annexed pursuant to petitions submitted whereby citizens were asking to be brought into the zone and this action would approve enlarging the boundaries of the management district which was created prior to that annexation. Council Members Goldberg and Vasquez absent.

Council Member Sanchez stated that essentially this was a property tax increase and before saying Council agreed he would like seven days to look at the statute and make sure the people knew they were on the verge of Council giving a recommendation to jack up their taxes and would tag the item. Council Members Goldberg and Vasquez absent.

Upon questions by Council Member Boney, Ms. McAbee stated that the Tax Increment Reinvestment Zone was an area designated by Council as an area for reinvestment and redevelopment and that was done in 1994 and subsequently the district was enlarged; that the management district was created in this case by action of the State Legislature last year during the 1999 Legislative Session and was a different type of entity because it had the ability to levy an assessment against certain classes of property within the boundaries of the management district; that her recollection of the

applicable law was management districts were created either by the Legislature or through an administrative process which did not involve City Council. Council Members Keller, Vasquez and Robinson absent.

Council Member Sanchez stated that it had been a while since Council had dealt with management districts and annexations and he thought they were all rusty on it and did not think seven days would be inappropriate; that he thought they should let people know Council was thinking about putting them in a district where their taxes would increase; and Council Member Boney stated that it was not a tax it was an assessment. Council Member Sanchez stated that he did not care where it flowed, their taxes would go up. Council Member Boney stated that he would support him. Council Members Vasquez and Robinson absent.

Council Member Parker stated that she looked forward to receiving the information during the course of the week; and upon questions, Mr. Gonzales stated that in this district residential properties would also be assessed; that they had been reaching out to the areas already in the district and the proposed areas to be annexed and with Council's consent they would be having two new members from the residential area. Council Members Vasquez and Robinson absent.

Council Member Boney stated that he would like his tag added to Item 16. Council Members Vasquez and Robinson absent.

Council Member Sanchez stated that in the interim week he would like Mr. Gonzales to provide Council Members who were interested with the zip codes for what was planned to be increased; and Mr. Gonzales stated that he would do so. Council Members Vasquez and Robinson absent.

Council Member Tatro stated that he would like to get responses this week on what percent of the property owners, either by value or land mass volume, were required to start the assessment and whether the areas to be annexed had petitions requesting it. Council Members Vasquez and Robinson absent.

Upon questions by Council Member Galloway, Mr. Gonzales stated this was a special assessment and was not related to property taxes already in place so it would not affect school or city taxes or community college taxes, but would be a rate set on the assessed value of the property separate from those, but that information would be reviewed in the packets to be given to Council Members.

Mayor Brown stated that Item 16 had been tagged by Council Members Sanchez and Boney.

Council Member Castillo moved to suspend the rules to take Item 47 out of order, and was seconded by Council Member Galloway. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-0835 ADOPTED.

47. ORDINANCE No. 2000-574, passed first reading June 21, 2000
ORDINANCE amending City of Houston Ordinance No. 90-1292 as amended (the Master Classification Ordinance) by revising the Master Classification Listing;

making other provisions related to the Title subject; providing for severability - **SECOND READING** – was presented.

Council Member Castillo stated that he would move to suspend the rules to provide that Council approve Item 47 on its second reading for final passage, and was seconded by Council Member Vasquez.

Upon questions by Council Member Sanchez, Mr. Hall stated that the Charter required only two readings, but Council's rules required three and that was why Council Member Castillo moved to suspend the rules; that this item would have normally passed on only one reading except it was not reviewed by Legal and did not have the emergency clause included which was why it was back before Council. Council Member Robinson absent.

A vote was called on Council Member Castillo's motion to suspend the rules to approve Item 47 on its second and final reading. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-0835 ADOPTED.

A vote was called on Item 47 to be passed second and final reading. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-574 ADOPTED SECOND AND FINAL READING.

Council Members Quan and Tatro moved that the minutes of the preceding meeting be adopted. All voting aye. Nays none. MOTION ADOPTED.

Council Member Robinson moved that the rules be suspended to take Item 25 out of order, and was seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-0837 ADOPTED.

25. ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **HOUSTON MEDIASOURCE (Formerly ACCESS HOUSTON)** for Programming Services in connection with the Public Access Channel – was presented.

Council Member Sanchez stated that his question was not directly related to the item but did deal with the municipal channel; that yesterday in the joint session of the county and city he noticed that the city's municipal channel was recording the events and thought it was because of the city's participation, but he understood they provided service to the county and county residents and were not reimbursed and if so he would like them to help on the cost.

Council Member Sanchez moved to suspend the rules to hear from Ms. Sara Culbreth, Assistant Director Finance & Administration, and was seconded by Council Member Ellis. All voting aye. Nays none. Council Member Bell absent. MOTION 2000-0838 ADOPTED.

Upon questions by Council Member Sanchez, Ms. Culbreth stated that it was a free service. Council Member Sanchez stated that he thought if they asked the county for a service they would be sent a bill and he would like Mayor Brown to follow-up on that; and Mayor Brown stated that would be checked into. Council Member Bell absent.

Council Member Boney stated that he remembered when this first came up the county was not as enthused as the city in having their meetings broadcast and he thought they should request that they share in the expenses but they may find out that they would forego being on the municipal channel; that they should also look at the Houston Community College and the METRO Transit Authority which were also broadcast; that they should all be on the municipal channel but if they would contribute a small portion it would help in cost; and Mayor Brown stated that they would check and see what could be done.

Council Member Keller stated that he would like to extrapolate that ideology exponentially and his question was that out of the 1.9 million taxpayers the city had the number was "x" and those taxpayers paid "y" to the county and to expand on what Council Member Sanchez talked about what percentage of revenue went to the county coffers from the City of Houston taxpayers; and Mr. Haines stated that it would be looked into and they would get back with him.

Council Member Robinson stated that was a good question and they had ongoing debate as to what the return was to Houston taxpayers from the county; that it was a sensitive issue and should be continued to be looked at; that in some folks estimate, including his, there may not be enough of a return; that he agreed with Council Member Boney that the county was not necessarily interested in this and he would not want to forego having the municipal channel provide the service and whatever the outcome he thought it should be continued. Council Member Keller absent.

Upon questions by Council Member Parker, Ms. Culbreth stated that the city spent about one million six or one million seven each year on the municipal channel and about one million four of that came from fees collected from the franchisees of Warner Cable. Council Member Parker stated that virtually all money spent by the city on the municipal channel was paid by those who viewed Warner Cable, so it was a service provided by the city but paid for by cable subscribers and she felt it would be difficult to get money from the county or anyone on something they were not paying for. Council Member Keller absent.

Upon questions by Council Member Ellis, Ms. Culbreth stated that there would be an expense in the airing with staff time and that could be broken down and figured. Council Member Ellis stated that it sounded like they were spending an additional \$200,000 over what was actually being received; and Ms. Culbreth stated that they had been using the fund balance over the last couple of years to pay for that service. Council Member Keller absent.

A vote was called on Item 25. All voting aye. Nays none. Council Member Keller absent. ORDINANCE 2000-585 ADOPTED.

Consent Agenda (Items 1 through 47) were considered as follows:

MISCELLANEOUS - NUMBERS 1 and 2

1. REQUEST from Mayor for confirmation of the reappointment of the following to the **BOILER CODE REVIEW AND LICENSING BOARD:**

Position Two – **MR. ROGER STEPHENS**, for an unexpired term ending January 2, 2002

Position Four – **MR. ROBERT M. HILL**, for an unexpired term ending January 2, 2002

- was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0839 ADOPTED.

2. REQUEST from Mayor for confirmation of the reappointment of the following to the **GENERAL APPEALS BOARD**, for an unexpired term ending January 2, 2002:

Position Two - **MS. LESLIE B. DAVIDSON**

Position Four - **MR. SOLOMON B. SILVA**

Position Six - **MR. C. MIKE GARVER**

Position Ten - **MR. EDWARD E. CAMPBELL**

- was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0840 ADOPTED.

DAMAGES - NUMBER 3

3. RECOMMENDATION from City Attorney for settlement of lawsuit styled **RIGOBERTO CENDEJAS** v. The City of Houston; in the County Civil Court at Law No. Two (2) of Harris County, Texas; Cause No. 693,051 - \$29,000.00 - Property and Casualty Fund - was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0841 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 16 through 47

21. ORDINANCE creating the **NOVO INDUSTRIES REINVESTMENT ZONE** for Tax Abatement purposes pursuant to Article IV of Chapter 44 of the Code of Ordinances, Houston, Texas; making various findings and provisions related to the subject; providing for severability **DISTRICT A – TATRO** - was presented. All voting aye. Nays none. ORDINANCE 2000-586 ADOPTED.
- 21a. ORDINANCE approving and authorizing a Tax Abatement Agreement between the City of Houston, Texas and **NOVO INDUSTRIES, L.P.**, for certain property located within the Novo Industries Reinvestment Zone; granting a variance to certain requirements of Chapter 44 of the Code of Ordinances - **DISTRICT A – TATRO** - was presented. All voting aye. Nays none. ORDINANCE 2000-587 ADOPTED.
22. ORDINANCE approving and authorizing an Occupancy Agreement between **AMERICAN RED CROSS GREATER HOUSTON AREA CHAPTER, A Federally Chartered Corporation**, as occupant, and the City of Houston, Texas, as owner, for space in the Acres Homes Multi-Service Center - Revenue - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2000-588 ADOPTED.
26. ORDINANCE consenting to the addition of 1,242.898 acres of land to **MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 46**, for inclusion in its district - was presented. All voting aye. Nays none. ORDINANCE 2000-589 ADOPTED.

29. ORDINANCE approving and authorizing amendment to a Merchant Services Agreement (Approved by Ordinance No. 95-752) between the City of Houston and **AMERICAN EXPRESS TRAVEL RELATED SERVICES COMPANY, INC** – Revenue - was presented. All voting aye. Nays none. ORDINANCE 2000-590 ADOPTED.
30. ORDINANCE approving and authorizing amendment to a Merchant Services Agreement (Approved by Ordinance No. 95-753) between the City of Houston and **DISCOVER CARD SERVICES, INC** – Revenue – had been pulled from the Agenda by the Administration, and was not considered.
34. ORDINANCE approving and authorizing the Restated and Amended contract between the City of Houston and **GARY MONTGOMERY & ASSOCIATES, INC** for Professional Engineering Services to Develop a Ground Water Master Plan, GFS S-0100-06-- had been pulled from the Agenda by the Administration, and was not considered.
36. ORDINANCE appropriating \$307,380.00 out of Street & Bridge Construction Fund and awarding construction contract to **SCI CONSTRUCTORS, INC** on low bid of \$1,644,527.31 and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING, INC** in the amount of \$98,000.00 for Settegast Community Overlay Project - Neighborhoods to Standard - Tier VII, GFS Q-1300-02-3 (OL-2002); providing funding for construction management and contingencies relating to construction of facilities financed by the Street and Bridge Construction Fund - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2000-591 ADOPTED.
41. ORDINANCE appropriating \$100,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract for Professional, Mechanical, Electrical and Plumbing Engineering Services between the City of Houston, Texas and **SPENCER DUNAWAY JONES & SMITH, INC** (Approved by Ordinance 97-719), for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field (Project No. 409C); CIP A-0138 - **DISTRICTS B - GALLOWAY and E – TODD** - was presented. All voting aye. Nays none. ORDINANCE 2000-592 ADOPTED.
42. ORDINANCE appropriating \$50,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to the contract for Professional Surveying Services between the City of Houston, Texas and **COSTELLO, INC** (Approved by Ordinance 97-720), for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field (Project No. 409D); CIP A-0138 **DISTRICTS B - GALLOWAY and E – TODD** - was presented. All voting aye. Nays none. ORDINANCE 2000-593 ADOPTED.

CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

ACCEPT WORK

4. RECOMMENDATION from Acting Director Department of Public Works & Engineering for approval of final contract amount of \$185,768.00 and acceptance of work on contract with **JALCO, INC** for Construction of Manhole Rehabilitation - Lift Station No. 7 at Kingwood, GFS R-0266-79-3 (4701-17) - 04.99% over the original contract amount - Enterprise Fund **DISTRICT E – TODD** - was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0842 ADOPTED.
5. RECOMMENDATION from Acting Director Department of Public Works & Engineering for approval of final contract amount of \$4,972,342.04 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for Sanitary Sewer Rehabilitation in Southwest Area, GFS R-1036-13-3 (4260-12) - 04.72% under the original contract amount - Enterprise Fund **DISTRICTS C - GOLDBERG and D – BONEY** - was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0843 ADOPTED.
6. RECOMMENDATION from Director Department of Aviation to accept work on contract with **CHAMPAGNE-WEBER INC, TEXAS** for FY'98 Airfield Pavement Rehabilitation at IAH; Project 540, CIP A-0063, A-0352 and A-0147 - 05.70% under the original contract amount Enterprise Fund - **DISTRICT B – GALLOWAY** - was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0844 ADOPTED.
7. ORDINANCE appropriating \$8,463.20 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Reconstruction of Wilcrest Drive from Richmond to Westheimer, CIP N-0644A-02-3 (N-0644A-02) under construction contract with **SOUTH COAST CONSTRUCTION, INC** (approved by Ordinance No. 97-723 - **DISTRICT G – KELLER** - was presented.

Council Member Keller discussed the fact that he had received calls on replacing a sprinkler system in the esplanade on Wilcrest between Richmond and Westheimer and they said there was no system there; and stated that he would tag Item 7.

- 7a. RECOMMENDATION from Acting Director Department of Public Works & Engineering for approval of Change Order No. 2 in the amount of \$22,702.99, final contract amount of \$1,452,748.41 and acceptance of work on contract with **SOUTH COAST CONSTRUCTION, INC** for Reconstruction of Wilcrest Drive from Richmond Avenue to Westheimer, GFS N-0644A-02-3 (N-0644A-02) - 05.62% over the original contract amount - Street & Bridge Consolidated Construction and Enterprise Funds - **DISTRICT G – KELLER** - was presented, moved by Council Member Sanchez, seconded by Council Member Quan, and was tagged by Council Member Keller.

PROPERTY

8. RECOMMENDATION from Acting Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ana B. Rausch of Contract Land Staff, Inc., on behalf of Southwestern Bell

Telephone Company (SWBT), for sale of a 30-foot by 10-foot aerial easement across the Young Library Site, 6003 Beekman Street, Lots 1 and 2, Block 9, Section One, Mac Gregor Palms Subdivision, SYO-068 - **STAFF APPRAISERS DISTRICT D – BONEY** - was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0845 ADOPTED.

PURCHASING AND TABULATION OF BIDS

LOW BIDS

9. ORDINANCE appropriating \$23,614.50 out of Parks Special Fund (Fund 491) for construction of One Basketball Court for Parks & Recreation Department - **DISTRICT D – BONEY** - was presented. All voting aye. Nays none. ORDINANCE 2000-594 ADOPTED.
- 9a. **BASELINE PAVING & CONSTRUCTION, INC** for Construction of Basketball Court for Parks & Recreation Department - \$23,614.50 - **DISTRICT D – BONEY** - was presented, moved by Council Member Boney, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-0846 ADOPTED.
10. ORDINANCE appropriating \$17,838.45 out of Parks Consolidated Construction Fund for Decorative Metal Fencing for **KARL YOUNG PARK** for Parks & Recreation Department, CIP F-0244 - **DISTRICT C – GOLDBERG** - was presented. All voting aye. Nays none. ORDINANCE 2000-595 ADOPTED.
- 10a **FOSTER FENCE CORPORATION** for Decorative Metal Fencing for Parks & Recreation Department - \$16,989.00 and contingencies for a total amount not to exceed \$17,838.45 **DISTRICT C – GOLDBERG** - was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0847 ADOPTED.
11. **GLOBE ELECTRIC COMPANY, INC** for Paging System for Fire Department - New - \$77,237.67 Fire Department Revolving Fund - was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-0848 ADOPTED.
12. **TIRES-R-US** for Chemical, Caustic Soda Contract Part II for Department of Public Works & Engineering - \$379,704.00 including \$28,117.50 to cover an emergency purchase order issued to continue the supply and delivery of caustic soda from 06/01/00 - 06/30/00 - Enterprise Fund - was presented, moved by Council Member Boney, and seconded by Council Member Vasquez.

Council Member Castillo stated that he would vote for the item because it contained a clause where the Director of Purchasing could cancel a contract if prices declined substantially or could otherwise adjust the contract; that prices for caustic soda were drastically declining and he hoped it was monitored to take advantage of the potential savings. Mayor Brown stated that the Purchasing Director had the information he supplied and it would be monitored to make sure the city received the best deal for their money.

A vote was called on Item 12. All voting aye. Nays none. MOTION 2000-0849 ADOPTED.

13. **PRIME MATERIALS AND SUPPLY CORPORATION** for Asphalt Emulsion Sealants, Part II for Various Departments - \$169,470.00 - General, Enterprise and METRO Funds - was presented, moved by Council Member Sanchez, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-0850 ADOPTED.

OTHER

14. **INTERNATIONAL BUSINESS MACHINES CORPORATION (IBM)** for Hardware and Software Upgrade from the State of Texas General Services Commission's Contract through the State of Texas Cooperative Purchasing Program for Health and Human Services Department \$119,470.00 - Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Sanchez, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-0851 ADOPTED.
15. **HOUSTON-GALVESTON AREA COUNCIL** for Two 15-Passenger Vans for Comprehensive Strategy Grant related Programs - \$43,852.59 - Grant Fund - was presented, moved by Council Member Sanchez, and seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-0852 ADOPTED.

RESOLUTIONS AND ORDINANCES

17. ORDINANCE relating to the issuance and sale of City of Houston, Texas, Water & Sewer System Junior Lien Revenue Refunding Bonds, Series 2000B; including authorizing the Finance Working Group to proceed with the sale of such Bonds, approving and authorizing distribution of the Preliminary Official Statement related to such Bonds, approving matters incidental to the issuance and sale and making various findings and provisions related thereto; and declaring an emergency - was presented – and was tagged by Council Members Castillo and Boney.
18. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 20-foot wide utility and sanitary sewer easement, located in Unrestricted Reserve A, Benning Park Subdivision, Henry Cone Survey, Abstract 191; vacating and abandoning said easement to Bellfort SE, L.P., the abutting owner, in consideration of abutting owner's dedication of two 10-foot wide abutting sanitary sewer easements, a utility and sanitary sewer easement and owner's payment of \$300.00 and other consideration to the City - Revenue DISTRICT C – GOLDBERG – was presented. All voting aye. Nays none. ORDINANCE 2000-596 ADOPTED.
19. ORDINANCE approving and authorizing an amendment to the agreement between the City of Houston, the **SAINT GEORGE PLACE REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER ONE, CITY OF HOUSTON, TEXAS (Saint George Place Zone)** in connection with the City's Reinvestment Zone Number One over the Saint George Place Area - DISTRICT C –

GOLDBERG - was presented. All voting aye. Nays none. ORDINANCE 2000-597 ADOPTED.

- 19a. ORDINANCE approving the issuance of Bonds by the Saint George Place Redevelopment Authority; providing for continuing disclosure with respect to such Bonds; and containing other provisions relating to the foregoing subject - **DISTRICT C – 598** - was presented. All voting aye. Nays none. ORDINANCE 2000-598 ADOPTED.
20. ORDINANCE appropriating \$727,633.08 out of the Tax and Revenue Certificate of Obligation 2000A Fund for payment to the Saint George Place Redevelopment Authority to Reimburse Ironwood Homes for costs associated with Public Improvements and Land Acquisition in Reinvestment Zone Number One, City of Houston, Texas, pursuant to Ordinances Nos. 2000-212 and 2000-234 - **DISTRICT C – GOLDBERG** - was presented. All voting aye. Nays none. ORDINANCE 2000-599 ADOPTED.
23. ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **HOUSTON COMMUNITY COLLEGE SYSTEM** for Programming Services in connection with an Educational Access Channel - was presented. All voting aye. Nays none. ORDINANCE 2000-600 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City of Houston, Texas and the **HOUSTON INDEPENDENT SCHOOL DISTRICT** for Programming Services in connection with an Educational Access Channel - was presented. All voting aye. Nays none. ORDINANCE 2000-601 ADOPTED.
27. ORDINANCE approving and authorizing contract between the City and (1) **AUDITFORCE, INC (to be known as JEFFERSONWELLS INTERNATIONAL, INC)** (2) **DELOITTE AND TOUCHE LLP**, (3) **MIR FOX and RODRIGUEZ, P.C.**, and (4) **MCCONNELL, JONES, LANIER AND MURPHY LLP** for Internal Audit Services for the Controller's Office; providing a maximum contract amount 4 Years - \$2,500,000.00 - General and Enterprise Funds - was presented. All voting aye. Nays none. ORDINANCE 2000-602 ADOPTED.
28. ORDINANCE appropriating \$200,000.00 out of Water & Sewer System Consolidated Construction Fund and authorizing the execution of the First Amendment to contract for professional litigation support services, between the City of Houston and **BENNETT & HOFFMAN, P.C. F/K/A BENNETT, DUNN, ARNOLD, ELLWOOD & NEAL, L.L.P.**, to assist in prosecuting litigation arising out of activities financed by the Fund – was presented.

Council Member Keller stated that Item 28 said they were possibly going after \$30,000,000 in damages; and upon questions, Mr. Hall stated that as he recollected originally it was about \$40,000,000; that in this instance he thought the money would go back into the water/wastewater fund, that was what the lawsuit was about.

A vote was called On Item 28. All voting aye. Nays none. ORDINANCE 2000-603 ADOPTED.

31. ORDINANCE awarding contract to **ELECTRONICS UNLIMITED, INC** for Security System Maintenance for Police Department; providing a maximum contract amount - 5 Years \$648,875.00 - General Fund - was presented. All voting aye. Nays none. ORDINANCE 2000-604 ADOPTED.
32. ORDINANCE appropriating \$213,218.00 out of General Improvements Consolidated Construction Fund and approving and authorizing third amendment to contract between the City of Houston and **GILBANE BUILDING COMPANY** for Facilities Construction Management Services – was presented, and was tagged by Council Member Tatro.

Council Member Keller moved to suspend the rules to hear from a representative of Building Services, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0853 ADOPTED.

Council Member Tatro removed his tag to hear from the representataive.

Upon questions by Council Member Keller, Ms. Phan stated that she was a new member of the Building Services Team, on her fourth month; that she had evaluated and looked at the organization and made responsive changes to create a team that could move in an effective manner. Council Member Keller stated that what he hated was the system in place and not the person or system performing it, but he wanted on record that he would put his entire staff to work on killing this if three months from now there was another renewal of the contract with Building Services for construction management; that he would drop everything for a month to do all he could and he wanted her to know that and to explain why a tag would be damaging. Ms. McGilbra stated that without the extension of this contract the Building Services ability to continue to provide construction management services would be severely hindered and they desperately needed to continue this for at least another three months to finalize their plans and negotiate new contracts with new terms as discussed in the budget hearing and the new process would include a Building Services In-House Team and they would continue to wean themselves off construction management assistance.

Upon questions by Council Member Robinson, Ms. McGilbra stated that at present they were finalizing their process by conducting onsite interviews for the finalist; that they went out for an RFQ and had 11 respondents and had narrowed it down and were in the final state of onsite evaluations; that she was comfortable in saying within the next 30 to 45 days they should be finalizing and negotiating the contract, but they would need Legal's assistance. Council Member Robinson stated that he hoped they would look at something like this, normally at the end of a contract they had additional year extensions and he wondered if when they ran into such a situation where they did not want a full year if they could look at some kind of contractual language for a shorter period extension.

Council Member Castillo stated that he did applaud Building Services for taking on the task of reducing the city's cost for construction management; that the city began outsourcing construction management during the Greater Houston Wastewater Programs with Mayor Lanier when they did not have the capacity in-house to handle all the work, but as they began to taper down the in-house staff hours should be built to do

the work; that he believed the more they streamlined it, the more efficient they made it and the more economical they made it the better deal it was for the taxpayers.

A vote was called on Item 32. All voting aye. Nays none. ORDINANCE 2000-605 ADOPTED.

33. ORDINANCE appropriating \$175,000.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation and approve and award an amended contract with **CHARLES D. GOODEN CONSULTING ENGINEERS** for Reconstruction of Brittmoore from Hammerly to Clay Road, GFS N-0597-01-2 (N-0597-01), Approved by Ordinance No. 99-55 on January 27, 1999; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A – TATRO** – was presented, and was tagged by Council Members Sanchez, Tatro and Keller.

Council Member Keller stated that he would like someone to see him as soon as possible because he had a number of questions which could affect the item next week. Council Member Sanchez stated that he would request the same. Mayor Brown stated they would make sure that happened.

37. ORDINANCE appropriating \$1,431,440.00 out of Parks Consolidated Construction Fund, awarding construction contract to **TIMES CONSTRUCTION, INC** on low bid of \$1,992,000.00 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$25,000.00 for Parks to Standard Program, Bid Package No. 5 - Linkwood and Oak Forest Parks, F-0363-05-3; providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - \$725,000.00 Grant Fund - **DISTRICTS A - TATRO and C – GOLDBERG** - was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2000-606 ADOPTED.
38. ORDINANCE appropriating \$388,000.00 out of Storm Sewer Consolidated Construction Fund, awarding contract to **JOHN G. HOLLAND CONSTRUCTION CO., INC** on low bid of \$338,372.84 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC** in the amount of \$5,000.00 for Hibury Relief Storm Sewer, GFS M-0231-02-3; providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund **DISTRICT G – KELLER** - was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2000-607 ADOPTED.
39. ORDINANCE appropriating \$10,252,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **WESTERN SUMMIT CONSTRUCTORS, INC** on low bid of \$8,671,301.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$280,000.00 for East Water Purification Plant Expansion and Improvements, GFS S-0056-27-3 (10565); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E – TODD** - was presented. All

voting aye. Nays none. Council Member Todd absent. ORDINANCE 2000-608 ADOPTED.

40. ORDINANCE appropriating \$3,500,000.00 out of Airports Improvements Fund and approving and authorizing professional services contract with **PRICEWATERHOUSECOOPERS LLP** for Professional Accounting Services for the Houston Airport System; Project 574, CIP A-0434 **DISTRICTS B - GALLOWAY and E - TODD** – was presented, and was tagged by Council Members Tatro, Robinson and Goldberg. Council Member Todd absent.
43. ORDINANCE appropriating \$100,000.00 out of Airports Improvement Fund and approving and authorizing Amendment No. 1 to contract for Professional Architectural Services between the City of Houston, Texas and **BRICKER+CANNADY, INC** (Formerly Willis, Bricker & Cannady, Inc) approved by Ordinance 97-1104, for Miscellaneous Projects for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field (Project No. 409H); CIP A-0138 - **DISTRICTS B - GALLOWAY and E - TODD** - was presented. All voting aye. Nays none. ORDINANCE 2000-609 ADOPTED.
44. ORDINANCE appropriating \$9,987,200.00 out of Airports Improvement Fund, CIP A-0347, A-0386 and A-0424, awarding construction contract to **CONSTRUCTION, LTD** on low bid of \$8,997,442.00 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$270,000.00 for Light Aircraft Hangars and A/G Building Expansion at Ellington Field (EFD), Project No. 515 - **DISTRICT E - TODD** – was presented, and was tagged by Council Member Tatro.
45. ORDINANCE appropriating \$535,800.00 out of Parks Consolidated Construction Fund as an additional appropriation for Program Management Services in connection with the Parks to Standard Program - Phase II, under a program management services contract with **SUNLAND ENGINEERING COMPANY** (Approved by Ordinance No. 98-1041); providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund, GFS F-0363-01-2 - was presented. All voting aye. Nays none. ORDINANCE 2000-610 ADOPTED.
46. ORDINANCE appropriating \$255,238.00 out of the 95 Series Construction Fund Convention Center, Fund 616 and appropriating \$5,306,000.00 out of Convention and Entertainment Fund 603 (Commercial Paper Series A), for the payment of the cost of Land Purchases/Condemnations, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees for and in connection with the George R. Brown Convention Center Expansion Project; CIP B-0005-00-1 - **DISTRICT I - CASTILLO** – was presented, and was tagged by Council Members Keller and Quan. **(Note: Council Members Keller and Quan released their tag later in the meeting.)**

Council Member Keller stated that he would like to know what they were buying, how much land were they buying and at what price per square foot.

Council Member Boney moved to suspend the rules to hear from Mr. Jordy Tollett, and was seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-0854 ADOPTED.

Mr. Tollett stated that they already owned a portion of a block and this was the remainder of the block surrounded by Rusk, Chenevert, Jackson and Capital; that they were completing the purchase to square up the expansion of the Convention Center which was in the Master Plan adopted in 1981; that it was the northern side and it had been complicated in that there was one historical building on it which belonged to the church and in order to get to the negotiating table they needed authority to condemn if they would not work with them because the price of land was now out of balance there; that this was an estimate by the Real Estate Department. Council Member Keller stated that he would like someone from the Real Estate Department to meet with him.

Council Member Ellis stated that he was in favor of the extension if they went all the way to Enron Field but this was like extending a signature street and then stopping just before getting to Enron Field; and upon questions, Mr. Tollett stated that the Convention and Entertainment Facilities Department Master Plan called for them to take Avenida to Capital, but Mr. Litke had been working with the landowners with the hope of going all the way to Enron Field, but that was not under his department; that it was very important to try and save and relocate the house as it was historical, but they did already own a portion of the block and it was important to square up the block. Mayor Brown stated that it was desirable, but the question was where to get the money.

Council Member Castillo stated that he had sent Mr. Tollett a memo asking for future plans bringing Avenida De Las Americas all the way to Texas; that it was inefficient to not have traffic circulation all the way to Texas and get the northern end connected to a major thoroughfare, it was shortsighted; and Mayor Brown stated that they would continue to pursue it; that as he had indicated it was a general consensus to do so but the question was where to get the money. Council Member Vasquez absent.

Council Member Boney stated that this work did need to go forward and even though he understood they intended to make efforts to expand it even further he did not see how it would impact this and he would like to go on with this and then pursue the extension of Avenida all the way to Enron. Council Member Vasquez absent.

Council Member Todd stated that he was glad the Administration was supporting the extension of Avenida and agreed that it was important for traffic flow in the area but was curious about the house there; and Mr. Tollett stated that it was a two story house but he did not know if that was an addition; that his department had agreed to save the house because it was historical, but was not sure of the date and they would like to move it to Sam Houston Park, but they were not sure it would fit and that was also being looked at; that once he had the numbers he would let him know how much it would cost.

Mayor Brown stated that Item 46 had been tagged.

MATTERS HELD - NUMBERS 48 through 58

49. ORDINANCE appropriating \$8,053.80 out of Water & Sewer System Consolidated Construction Fund as additional funding for contract with **KINGSLEY**

CONSTRUCTORS, INC for Central West 1 Relief Sewers, GFS R-1225-01-3, Contract No. 36735, (4462-1), approved by Ordinance No. 96-689 - **DISTRICTS A - TATRO and H - VASQUEZ - (This was Item 8 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER VASQUEZ)** - was presented. Council Member Keller voting no. Balance voting aye. ORDINANCE 2000-611 ADOPTED.

49a. RECOMMENDATION from Acting Director Department of Public Works & Engineering for approval of Change Order No. 9 in the amount of \$8,053.80, final contract amount of \$5,343,429.71 and acceptance of work on contract with **KINGSLEY CONSTRUCTORS, INC** for Construction of Central West I Relief Sewers, GFS R-1225-01-3 (4462-1) - 24.77% over the original contract amount - Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO and H - VASQUEZ - (This was Item 8A on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBERS VASQUEZ, KELLER and ELLIS)** - was presented, moved by Council Member Boney, and seconded by Council Member Vasquez. Council Members Keller and Sanchez voting no. Balance voting aye. MOTION 2000-0855 ADOPTED.

50. MOTION by Council Member Boney/Seconded by Council Member Castillo to adopt recommendation from Acting Director Department of Public Works & Engineering for condemnation of Parcel AYO-67, located at 5365 McCulloch Circle, owned by Mohammad A. Kargar, for the **STREET IMPROVEMENTS FOR REINVESTMENT ZONE NUMBER ONE PROJECT - DISTRICT C - GOLDBERG - (This was Item 14 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBERS PARKER, QUAN, TATRO and VASQUEZ)** - was presented.

Council Member Parker stated that after a great deal of discussion at the Council table last week she understood there may be a possibility of negotiating an agreed price with the property owner so the city did not have to move for condemnation; that she would vote for the item but because she was assured they would work in good faith with him and she hoped they would continue to do so.

A vote was called on Item 50. Council Members Robinson, Tatro and Boney voting no. Balance voting aye. MOTION 2000-0856 ADOPTED.

51. ORDINANCE appropriating \$372,435.00 out of Fire Consolidated Construction Fund for Renovation of an Office Facility for Fire Department - **DISTRICT C - GOLDBERG - (This was Item 21 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER KELLER)** - was presented. All voting aye. Nays none. ORDINANCE 2000-612 ADOPTED.

51a. MOTION by Council Member Castillo/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration Department to award to **INTEGRA CONSTRUCTION, INC** for Renovation of an Office Facility for Fire Department \$354,700.00 and contingencies for a total amount not to exceed \$372,435.00 - **DISTRICT C - GOLDBERG - (This was Item 21A on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER VASQUEZ)** - was presented.

Council Member Sanchez stated that the space as he understood was 39,000 square feet for the fire inspectors space in the new building which varied from the recommendation of 8,000 square feet; and moved to suspend the rules to hear from Chief Britt, and was seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Tatro absent. MOTION 2000-0857 ADOPTED.

Upon questions by Council Member Sanchez, Chief Britt stated that the area designed would have 36 office spaces; that the inspectors varied from time to time as some worked evenings, etc., there were around 60; that the building was 7,000 square feet and on the second page of the RCA it said 70 by 100 feet. Council Member Sanchez stated that the other issue was location; and upon questions, Chief Britt stated that inspectors were mobile and had the ability to travel all over the city and they did not feel the location would create any problems; that it was budgeted into the new budget and in the works since 1996. Council Members Todd, Keller, Vasquez, Castillo and Robinson absent.

A vote was called on Item 51a. All voting aye. Nays none. Council Members Todd, Keller, Vasquez, Castillo and Robinson absent. MOTION 2000-0858 ADOPTED.

52. MOTION by Council Member Boney/Seconded by Council Member Castillo to adopt recommendation from Finance & Administration to award to **IES ELECTRONICS INDUSTRIES, USA, INC** for Firearms Training System for the Police Department - \$94,900.00 - Police Special Services Fund - (This was Item 23 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER TATRO) – was presented. All voting aye. Nays none. Council Members Todd, Keller, Vasquez, Castillo and Robinson absent. MOTION 2000-0859 ADOPTED.
53. ORDINANCE approving and authorizing contract between the City of Houston and **JOHN L. WORTHAM AND SON, L.L.P** for Insurance Broker of Record Services - 5 Years - \$500,000.00 Insurance Management Fund - (This was Item 35 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER TATRO) – was presented. All voting aye. Nays none. Council Members Todd, Keller, Vasquez, Castillo and Robinson absent. ORDINANCE 2000-613 ADOPTED.
54. ORDINANCE appropriating \$660,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on low bid of \$579,074.40 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$17,000.00 for Water Line Replacement in Silverdale Subdivision, GFS S-0479-01-3 (10482); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund DISTRICT H - VASQUEZ - (This was Item 59 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER TODD) – was presented. All voting aye. Nays none. Council Members Todd, Keller, Vasquez, Castillo and Robinson absent. ORDINANCE 2000-614 ADOPTED.
55. ORDINANCE appropriating \$481,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on low bid of \$416,765.61 and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING**

CORPORATION in the amount of \$10,000.00 for construction of Hall's Bayou Waterline Extension, GFS S-0531-11-3 (10296); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY - (This was Item 60 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER TODD)** – was presented. All voting aye. Nays none. Council Members Todd, Keller, Vasquez and Robinson absent. ORDINANCE 2000-615 ADOPTED.

56. ORDINANCE appropriating \$2,981,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RWL CONSTRUCTION, INC** on low bid of \$2,565,256.00 and approving and authorizing professional services contract for engineering testing services with **DAE & ASSOCIATES, LTD d/b/a GEOTECH ENGINEERING & TESTING, a Texas Limited Partnership** in the amount of \$50,000.00 for construction of Water Main Replacement at various locations, GFS S-0700-07-3 (10504-2); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - BONEY and G – KELLER – (This was Item 62 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBERS TODD and KELLER)** – was presented. All voting aye. Nays none. Council Members Todd, Keller, Vasquez and Robinson absent. ORDINANCE 2000-616 ADOPTED.
57. RECOMMENDATION from Acting Director Department of Finance & Administration to approve proposed **FISCAL YEAR 2001-2005 CAPITAL IMPROVEMENT PLAN** and **establish a charge of \$25.00 plus tax and postage** for the adopted documents **NOTE: Fiscal Affairs and Management Initiatives Committee took no action on proposed amendments to the CIP - (This was Item 70 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBER BELL)** – was presented, moved by Council Member Boney.

Council Member Tatro stated that Item 57 was a five year CIP Program; that the Administration was proposing to utilize water/sewer money for several storm drainage projects in various districts; that drainage like roads and bridges were a general fund item and here he saw a program with no permanent funding source which was supposed to be the start of the city's drainage problem; that he thought it was shortsighted to think they could throw a few storm drainage projects together and handle the substantial problem of drainage in Houston; that they were taking what the Administration was saying was extra water/sewer funds and yet continuing to debt 100% of the water/sewer infrastructure; that those were not extra water/sewer funds they were simply water/sewer funds not being spent on water/sewer infrastructure; that he would support a long-term plan to identify a funding source, but could not support usage of water/sewer funds on non water/sewer programs while they continued to debt 100% of the water/sewer infrastructure; that water/sewer rate payers would be paying for them for the next 10 or 15 years as long as the water revenue bonds were let; and presented a motion in writing: **“Capital Improvement Program (CIP) 1)** Storm Drainage Capital Projects will be funded from general obligation debt sources, as they have been historically, and that Water/Sewer funds will be used to pay for Water/Sewer related Capital Projects first. Only those funds available above the current Water/Sewer Capital Projects requirement can be considered as “excess” revenues available for distribution to other uses.”; that he would comment to Council Members that there would be significant pressure to raise

water/sewer rates and be possibly debt driven in the next year or year and a half and it would be difficult in his estimation to say they needed to increase water rates when they were transferring money out to other construction projects. Council Member Parker Absent.

Council Member Boney stated that his point of order was to the amendment already passed out; that the first part dealt with the general fund budget and it would be illegal to amend the general fund budget at this time; and tagged the amendment.

Mayor Brown stated that there had not been a second. Council Member Ellis seconded the motion; and Mayor Brown stated that the item had now been tagged by Council Member Boney.

Council Member Goldberg stated that he had distributed an amendment to Item 57; that their offices now were bigger than when they were in City Hall and he thought the money could be better used in other capital expenditures; and moved to Reduce Project D-103 (City Hall/Westerman Building) by \$1 million dollars to eliminate all expenditures dedicated to moving the offices of City Council from the first floor of the Westerman Building, was seconded by Council Member Ellis, and was tagged by Council Members Bell, Todd, Tatro and Keller.

A vote was called on Item 57. Council Member Tatro voting no. Balance voting aye. MOTION 2000-0860 ADOPTED.

58. 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 – **(This was Item 71 on Agenda of June 21, 2000, TAGGED BY COUNCIL MEMBERS BELL and TATRO)** – was presented. All voting aye. Nays none. ORDINANCE 2000-617 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Boney stated that he would ask that Council Members and the public to be clearly aware that this week was HIV/AIDS testing week in the United States; that CBS news gave a compelling hour long documentary to the program and he hoped Council Members would be willing to set aside a day to be tested, not to reveal results, but it would set a good example to be tested and encourage others to do so; and that they look at a way to having the Health Department look to see if there was a way to facilitate city employees to be tested in a way not burdensome or too expensive; and Mayor Brown stated that they would ask the Health Department to do that.

Council Member Sanchez stated that he did not disagree with Council Member Boney, but they may also be tested for the largest killer Hepatitis C; and he believed any city employee could be tested through their insurance program.

Council Member Sanchez stated that he talked with Council Member Goldberg and on a number of occasions brought to the Mayor's attention the property which had not been on the tax roll for many years off 610 and the Stella Link area; that there were vast improvements going on there and he had been asking for the Administration to help residents and themselves and foreclose on the property and place it back on the tax roll; and would like a report on what action Legal may be taking to bring that to fruition; and Mayor Brown stated that Mr. Hall should provide him an answer.

Council Member Keller stated that he would remove his tag on Item 46.

Council Member Quan stated that he would also remove his tag on Item 46.

46. ORDINANCE appropriating \$255,238.00 out of the 95 Series Construction Fund Convention Center, Fund 616 and appropriating \$5,306,000.00 out of Convention and Entertainment Fund 603 (Commercial Paper Series A), for the payment of the cost of Land Purchases/Condemnations, Appraisal Fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees for and in connection with the George R. Brown Convention Center Expansion Project; CIP B-0005-00-1 - **DISTRICT I – CASTILLO** – was again presented. All voting aye. Nays none. ORDINANCE 2000-618 ADOPTED.

Mayor Brown asked if Council Member Sanchez was through with his Pop-Off and Council Member Sanchez stated that he had hoped to get a response on his question. Mayor Brown stated that he asked him to get back with him on the matter. Council Member Sanchez stated he would like a brief answer now if he could get one; and Mr. Hall stated that Council Member Sanchez had raised the issue on a number of cases and it was a part of the contract with the delinquent tax collection firm; that he had received several reports and asked that it be forwarded to Council Member Sanchez with the most recent about 30 days ago, but he would check with them.

Council Member Parker stated that like several colleagues she rode with the Fire Department and wanted to thank the C Shift at Station 25, she had a great time and they were very informative, but she was invited back as they did not have one single fire call it was all ambulance runs; that she also had a concern on the number of times fire trucks were used in ambulance calls and it made her a true believer for four to a truck.

Council Member Parker stated that Wednesday a week ago the Houston Police Department's Bike Relay team left for Portland, Oregon, it was for Leukemia research, 2,530 miles, and they were supposed to be arriving there sometime today; that she saw them off and this was an area of fund raising and research which she was very interested in and she appreciated very much those volunteers who raised money; that she understood each officer had to raise \$5,000 in pledge support and she understood some had done this for 20 years now and that also some from the Oregon Police Department rode with them.

Council Member Parker stated that in terms of Council Member Boney's comments on AIDS testing week, she was so glad that he made the remarks and call for city employees to be tested, but she did want to emphasize that those who wanted to be tested should go for confidential testing as all should be aware that if they went in for an

AIDS test under their local insurance it may have an insurance rate impact on them and confidential testing may be the best option.

Council Member Parker stated that she wanted to thank Mayor Brown and her colleagues who rode in the Gay Lesbian Pride Parade Saturday night, it was well received and a safe and exuberant parade; that it was a fabulous site and she would encourage all of her colleagues to ride in it next year; that the newspaper said there were 100,000 people along the route but she would remind everyone that a Pride Parade in Sydney did attract 1,000,000 annually and she hoped this would be expanded to a Mardi Gras atmosphere and begin to rival Sydney.

Council Member Parker stated that with all discussion last week regarding the republican Convention and the demonstrators outside, her office had been contacted early on by those who wanted to participate in the official protest of the convention and she was able to put them with the Police Department and there was an official protest area; that she had told them there was a manual of rules on conducting a safe protest on what could and could not be done and assured them it was available, but her office called the Police Department and went through representative after representative and no one knew what they were talking about and it took a week to track it down; and displayed the "Criminal Intelligence Division Demonstrator's Guide to Federal, State, Local Laws and Ordinances" and last updated in September 1998 and it did not say anything about long guns in public places; and Council Member Castillo asked if Council could get a copy and she was sure the Police Department would do that; and Mayor Brown stated that they would make sure Council did receive a copy.

Council Member Castillo stated that he wanted to recognize and thank the parties which participated in the search for Natalie Garcia, the little girl abducted from the east end and particularly the Laura Recovery Center from Galveston County who spearheaded the search and also thanked Mr. Spellman who made the facility at Eastwood Park available to the volunteers of over 100 over a six day period; that she was found safe and returned to her home and it was great the community came together and people from out of the county and thanked all for their efforts.

Council Member Bell stated that a couple of months ago, late March, he raised the question regarding results of the mystery shopper study; that he received a memo from Mr. Haines stating they would be forth coming and a presentation made to the Fiscal Affairs Committee and he understood the report was completed, it had drug on now another three months and he was interested as to where it stood whether it was good or not; and Mayor Brown stated that would be taken care of and made sure it would happen.

Council Member Ellis stated that over the weekend he had the opportunity to represent the city and the Mayor's Office and presented a proclamation to the Higher Dimension Church who had their second annual block party; that they had over 2,500 parishioners and what had happened was that a bike trail was put down Corporate drive and the overflow of parking received tickets while attending mass; and he hoped there could be no parking along the trail with exception on Sunday; and Mayor Brown stated that Public Works would go out and look t it before the weekend.

Council Member Todd stated that he wanted to follow-up on a comment he had made two or three times in the past about the HOV lanes on the Gulf Freeway; that again they were in the peak part of summer where Houstonians were going to and from Galveston and for those living along the area also and regularly traveled the route; that the Gulf Freeway was in good shape, but the worst time for traffic jams was on the weekend when the HOV lanes were not open; that he corresponded with METRO regarding the need to open them and to consider reorienting the on/off passages from HOV and was told they did not want to reorient because they wanted to stir traffic into the park and ride areas and again he would urge the City to contact METRO that those who lived along the Gulf Freeway were taxpayers too and they would like HOV lanes similar to those on the Katy Freeway where you could get on and off without exiting the Freeway and additionally to have them open at peak times.

Council Member Todd stated that he would also request that HPD have their special squads out on the Gulf Freeway on the weekends; that there seemed to be a concentration of crazy drivers in late afternoon hours on Saturday and Sunday and there seemed to be accidents regularly and perhaps the Aggressive Driver Program could target it during that time and maybe the DWI Taskforce; and Mayor Brown stated that they would follow-up on both items.

Council Member Galloway stated that she had a very busy time lately; that Monday she was with the Truck Enforcement Unit on the Lockwood bridge from 9:00 a.m. until 12:30 p.m. and she wanted to commend the officers for an outstanding job; that she was out flagging down as well and they stopped 30 trucks and cleared up 13 warrants and arrests, wrote an overweight citation and two hazardous material citations were also written; that many trucks were out of compliance and they may account for so many 18-wheeler and commercial truck accidents; that the operation in a sense paid for itself and perhaps the department should be increased as she understood the overweight trucks brought in quite a bit of revenue and with the Super Highway 69 coming through they did want to save lives. Council Members Ellis and Castillo absent.

Council Member Galloway stated that she wanted to commend the Parks Department for their "Pennies for Playgrounds", Rosewood Park was the beneficiary for this project this year and she thanked all the sponsors who helped to get the equipment for the park; and she did hope even more corporate sponsors would come aboard and support the program. Council Members Ellis and Castillo absent.

Mayor Brown stated that he had one observation, traffic enforcement was not to generate revenue, that was only a byproduct; and Council Member Galloway stated that she knew it was not to generate revenue, but it did pay for itself. Council Members Todd, Ellis and Castillo absent.

Council Member Robinson stated that the issue of overweight trucks and bridges would be before the Legislature next session along with a number of transportation items and there was a statewide conference last week he attended on the issue and he hoped the city would continue to exercise leadership on the issue of truck and highway safety when the Legislature convened next year. Council Members Todd, Ellis and Castillo absent.

Council Member Robinson stated that he wanted to keep harping on two things relative to parks and library; that he was still pushing on placing parking meters in the downtown area and dedicating the revenue to the parks and libraries; that some colleagues were not yet in agreement with him on the dedication of funds but he would like the meters out to get additional parking downtown and to get additional revenue; that the other area he thought revenue could be available and he was at the belief they should go to Austin on the coming Legislative session and ask them to give the city authority to access any surplus available in the Sports Authority for use in the parks and library and what crystallized the issue was he saw an article about the potential use of surplus Sports Authority money which was described as revenue enhancement of a potential hockey team; that after talking to folks they said there may have been some misstatement in the generic description of what it would be used for but clearly there was to be surplus in the Sports Authority above their debt service and operation requirements for all three stadiums if the basketball arena was passed and he would like the Legislature to make a change in that the excess revenue would flow to the city. Council Members Todd, Ellis and Castillo absent.

Council Member Robinson stated that historically Any Lawful Purpose Funds, before he got on Council, was to be used for things that did not even come close to drainage and he voted for a water/sewer rebate but did not get one; that he felt he next best thing was to use the money to do drainage projects and he was very supportive of that because if you did not give it back you bought more debt and if you did not use the Any Lawful Purpose Fund, which he did not create the Legislature did, and if there was a problem then they should get rid of the law, but if you did not use it and it sat there it just accumulated and you could buy down more debt; that it may not solve all the problems on drainage but it would be a good beginning and he was not sure there would be revenues they could use, but that you could probably take the Any Lawful Purpose money because it became the equivalent of General Fund money, but felt it could be risky because now you tied the money to being used ongoing whereas the Administration was going to go year by year and it could be placed back in water and sewer if found in a negative position; that he did not think spending more money on a study would do any good they had all gone through extensive discussion on the budget cycle and he would have voted for the budget if he would have been present and commended the Administration, this was probably the most productive process of any organization he had been involved in. Council Members Todd, Ellis and Castillo absent.

Council Member Quan stated that he wanted to commend Mayor Brown on his leadership of the Main Street Project; that at the showing last Thursday of the Master Plan it showed it would really revitalize the whole corridor and it was vitally important. Council Members Todd, Ellis and Castillo absent.

Council Member Quan stated that he needed the Mayor's help as he had been in touch with Chief Bradford and other members of the Police Department regarding preparing a video for store owners and clerks; that Houston had its 10th murder of store clerks this week and he had gone to lectures and it was difficult for many to go and with some English was not their main language; that he had not received as much cooperation from the department as he had hoped and he would appreciate the Mayor's help. Council Members Todd, Ellis and Castillo absent.

Council Member Quan stated that he had asked Mr. Hall previously for a legal opinion on surveillance cameras in stores and lighting requirements and that was about a month now ; that he felt concrete action was needed for what could be done to make such individuals a safer environment; and Mayor Brown stated that Mr. Hall would respond to that right away and he would make sure everything necessary was done to get the video out. Council Members Todd, Ellis, Vasquez, Castillo and Sanchez absent.

Council Member Tatro stated that his district had a treatment plant, the Northwest Water Treatment plant, which over several years had affected the Candle Oaks Subdivision, the odors had been consistent; that renovations were being done but whether that would handle the odor or just the increased population he did not know; that he continued to get complaints as he was sure the Council Members before him received and if this was a private company he was sure enforcement would have been out there; that Gary Ordat had been out and working with him and it was the first time he knew there were odor consultants; that it was difficult, but he would ask for the Mayor's assistance in finding if this was just an intermittent problem or a design problem; and Mayor Brown stated that Public Works would get on that right away and to report back to himself immediately with a solution. Council Members Todd, Ellis, Vasquez, Castillo and Sanchez absent.

Council Member Keller stated that earlier in the month they had the Fourth Annual Crime Victim's Golf Tournament; that they raised about \$23,000 for the Crime Victim's Memorial, about a 50% increase over last year, and he hoped to help again next year and he thanked his co-chair Bob Allen and Don Sanders along with the Parks Department for their help and all his colleagues who participated. Council Members Todd, Ellis, Vasquez, Castillo and Sanchez absent.

Council Member Keller stated that he played in the recent Charity Softball Game with the NBA All Stars vs. the NFL All Stars, he played for the NFL and they lost but it was great being there; that it was for the Woman's Center and Youth Sport's Program and he thought they would commit to making it a bigger and better event each year. Council Members Todd, Ellis, Vasquez, Castillo and Sanchez absent.

There being no further business before Council, the City Council adjourned at 11:32 a.m. upon MOTION by Council Member Galloway, seconded by Council Member Quan. All voting aye. Nays none. Council Members Todd, Ellis, Vasquez, Castillo and Sanchez absent. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary