

City Council Chamber, City Hall, Tuesday, July 11 , 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, July 11, 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. Anthony Hall, City Attorney, Mr. Paul Bibler, Senior Counsel, City Attorney's Office, Mr. Richard Cantu, Director, Citizens Assistance Citizens Assistance, Ms. Debra Dillard, Citizens Assistance; Ms. Martha Stein, Agenda Director present. Council Member Jew Don Boney, Jr. absent on personal business.

At 2:03 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Quan invited Reverend James Nash to lead everyone in prayer and Council Member Quan lead everyone in the pledge of allegiance. Council Members Galloway, Vasquez, Bell and Robinson absent.

At 2:06 Mayor Brown requested the City Secretary to call the roll. Council Member Boney absent on personal business. Council Members Galloway, Vasquez and Bell absent.

Council Members Sanchez and Quan moved that the minutes of the preceding meeting be adopted. Council Member Boney absent on personal business. Council Members Galloway, Vasquez and Bell absent.

Mayor Brown requested the City Secretary to call the list of speakers. Council Members Galloway, Vasquez and Bell absent.

Ms. Karen Kay Kristopher, 5161 San Felipe, Ste. 320, Houston, Texas 77056 (713-866-4016) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Vasquez and Bell absent.

Mr. Ken Rogers, 6219 Richmond, Ste. B, Houston, Texas 77057 (832-251-9155) appeared and stated that he was present to speak on behalf of Prestige Limousine and Towne Car Service, that they had a limousine services that started out by buying cars and delivering service to individuals until they found out they had a good niche by giving excellent service, that at the time they started growing they ended up purchasing a vehicle which was called the SUV Stretch Navigator and SUV Stretch Excursions, that they had them parked outside on the corner of Smith and McKinney and Walker and had been out there since 9:00 a.m. feeding parking meters and opening them up to the public so that people could have an opinion for themselves of the type of vehicles they were, and they were asking if there was anyway possible that the City Council could go down and actually take a look at the vehicles and inspect them, that they were in need of the permits to use them as limousines and do airport runs during the week, that one of the problems they were having was that with the permits it was taking a while to actually put a classification on the vehicle itself, that by bringing them out they were hoping again that Council would have a chance to go out and see what type of vehicle that they had to offer the City, that he was a historian and had worked around Fort Bend County developing historical sites and one of the things he had found out about the direction that they Mayor was taking Houston was that transportation was going to be a very vital part in making sure that not just the public but people from other states had a vehicle that they would like to see being big and large. Council Members Galloway, Vasquez and Bell absent.

Council Member Parker stated that they were rewriting the limousine ordinance and it would specifically allow things like stretch SUV's and the stretch Hummer, that the ordinance would take care of his issue. Council Members Galloway, Vasquez and Bell absent.

Council Member Todd stated that it had already been through the committee and was part of the revamping of the regulations on limousines, that it had been brought to their attention about 6 months ago, and asked Mr. Bibler if he recalled the actual definition. Council Members Galloway, Vasquez and Bell absent.

Mr. Bibler stated that the ordinance presently required a sedan type vehicle and it was his understanding that F&A was putting together a package of recommendations that would include some modification, that he spoke with Jackie Croy the other day and she stated she was still working on it and had not been received in the Legal Department yet, and Council Member Todd stated they were still working on it and that it would be in the committee on Tuesday and would be voted on and invited Mr. Rogers to the committee meeting on Tuesday at 9:00 a.m. Council Members Galloway, Vasquez and Bell absent.

Mr. Bryan Pyne, 18110 Oak Hampton, Houston, Texas 77084 (713-824-2248) appeared and stated that he was the owner of Prestige Limousine and Towne Car, that he originally ordered the vehicles, which were every bit of \$100,000 to \$120,000, in December 1999 which was when the pickup truck got licensed, that now they were taking care of that and there was no where for him to go, that he had \$350,000 worth of limousines and was, technically speaking, running illegally on the streets, that with 5,000 bridal extravaganza people signing up and wanting to rent it for their wedding, he had to tell them the truth, that people loved them and they were very beautiful, and invited Council to go outside and take a look at the vehicles, that they were just as nice as any other limousine. Council Members Vasquez and Bell absent.

Council Member Todd stated that Mr. Pyne had raised a good point about having to make some modifications to the vehicles and asked what type of vehicles they were originally, and Mr. Pyne stated that he had a Navigator, which was Lincoln's top of the line utility vehicle and had the Ford Excursion which was Ford's top of the line utility vehicle, that the modifications were the same as the limousines that were already licensed, that they cut them in half and put them together and support the under carriage to pass the DOT certification and completely did the inside to make it exactly like a regular limousine, that it was the same except it was much bigger and much more fun, that he had an article from Health and Fitness which stated that the limousine was said to be Texas's Number 1, bachelor and bachelorette mobile, and Council Member Todd asked Mr. Pyne if he was asking Council to approve an ordinance only on vehicles that were stretch and Mr. Pyne stated that SUV's period, that from time to time many high ranking officials in most companies preferred to ride around in an SUV because it was safer, that it was both SUV's and stretch SUV's, that anybody whose vehicle fell into the category that the ordinance stated and could pass the license and had the million dollar insurance policy to cover people in case they get hurt and had the vehicle inspected, then yes they should have it. Council Member Vasquez absent.

Council Member Keller stated he thought the committee had put forth an amendment to the ordinance to Legal to come before Council, and Council Member Todd

stated they had not actually approved the language out of F&A or that Legal had approved, that they were waiting for that to come back and believed they would have it on the agenda next Tuesday. Council Member Vasquez absent.

Council Member Goldberg asked Mr. Pyne if he would like to get the Limousine Ordinance changed to include stretch limousines and regular SUV's and Mr. Pyne stated yes, and Council Member Goldberg stated that anyone could come along with an SUV that was decked out kind of nicely and be able to transport people the same way Mr. Pyne did with his more expensive stretch SUV, and Mr. Pyne stated that he understood and welcomed anybody who could do it, but then it would come down to how they would take care of the customer, that it was all in how they treated people, which would bring them to him, that he understood the increase in competition he would have, that the SUV would be as a towne car, that he thought that it was safer for a VP to be picked up at the airport to be in the SUV, that it drew less attention to be in the SUV and people were beginning to enjoy the more room and lower profile in the smaller car and then people liked the longer one for the higher profile and more fun and memories. Mr. Pyne passed out a magazine for Council to review with the picture of the longer limousine. Council Member Vasquez absent.

Mr. Derreck Smith, 5214 Malmedy, Houston, Texas 77033 (713-738-0701) had reserved time to speak, but was not present when his name was called. Council Member Vasquez absent.

Mr. Winston Michael Ray, 1717 Dan St., Houston, Texas 77020 (no phone) appeared and stated that he was present on an issue that was very dear to him, that he was from New Orleans, Louisiana, that there was an issue that had been concerning him for quite some time, that he was in the City Secretary's office the other day and noticed a poster that stated Houston the New Millennium City, that he agreed with that and thought that Houston was the New Millennium City, that it had a lot to offer and looking at its past thought a lot of growth was still forthcoming, that to add to the growth that Houston had already provided there was a campaign that had been mentioned in 15 U.S. cities, that the campaign was called America's Silver Rights Movement, that it was a \$51 billion dollar marketing campaign that was ready to be launched from Houston, but he was a man with a problem, that he was one man with a message and crying in the wilderness and needed a lot of help, and he appealed to the Mayor and Council Members and all concerned people about the future of the Nation to work with him to get the message out to the American public, that Silver Rights would generate enough money from their operation to buy available buildings in disrepair that could be repaired and they could build NAABL corporations, which stood for National Association for Advancement of Business Leaders, that he would like to meet with everyone on the Council and the Mayor to explain what Silver Rights was, that it was perfect time, that he was convinced that it was unfinished work of Martin Luther King, that a poor peoples campaign would emerge out of America's Silver Rights Movement, that he wanted to personally meet with the Mayor on Silver Rights before it was opened up to the whole Nation which he had to do after July 21st, that he would like Houston to really take it seriously. Council Members Keller, Castillo and Sanchez absent.

Mayor Brown asked Mr. Ray to meet with Mr. Cantu and explain it to him in more detail and they would go from there. Council Members Keller, Castillo and Sanchez absent.

Mr. Christopher Caruso, 3626 Wintergreen Dr., Humble, Texas 77396 (281-454-6317) appeared and stated that he was present to introduce them to his concept of a new website called IsThisGunStolen.com, that he was present to seek Council's endorsement and support, that IsThisGunStolen.com was a cost effective citizen based initiative building an internationally available database of stolen guns, that he believed that a tool such as this could effectively turn 80 million gun owners and the tens of thousands of gun dealers in America alone into a task force that would help make stolen guns valueless and significantly help to reduce the numbers of stolen guns and innocent blood on the streets, that their internet available database allowed for anyone, citizens and law enforcement, to check the status of a gun of unknown origin to provide easy and highly effective means for the victim of a theft to be able to record the loss of a firearm within minutes have that information available to anyone that queried the database worldwide, that with the power of the internet database they were also able to make available to their members the ability to list and print a hot sheet of all the guns stolen in a given geographical local, whether it be by zip code, area code, state or even country, that they hoped to work very closely with law enforcement, that those law enforcement agencies that would choose to request an ID and a password on their department letterhead would be able to do two different things, they would be able to query the database for all of the pertinent details about a particular stolen firearm to help speed its recovery and would also be able to enter information about stolen firearms into the database, that they target the victim of theft, where they could report their firearms stolen instantly over the internet, they target the potential buyer and that could be an individual who went to a gun show, the pawn shop owner who could check to see if a particular firearm was stolen before they purchase it and were also reaching out to law enforcement to make their job safer and help reduce their manpower burdens, that in the long term they hoped to seek limited access to the NCIC database to help make it available so that the information could be available to the citizens so that they could find out before they purchase a handgun, shotgun or whatever, that he had talked to many law enforcement personnel and many shop owners that sell used firearms and they could not state to him that they had not trafficked in stolen firearms unknowingly, that it was a nationwide problem, that NCIC was a wonderful database was not available to the general public, that it was a citizen based initiative, hoping to be non-profit and they were looking for Council's support. Council Members Castillo, Sanchez and Robinson absent.

Mayor Brown asked if he had taken it to the Police Department and briefed them on it and Mr. Caruso stated that he did brief Sergeant Murray on it yesterday. Council Members Castillo, Sanchez and Robinson absent.

Mr. Woodrow Johnson, 2406 Sam Wilson, Houston, Texas 77020 (713-674-0836) had reserved time to speak, but was not present when his name was called. Council Members Castillo, Sanchez and Robinson absent.

Mr. Roscoe Giddens, 2253 Collier Street, Houston, Texas 77023 (713-926-7035) had reserved time to speak, but was not present when his name was called. Council Members Castillo, Sanchez and Robinson absent.

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

Mr. Raphus Foley, 5111 Idaho, Houston, Texas 77021 (713-741-7314) appeared and stated that the last time he was present sometime in March, Mayor Brown made a firm commitment about Idaho and Ward Street, that they would be fixed and the final deadline was last month, that he had given his solemn commitment that if it did not occur he would be back, that he still believed in the Mayor, but thought they needed to firm up their commitment because he had not heard a word since then, and thought that he should have heard something or know something about the streets. Council Members Castillo and Sanchez absent.

Mayor Brown stated that Mr. Wes Johnson, Public Works and Engineering would meet with him and give him an update, that an award was made to the low bidder on that project and Mr. Johnson would explain to him why it was delayed, that Mr. Johnson would keep in touch with him and keep him up to date so he would not have to take his time to come to Council to remind them that they had made a commitment to do something. Council Members Castillo and Sanchez absent.

Reverend James Nash, 7830 Colonial Ln., Houston, Texas 77051 (713-734-0810) appeared and stated that he was present to talk about a very familiar subject, one that possibly they got tired of hearing about and that was racism and prejudice, that there was a street by the name of Harwin and stretched between and Bellaire and Gessner and was owned by Koreans, Pakistani's and Indians, that the merchants, wholesalers and retailers were obviously very bland in their racism towards Blacks, that many times they hated to hear that word and got tired of hearing it, but when he saw a presidential candidate on national television stand nervously before a Black audience and proclaim that there was some racial and cultural diversity differences among them, that it was a subject that they did not talk about enough, that the stores along that strip were very frequented by many Blacks and usually they were not really wanted in the stores and they had a ceiling, a minimum that they had to purchase in order to enter the stores, that he respected any store owners rights to serve or sell to whomever he wanted to, but when it was obvious that his prejudice was such that it was embarrassing and repudent to Blacks, that he was embarrassed so bad last week that he stated it was time to say something about it, that he got a lot of reports concerning Harwin, that they were doing a lot of building in Houston, home and apartments that many of them would be too expensive for low income families, that he would like to see bridges being built for better racial and cultural harmony in the City, that they were blessed with a Mayor with a program who pushes racial harmony in the City constantly, that they needed groups that would seek to stamp out as much of the prejudice toward one group or the other as much as possible, that he thought sometimes they got the wrong people, that they brought people from out of town to do the work that they should be doing in the City themselves, that people from the grass root area that were involved constantly with people in the various communities should be working together, committees and task forces working together and anywhere there was racism showing they should get together in the City and see that it was stopped, that they were not living in Korea, Pakistan or India, they were living in Houston, Texas, a city where racial harmony was constantly broached by the Mayor and leaders of the City, that he chose to come and talk about Harwin, because if it did not help him maybe it would help some others and that was what it was all about, breaking down the barriers of racism in the City. Council Members Todd, Castillo and Sanchez absent.

Council Member Ellis stated that the area he talked about was in his district, and Reverend Nash stated that they did not know him, and Council Member Ellis stated that most of the merchants did not live in that district, that they usually commuted to that warehouse district, that his solution would be to stay away in that area, but would also like to sit down with him after the Council session and see whether they could come to some solution, and Reverend Nash stated that they were living in a diverse City and they had a right to go to any part of the City, and Council Member Ellis stated he agreed with him, but why would he want to go and spend his hard earned dollars with someone who did not respect them, and Reverend Nash stated they had a solution, that Council Member Quan had put together a group of people to come together just to address those types of situations, that he was president of the group, Asian African American Task Force. Council Members Todd, Castillo and Sanchez absent.

Council Member Parker stated that she was very familiar with the Asian African American Task Force and had sat in on one of their sessions, that she knew the good work that he did and was glad to know that he was working on a solution, and asked him about the quotas to go into the store, and Reverend Nash stated that a tax permit was required, that there was minimum purchase required also. Council Member Castillo absent.

Council Member Quan thanked Reverend Nash for his continued effort on the issue that sought to divide the community, and he thanked each of the Council Members for their support as well, that they were planning their first meeting on July 20, 2000 between the Pakistani and the African American Community at the Royal Center on Bissonnet, that they were hoping to get a good response and get a poll from the community on how they could begin the process, that Reverend Nash had set a good example with his work in Sunnyside, to the extent that they could replicate it in other communities, that he would work with him on the merchants on Harwin, that he would talk to the Korean American Chamber and the Korean Association of Houston and some of the other merchants groups to see about educating people about better understanding and sensitivity on the issue. Council Members Castillo and Sanchez absent.

Ms. Veronica Young, 3606 Zyphr, Houston, Texas 77021 (713-747-3358) appeared and stated that she had petitions for the Members of Council and would like for them to consider changing Yellowstone Park to George T. Nelson Park, that once they got the petitions they would see the many accomplishments that Mr. Nelson had made in Houston. Council Member Castillo absent.

Mayor Brown stated that the process to change the name, that first the Parks Department would conduct an investigation to make sure there were no restrictions, that sometimes land was deeded to the City with some restrictions, then the Parks Department would notify the City Council and the next step would be to notify the community by placing a sign at the park soliciting comments from the citizens, that assuming everything would go okay the next step would be to bring the recommendation before the City Council for approval, that they would give her request to the Parks Department to follow the procedures, that they would keep her advised as to where the process was. Council Member Castillo absent.

Mr. Donald Burns, 4315 Charleston, Houston, Texas 77021 (713-440-8038) appeared and stated that it was his third time present at Council and Council Member

Boney was not present again, that he had called his office, that Council Member Boney had been out at Kennedy Heights about three years ago and things had been happening to him by the Houston Police Department, that felonies had been perpetrated on him with no follow-up even after he was at Council last month, that Council Member Boney was out there and stood in front of a sign with two White men on it wearing Klansman hoods and that it portrayed everybody out in Sunnyside that was white and had been out there for 35 years as Klansman, that why did Council Member Boney not take and do anything about the injustices that had been happening out there to him, that he had a felony, assault and threat, that he was chased on his private property, that it had been over 33 days and he had not been contacted, that he had a trespasser on his property about 3 days ago and the police did not even detain the person to check their car or drivers license, but he was pulled off his tractor physically and asked to show his drivers license or they would take him to jail for failure to identify himself, that it was wrong, that he was not a racist, that if they went down to the courthouse and pulled the Deeds of Trust they would find out what he had done for Black people in his neighborhood, that they were not going to run him off his property, that he had been contacted by HPD and told they were going to take care of it, that he expected Neighborhood Protection and Animal Control to do their jobs. Council Member Castillo absent.

Mayor Brown asked what had happened after his last appearance at Council, and Mr. Burns stated that HPD had gotten on it real fast and heavy duty had gone out there and patrolled a little bit, that he had some pictures to show the conditions for Council to see; that there was no control, that was it because he was White in a Black neighborhood, that the day after he was present at Council he was attacked. Council Member Castillo absent.

Upon questions Council Member Keller, Mr. Burns stated he was attacked by 3 Black males, that he had a picture of them in front of the house, that the vehicles were parked in front of his building, that all he was guilty of was taking pictures to document what was going on, that they did not live in the neighborhood, they were just a bunch of drunks, that he closed up the illegal beer joint in the corner, that he owned the property and was renting it, that everything moved across the street in a little hut, that they want to take his property, that they wanted him to sell his property for nothing. Council Member Castillo absent.

Mayor Brown stated that Assistant Chief Stewart was present to meet with him and let her follow-up and report back to Council as to how to resolve the problem. Council Member Castillo absent.

Mr. Mike Rothchild, 15125 Memorial Dr., Houston, Texas 77079 (713-826-8490) appeared and stated that he was not present to debate statistics or any of the other parts of the subject that he was talking about, that he was working with a group WBD Save the Children and what they were trying to do was provide a facility for women and children with AIDS, that most of the time those people potentially had no place else to go and they had children and perhaps had to focus their energies on trying to raise those children and perhaps they were not as educated so there it was left up to them to provide that growing experience for them so that they could raise a productive kid, but how could they be several places at once, that what happened at times was that a lot of those people were lost in society, that no one chooses to have AIDS or be HIV positive, that it happened in the best of families and the worst of families, but regardless of where it happens no one

thinks it would happen to them or someone they love, that ultimately some of those unfortunate to acquire the disease had limited or no resources and some of those people were responsible for lives of others, especially children who depend on others to help them grow and be a productive member of society, that he realized the City was moving towards efforts to alleviate the dilemma for a number of families, but everyday women and children were struggling to survive and sometimes bureaucracy moved so slow at the detrimental cost of emotional and physical lives of not only those women who were HIV positive but also the children who may also have that disease, that the bottom line was that he was asking Council to facilitate providing facilities for those children and women who had acquired HIV and had AIDS, that not to let bureaucracy move so slow that they would lose a whole segment of society. Council Member Castillo absent.

Upon questions by Council Member Keller, Mr. Rothchild stated that WBD stood for wonderful, beautiful, dedicated, that he had somewhat looked at the programs that the City provided, that primarily the problem was that they had a group of people that were trying to run fourteen different things, that was why they were all here listening to everybody and what they had to say and he realized they were somewhat overwhelmed with all the responsibilities to their constituents, that the area he was talking about to place the center was over in the South Park area where they had a high rate of AIDS and women and children that were HIV positive who did not have a place to go, that they wanted to put the facility initially where it would do the most good. Council Member Ellis, Vasquez and Castillo absent.

Minister Johnny Jermiah, 5406 Burma, Houston, Texas 77033 (281-513-0484) appeared and stated that they had lost over 10,000 people in Harris County with AIDS, that his sister-in-law was dead, that there had been over \$200 million dollars spent on prevention and intervention, that television was full of sex and dope, that the only thing that would work would be to house the people with HIV and AIDS and get them off the street, because what they were doing was having sex with other people and it was spreading, that Margie Bingham already had the program for the \$2,400,000 which they had in their hands, that they had done everything that it took, that they had worked with every pastor in the City to try to do something about the situation, that they had built a ballpark overnight, but when it came to AIDS and people dying in Houston, South Park, Fourth Ward and Northside, they were kind of slow and took their time, that they wanted Mayor Brown to call a major disaster as he did before, but this time all the pastors would come to the rescue, that they would pay for the facility, Power Center or George R. Brown wherever they had to come and have all the health people there where they could teach the pastors what to teach the people in church, and then the church people could go out and teach, that if they did not they would lose South Park, Fourth Ward and Northside while they sat around and took their time, that he had done everything that the Mayor had asked, that he had been trying to work with Council Member Boney but could never find him, that he worked night and day, seven days a week trying to get people off the street and save their lives, that if they did not do it they were going to lose babies, they needed help to get the facility and relocate and they were ready for that, they were ready to do whatever it took to save lives, that was what WBD meant, wonderful, beautiful and dedicated, that he hoped they could work together and do something in Houston. Council Members Tatro and Castillo absent.

Council Member Todd asked if there was a Council committee handling the issue or was it be handled internally by Margie Bingham's office, and Mayor Brown stated that it

was being handled through the Neighborhood Protection Committee but Council Member Boney was chairing a community wide taskforce on the issue, that many of the ministers had already gotten themselves involved and had done a lot already, so it was not as if they were not aware or involved, that they were involved already, and Minister Jeremiah stated he was involved with the taskforce, but they needed something major, they needed to bring all the pastors out that were concerned where they could do something major, that there were not enough women and children facilities, and Council Member Todd requested an update from Margie Bingham's office to find out where in the process it was and to let him know if he did not get a response back promptly to contact his office. Council Member Castillo absent.

Council Member Galloway stated that she had sat in on the last meeting of the task force, which was chaired by Council Member Boney as well as Commissioner Lee, at the City Hall Annex, that there would be another one focusing on education, HIV testing and to identify, that they had just allocated over \$50,000 for pamphlets and brochures for preventative measures out in the community, that they all needed to come together and get on one accord. Council Member Castillo absent.

Council Member Robinson asked Mayor Brown if he would consider calling the meeting, but if he did call the meeting Minister Jeremiah might be under some misapprehension, that they may have the most powerful Mayor and form of government in the world but did not think that the Mayor telling people to go do something instantaneously made people do things, that was not the way the world worked and was not reality, that he was not sure what Minister Jeremiah was asking for other than for Mayor Brown to call a meeting, and Minister Jeremiah stated that what he was asking for were facilities for women and children. Council Member Castillo absent.

Mayor Brown stated they would follow-up on all the issues that he had presented today, and would confer with Council Member Boney and see where they could go from there. Council Member Castillo absent.

Council Member Ellis moved to suspend the rules to hear Ms. Esther De Ipolyi out of order, seconded by Council Member Quan. All voting aye. Nays none. Council Member Boney absent on personal business. Council Members Galloway, Castillo and Robinson absent. MOTION 2000-0882 ADOPTED.

Ms. Esther De Ipolyi, 12330 Spring Crest, Houston, Texas 77022 (281-879-8410) appeared and stated that with her today was Mr. Wayne Murray who was head of the property management group over their subdivision, that she was a resident and community association board member in a subdivision called Two Worlds, that Two Worlds was a 404 home community in Alief, on Cook Road between Bellaire and Beechnut, that their subdivision was built in the late 70's and completed in 1983 and she had lived there since 1982, that the homes were two and three bedrooms, very modest and did not sell for more than \$40,000 on the average, that many were rentals and the residents were primarily minority, low and moderate income, that on June 28th they found a door hanger on each residence announcing that July 1 the trash pickup by the City would change to automated service once a week, that she immediately contacted their property management company and the Solid Waste Department stated they could put together a flier of their own explaining the new service to the residents, that her primary concern was making sure that the large cans were not left hanging around out on the

curbs 365 days a year as they were in many places around Houston, that July 1st came and went and the cans did not arrive, that last evening she received a phone call from Council Member Ellis who had gotten her phone number when he personally went door to door in their neighborhood trying to get in touch with community leadership, that he explained that the City wanted to rescind service due to the fact that their streets were private, that the reason their streets were private was because the original developer made the streets 25 feet 4 inches wide as opposed to the two City streets in their neighborhood that were 27 feet and 26 feet and 9 inches, that they had no gate in their community and no security guards, they were regular free standing homes, 400 of them, that she had also been informed since then by Channel 11 and subsequently the Solid Waste Department that manual service would continue until a final decision was reached about their subdivision, that for 20 years they had paid their taxes and had received services in their neighborhood, that they would happily give the City their streets, that they had been very expensive to maintain, that she would like to insure that the neighborhood stayed in neighborhood oriented government and that their community was kept informed on the issue, that until Council Member Ellis's phone call last night no one had told them anything about the situation and what a permanent resolution to the dilemma might be. Council Members Galloway, Castillo and Robinson absent.

Mayor Brown asked Mr. Bibler to give an update on the issue, and Mr. Bibler stated that the City code provided and had always provided, as far as he knew, that they only did solid waste collection on public streets, that apparently solid waste collection had been erroneously on some of their streets, that it was his understanding that some were public and some were private, that there had been a task force looking at whether the City should change its policies and the price tag on that had been put at upwards of \$25 million dollars and Council Member Driscoll had been looking into it previously and it was now under the jurisdiction of a committee that was chaired by Council Member Castillo and it was his understanding that they would be receiving a presentation on it in the next few weeks, but until City Council came up with a bunch of money he did not know of a way that he situation could be adequately addressed. Council Members Galloway, Castillo and Robinson absent.

Mayor Brown stated that the bottom line was that they were addressing the issue through a Council committee because the ordinance was passed by Council, that they were not going to cut them off so they would not get their garbage picked up, she could be assured of that. Council Members Galloway, Castillo and Robinson absent.

Upon further discussion by Council, Council Member Tatro stated that it was good to hear that the Two Worlds Subdivision would not be cutoff from City services, that it was not a new situation, but it revolved around a City ordinance that in the Solid Waste pickup area was nothing more than a mode of delivery, that it was clearly a policy matter, that the City ordinance stipulated how they provided the service, that they provided it on public streets, that he and most of City Council believed that it was a basic City service and was funded out of property taxes and sales taxes, that the ordinance needed to be changed to accommodate taxpayers with basic City services, and asked Ms. De Ipolyi if she was going to be in the private, Republic Waste contract, and she stated they had a private contract under BFI previously, that the City provided a private contract, and Council Member Tatro asked Ms. De Ipolyi as taxpayers in the City of Houston did she believe that it was a basic City service that should be provided to all the taxpayers and

homeowners in the City, and she stated yes. Council Members Galloway, Castillo and Robinson absent.

Council Member Ellis stated he was glad to hear the Mayor was committed to picking up their garbage until they came up with a solution, that he wanted to request that they be put on notice, that they were supposed to have the tubs delivered and picked up once a week, their garbage was being picked up twice a week, that he was out in the neighborhood last night and there was garbage out on the street so he wanted to make sure that Mr. Bass gave them the attention they deserved while they figured out the solution.

Mayor Brown stated that Mr. Gary Norman was in the Council Chambers and would meet with Ms. De Ipolyi afterwards to make sure they do what was necessary to get their garbage picked up and keep them apprised as they went along so they would be knowledgeable about what was going on.

Upon questions by Council Member Keller, Ms. De Ipolyi stated that the subdivision was completed in 1983 and began being built in the late 70's, and Council Member Keller asked Mr. Bibler when the ordinance was enacted, and Mr. Bibler stated that it had been their policy on solid waste since the beginning of time as far as he knew, that it was not some recent development, that for all recent history it had been the policy and he was not sure if the area in question was in the County or the City when it was developed. Council Members Galloway, Goldberg, Castillo and Robinson absent

Council Member Ellis moved to suspend the rules to add Mr. Charles Williams to the speakers list, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Boney absent on personal business. Council Members Galloway, Goldberg, Castillo and Robinson absent. MOTION 2000-0883 ADOPTED.

Mr. Charles Williams stated that his name was Ezra Charles Williams and was also a resident of Two World Subdivision, that he applauded his Council Member for being at his door last evening, that he expressed a lot of concern but basically he was empathizing as much as he could with him about the same situation, that someone had called him and stated that the City had contracted the service out to someone and they would be picking up their trash once a week on Thursday, but when Thursday came around last week nobody picked it up and he was concerned about what he was going to do about all the trash, that he could not get a hold of anybody, that they were told that the City had dropped them to cut costs, that now his concern was what was going to happen after the thirty day trial, that he would like some assurance in reference to that. Council Members Goldberg and Castillo absent.

Mayor Brown assured him that they would not be left without garbage collection that it would be done, whether it was private or the City doing it they would have garbage collection, that the streets had not been dedicated to make them public, and Mr. Bibler stated that it was correct, that it might have been a consideration when City Council originally passed the ordinance, that the streets that were dedicated to the City had to be built at certain engineering standards, and that Mr. Gary Norman of Solid Waste would keep in touch with him so he would be apprised of everything that went on, that what they were dealing with was something that had been around for years, and was before City

Council and there would be some resolution some time soon. Council Members Goldberg and Castillo absent.

Upon questions by Council Member Tatro, Mr. Williams stated that as far as a generalization of the neighborhood, there were patio homes, that it was right off the boulevard and had four entrances to that particular area from a main street that was in between Bissonnet and Beechnut, that there were no gates or security where they would have to be allowed in, that it was a nice area, that he had lived in his home 3 years. Council Members Goldberg and Parker absent.

Council Member Ellis stated that it was an area that they annexed some 20 years ago and that may have been one of the issues, that they may have made promises back then that they would pickup the garbage and hoped that someone would go back and research that, but they definitely needed to provide the basic services that the City was supposed to provide. Council Member Goldberg absent.

Council Member Parker moved to suspend the rules to hear Ms. Linda Heileman and Ms. Pam Indo out of order, seconded by Council Member Todd. All voting aye. Nays none. Council Member Boney absent on personal business. Council Members Goldberg, Keller and Vasquez absent. MOTION 2000-0884 ADOPTED.

Ms. Linda Heileman, 1600 Palomino Ln., Kingwood, Texas 77339 (713-684-5551) appeared and stated that her husband Richard and two of their children were present also, that they were present to inform Council about an incident on Sunday, July 2nd, at 8:15 p.m. in Council Member Todd's district, that a four page complaint, tracking number 2000-2798 was filed with HPD Internal Affairs by herself on July 7th, that although she did not expect answers today the matter was hideous and commanding immediate attention, that she could have been charged with endangering a child had she left those children unattended as the officer did, that before she read a brief portion of her complaint, she stated that it be perfectly clear that she was not present because her husband was stopped for speeding or because he had failed to appear in court and the issuing warrant, but she was present to increase their awareness regarding the needless cruelty the children suffered and health issues that dramatically increased the danger associated with those circumstances, and she read the following brief portion from the complaint, that she was writing to officially make a complaint against Officer Jennings for his racist, abusive and cruel treatment of her two children ages 3 1/2 and 5 years old during a stop that involved her husband, that she had received a call at her home from Officer Jennings stating that he had arrested her husband and gave her the location, that he also stated that she needed to come and get her children and his next words were, and she was quoting to them, "if they were her children". Council Members Goldberg, Vasquez and Castillo absent.

The City Secretary stated that since Ms. Heileman was making an allegation against a Houston police officer, that the procedure was normally that she make a sworn statement and asked if she was going to make an allegation of misconduct by a member of the Houston Police Department and Ms. Heileman stated yes, and the City Secretary administered the oath to Ms. Heileman. Council Members Goldberg, Vasquez and Castillo absent.

Ms. Heileman further stated that she drove to the location that the officer had given to the most terrifying and disturbing site a mother could encounter, her two children had been left inside the truck, the windows were down and there was no supervision, that the children were hanging out of the window, sweating, screaming, crying and hollering for their daddy, that Officer Jennings was sitting in his cooled and air conditioned patrol car, that the first question she had for Officer Jennings when he approached her was why were her children unattended with no supervision, that she asked Officer Jennings why did he not at least leave her husband standing beside the truck, and Officer Jennings stated, "I don't know if he was going to run", that it was unfortunate that she could not give them Officer Jennings first name, that her husband called and was told that an officer's first name and badge number were confidential and they would not give that information to him, that the complaint was filed against one and only one Jennings and it was not her intent to malign any other upstanding officers of the same name, that they had seven children ages 19, 20, 21, 18 months, 3, 5 and 6 years of age, that the four youngest children were at home, that Amanda and Joshua 5 and 3 1/2 were present at the arrest, that Amanda is daddy's girl and Joshua suffered from breathing problems, that both she and her husband work hard to provide a good education and foundation for their children, that their greatest anxiety outside of their children's well being, was could it happen again, that they would speak to as many individuals and organizations as was necessary to make sure that the situation was never repeated, that their children are owed, in simple terms that they could understand, an apology, that should would expect no less for herself and insisted no less for them. Council Members Goldberg, Vasquez, Castillo, Quan and Robinson absent.

Council Member Todd stated that he had caught a news story last night on what had happened to her and had intended to bring it up this week, and he asked Mr. Bibler if there was a State law that a parent who left a child unattended in a car violated a State statute, that it was against the State law to do that, and Mr. Bibler stated that he did not know if there had been a violation in the case or not, that the situation that he was thinking about was the windows were open, that he was not sure if it was against the law if the windows were down and somebody was standing nearby and supervising, and Council Member Todd asked Ms. Heileman if her husband was handcuffed and she stated yes, that he was handcuffed in the back of the patrol car, that he asked the officer if he could take the truck home and have the officer follow him home, that they were less than a mile from where it occurred or if the officer would bring the children into the car with him and the officer stated no to both, and Council Member Todd stated that he did not know if they had any departmental policy on the situation but would assume that the policy would be that if they had only one parent or guardian with minor children that the officer should not leave those children unattended in the car, particularly on a really hot day, and asked if there were any policies the department had on that or was it just sort of a common sense type of approach that they would expect, and Mayor Brown stated he did not know of any specific policy, but it was common sense, and Council Member Todd stated he understood that Ms. Heileman had already filed a complaint and asked if she felt she had been allowed access to HPD to file her complaint and was she being taken care of in that respect and Ms. Heileman stated she filed the complaint and was told that it could be several weeks before anyone even contacted her to begin work on it and Council Member Todd stated that if at any point she felt she was not getting the sort of audience she needed before HPD to contact him, and wait and see what the Internal Affairs investigation turned up because right now they were still trying to gather facts. Council Members Goldberg, Vasquez, Castillo, Quan and Robinson absent.

Council Member Todd moved to suspend the rules to allow Assistant Chief Stewart to respond to remarks of Ms. Linda Heileman, seconded by Council Member Todd. All voting aye. Nays none. Council Member Boney absent on personal business. Council Members Goldberg, Vasquez, Castillo, Quan and Robinson absent MOTION 2000-0885 ADOPTED.

Assistant Chief Stewart stated that currently the particular incident was under investigation, that she did not have more to add, that she would go back and make sure that they made it a little more timely than the six weeks that Ms. Heileman mentioned, but there were some State laws, Chapter 143, procedures that they had to follow and they had to go through that process before they could come up with the answers. Council Members Goldberg, Vasquez, Castillo, Quan and Robinson absent.

Mayor Brown stated that by State law when an allegation or wrong doing was made against a police officer they had to conduct an investigation and deal with all the fact finding and find out exactly what happened, then the supervisor would make a determination as to whether or not there were violations of policy, procedure or law, and that was where they were right now, conducting that investigation. Council Members Goldberg, Vasquez, Castillo, Quan and Robinson absent.

Upon further discussion by Council, Council Member Sanchez stated that it brought to mind a similar incident that apparently was resolved by Internal Affairs no long ago in which he had a constituent contact him and had made some allegations against an officer in the police department and of the six allegations that the citizen made, four of them were sustained, that he had received a letter from the police department to that affect, however there was not communication with the Council Member so he could relay to the constituent what disciplinary action was taken, so he wondered if Mayor Brown could assist them in the future when a citizen came to Council for assistance, if at least the department would tell them what disciplinary actions were taken so they could get back with the constituent and tell them what happened, and Mayor Brown asked Chief Stewart to make sure that the police chief had the request from Council Member Sanchez. Council Members Goldberg, Vasquez, Castillo, Quan and Robinson absent.

Upon questions by Council Member Keller, Ms. Heileman stated that her children were in the truck approximately 15 minutes before she could get there, that the officer himself called her, that she believed it was racially motivated, that he made some racial statements to her directly, that her husband is dark skinned and her children light skinned, and the officer stated "if those were her children", that she felt it had everything to do with the arrest, and Council Member Keller asked Ms. Heileman to fax him correspondence she receives on the situation. Council Members Goldberg, Vasquez, Castillo, Quan and Robinson absent.

Ms. Pam Indo, 6666 Chetwood Dr., No. 259, Houston, Texas 77081 appeared and stated that she graduated with a Masters in Psychology and Mental Health Nursing from TWU in 1995, that on July 5th she was working as a nurse in the emergency center of a hospital north of downtown and she had the opportunity to take care of a patient suffering from severe left arm injury that she stated she sustained at Astroworld on July 4th and described a riot that occurred and described 60 to 70 young Black youths aged 18 to 20 years old, that she was in one of the restaurants in Astroworld and suddenly the

restaurant was taken over by all the youths, that tables were overturned and people were screaming, that she tried to protect herself and her children, that she was Caucasian, that she tried to protect her children and her left arm was knocked and knocked which injured her left arm, that as quickly as it started it stopped, that she asked the basically all Black staff for help with her left arm and they laughed at her, that she went to security and stated she was terrified, that she was so terrified she could hardly make it back home, that she was from Nacogdoches and visiting in Kingwood, that she was escorted by a Caucasian security person who stated that Astroworld was very dangerous and had been taken over by gangs, and Ms. Indo stated that she was very interested why they had not heard anything about it in the media, that the way the patient described it and Ms. Indo also called Astroworld and talked to someone in the business office and visitor relations and that she was told that it was so large and their security could not handle it, and she did not know if it was true or not but was told they had called the Sheriff's office, and she wondered why they had not heard about it in the media, that it was a public and law enforcement concern if it did in fact happen. Council Members Goldberg and Todd absent.

Mayor Brown asked if it was correct that Ms. Indo was not personally there, and Ms. Indo stated that she did not see it but she did see the injury to the patient/witness arm, and she and the other nurses heard the story, and Mayor Brown asked if the patient/witness reported it to the police department and Ms. Indo stated that she did not know if it was reported to the Houston Police Department or not, but knew that the patient/witness was in the Astroworld security office, that when she spoke to her twenty-four hours later it was as if she was running from the devil, and Mayor Brown stated that what Ms. Indo had described was a criminal offense and the appropriate thing to do was to report it to the Police Department for their investigation, and Mayor Brown suggested that Ms. Indo meet with Assistant Chief Stewart so she could explain the process by which a complaint could be filed with the Police Department since it occurred within the City limits of Houston, that once that was done there could be an investigation to determine who was responsible for the violations. Council Members Goldberg and Todd absent.

Council Member Keller stated that his office had a call into the Police Department to find out if a report was made, and someone from his office or the Mayor's office would call her as soon as they found out if a report was made. Council Members Goldberg and Todd absent.

Council Member Parker stated she appreciated Ms. Indo being present, particularly since it was an incident that did not happen to her, but someone who she had treated in the hospital, that not many folks would get that involved, that it appeared that Astroworld was trying to cover-up what was a very serious incident and was very glad that Ms. Indo brought it to their attention and hoped they could follow-up on it, that Astroworld was a private facility and were responsible for security within the park and she could see why such an incident getting out would not be good public relations for the park. Council Member Bell absent.

Reverend Aaron Binder, 5406 Burma, Houston, Texas 77033 (281-513-0484) appeared and stated that he was present on behalf of WBD Save the Children's Lives, that he knew that a lot had already been said but he wanted them to realize that when he heard statistics say that in South Africa one out of ten individuals were infected with HIV

or AIDS and then he heard the same statistics when they referred to the South Park area that one out of ten individuals were infected with HIV or AIDS he trembled, and then when he heard that in South Africa one out of five pregnant women were infected with HIV or AIDS and then he knew that in the City they had already closed down a clinic that stopped the spread or transmittal of the disease from an infected pregnant mother to the child, he trembled, that he reason he trembled was that he knew they were doing a lot and knew a lot was trying to get done as far as educating, intervention and prevention and all of that was needed, and the task force they had he did agree was needed, but at the same time they needed to attack or do something in regards to the individual that were already infected with the disease, because those were the individuals that were constantly spreading the disease, that they could intervene and teach and educate about prevention, but the individual that already had it those were the ones that were actually spreading it, so that project that they had they knew would not be the end all to all, they knew that there was more to be done to go along with it, but it was a stop in the right direction to try and get the problem somewhat under control, before they ended up to a situation similar to that of a South African Nation, that he knew a lot of people were familiar with those statistics that were being thrown around, but if they were not infected right now, just know that somebody close to them or in their family soon would be, because the disease was spreading at an outrages rate and they must do something immediately besides just meet about it and talk about it, that it was good they needed to continue that, but they needed to do something now, that he understood that they submitted the paperwork to Ms. Margie Bingham's office, but his concern was that the paperwork did not just sit there on the desk or get caught up in the shuffle of paperwork, that it was something that needed to be expedited immediately because it was a crisis they were all faced with, so they needed to do whatever it took to push it through, that if there was a problem with it, then work it out, but something needed to be done now. Council Members Ellis, Castillo and Sanchez absent.

Mr. Samuel Harris, 4802 M.L.K., Houston, Texas 77021 (713-747-1301) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Castillo and Sanchez absent.

Pastor Marvin Delaney, 5954 Ridgeway, Houston, Texas 77033 (713-734-8005) appeared and stated that he was pastor of South Park Baptist Church and was present because they had an epidemic in their community, that he was not present at the behest of any organization or group, that he represented the Kingdom of the Living God and dying people, that he wanted the Council to know that people were dying in their neighborhood and they could do something about it, that he had done something about his dog when he got rabies, that as a matter of fact he thought there was a law on the books that stated that if a dog was rabid they were supposed to do something about it, to get it a license and take care of the problem, that they were talking about something a little bit higher than dogs, they were talking about dying and suffering people, that they had an opportunity to put a place in their neighborhood where they could get directly at those people and they wanted that as a community, and they beg for Council's help to get the facility put there, that if they could hear the cries of the people and move away from their super busy schedule and look at death and dying they were just like them but were falling apart, that if any of them had dogs at their homes and if their dog got hit by a car what would they do, they would take them to the doctor, so when people like those were suffering did they just leave them out there or should they do all they could do, that he did not live in Africa, he was an American, that it was their problem and their community, that

he was a long term taxpayer and a lover of God's work, that they needed to take advantage of it now, that he had just left Colombia, South America on a preaching tour, preaching the gospel of Jesus Christ, that there was an AID's epidemic there, but that was not their problem, the problem was here. Council Members Ellis, Castillo and Sanchez absent.

Mr. David Garner, 2802 West T.C. Jester Blvd, No. 62, Houston, Texas 77018 (713-263-1969) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Castillo and Sanchez absent.

Pastor Melvin Lewis, 4310 Mallow, Houston, Texas 77051 (713-734-2117) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Castillo and Sanchez absent.

Mr. Frank Salzhandler, 1813 Missouri, Houston, Texas 77006 (713-520-1985) appeared and stated that he had two subjects for discussion, that a few years ago he addressed the City Council on the subject of gas powered lawn equipment and leaf blowers and the problem they caused with air pollution as well as noise pollution, that he mentioned the fact that in Los Angeles there was a ban on such machinery and it had been replaced with battery powered lawn and landscape equipment, that now that Houston had the dubious distinction of being named the City with the most polluted air in America he would hope that they might consider finding the example toward a cleaner and quieter alternative, that he was present to also discuss another important subject, that as Independence Day recently passed his thoughts turned to a subject of concern, that there was a site where the U.S. Flag was being flown improperly by the City, that if any of them had been in any type of military service or even been a member of the Brownies or Boy Scouts they would know that the U.S. Flag was never to be flown during darkness of night without proper illumination, and he quoted Congress "It is the universal custom to display the flag only from sunrise to sunset on buildings and on stationary flagstuffs in the open, however when a patriotic effect is desired the flag may be displayed twenty-four hours a day if properly illuminated during the hours of darkness", that such was not the case at the Houston Police Memorial, that he found it hard to believe that the designers of the Police Memorial Flag Display did not see fit to research the subject of flag protocol, that not only was the flag display in violation of Federal Statute, but was a sign of disrespect for the fallen police officers, that surely a memorial to Houston's fallen police officers should at the very least provide proper respect and protocol for such an important site, that there were three spotlights on a single light pole aimed directly at the actual structure providing more than adequate illumination for the stone configuration, yet no light on the flag, that it would therefore be quite easy to re-aim one of the spot lights at the American Flag, thus providing proper illumination and thereby legitimate protocol for flying Old Glory at such an important location, that additionally it would be a magnificent site, and he thanked Council for allowing to address those concerns and hoped they would consider the situation and potential solutions. Council Members Keller and Sanchez absent.

Mayor Brown stated they would take it immediately to the Police Department and take care of the problem, and thanked Mr. Salzhandler for bring it to their attention. Council Members Keller and Sanchez absent.

Mr. Dwight Burton, 3721 Seabrook, Houston, Texas 77021 (713-593-9619) appeared and voiced his public and religious opinions until his time expired. Council Members Todd, Keller and Sanchez absent.

Mr. Trent Winters, 7967 W. Airport, Houston, Texas 77071 (713-729-1153) had reserved time to speak, but was not present when his name was called. Council Members Todd, Keller and Sanchez 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 Todd, Keller and Sanchez 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 Todd, Keller and Sanchez absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that www.galvan.org, that he, James Partsch-Galvan, Libertarian Candidate for Texas Representative 147, had an affair with Bruce Austin, President of HCC Board of Trustees, back in the early 1990's and they smoked marijuana together, that if elected to the Texas State Legislature his two priorities would be, (1) introducing legislation placing the issue of the independence of the Republic of Texas before the people in the form of a binding referendum, (2) introduce legislation supporting the bombing of Switzerland because of global violations of the rights of Texans and crimes against humanity during World War II, and continued to express his personal opinions concerning Switzerland until his time expired. Council Members Galloway, Todd, Keller and Sanchez absent.

At 4:15 p.m. upon motion by Council Members Robinson and Quan the City Council recessed until Wednesday, July 12, 2000 at 9:00 a.m. Council Member Boney absent on personal business. Council Members Galloway, Todd, Keller and Sanchez absent.

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, July 12, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director and Ms. Linda Layton, Agenda Office, present.

At 8:31 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:10 a.m. Mayor Brown called the meeting to order. Council Members Boney, Castillo, Sanchez and Bell absent.

Mayor Brown called on Council Member Goldberg for a presentation. Council Member Goldberg invited Miss Laurra Wilkinson to the podium and stated that she was to be a diver in the upcoming Olympic competition and although injured had decided to go on with the competition; and presented her a proclamation wishing her well and

proclaiming Wednesday, July 12, 2000, as "Laura Wilkinson Day" in Houston, Texas. Ms. Susan Bandy presented Laura with a 2012 cap and pin and wished her the best of luck. Miss Wilkinson thanked Council for the recognition. Mayor Brown wished her good luck and congratulated her on her achievements.

Council Member Castillo moved to suspend the rules to take Item 25 out of order, and was seconded by Council Member Parker. All voting aye. Nays none. MOTION 2000-0886 ADOPTED.

25. REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds – (This Item was on the Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBER CASTILLO) – was presented.

Ms. Garcia stated that she had presented her report at the last Council Meeting and stood by that report today.

Ms. Sara Culbreth, Acting Director Finance and Administration, stated that she was pleased to present the Monthly Financial Report for the month ending May 31, 2000, and as reported on page seven they were reporting a balanced budget for the General Fund with total projected revenues expected to be \$1,210.4 million which included an adjustment downward this month of about \$3.9 million; specifically they had lowered the sales tax number by \$2,000,000 leaving an anticipated revenue from that revenue source totaling \$314.4 million for this fiscal year which presented a growth of about 2.9% over the fiscal year 1999; that other reductions in revenue this month included a \$1.8 million reduction in Municipal Courts fines and forfeits and they had lowered their projection to \$42,000,000 for this fiscal year; that on the expenditure side they did anticipate year end amounts to total \$1 billion 214.6 million and that included a reduction from last month's expenditure projection of \$4.3 million; that the additional savings were based on year to date activity results in additional savings in several departments, however, primarily in Police and Public Works and that also included an adjustment for savings recognized as a result of lower than anticipated cost related to long-term disability; that with regard to other funds in this month's report they had increased revenue projections in the Convention and Entertainment Enterprise Fund, specifically in hotel occupancy tax by \$3,000,000 this month; that all other funds in the report had little or no change from last month.

Council Member Castillo stated that he would like Ms. Culbreth to comment on the handout she presented dealing with Municipal Courts. Ms. Culbreth stated that in the Fiscal Affairs Committee Meeting yesterday there were a number of questions relating to the daily issuance of tickets and how it related to the monthly basis and regarding their collection rate which was what her memo was in response to.

Council Member Tatro stated that the projections between Controller and F & A had always been a dilemma for most Council Members and with one month to go there still appeared to be a difference and property tax should not have much difference and F & A still projected what he believed was about \$1,600,000 higher than what would come in and he did not think it was healthy.

Council Member Castillo moved that the report be received, and was seconded by Council Member Ellis. All voting aye. Nays none. Council Member Parker absent. MOTION 2000-0887 ADOPTED.

Upon questions by Council Member Boney, Ms. Culbreth stated that F & A normally referred to the average daily and the Controller talked yesterday about the monthly and so she had taken their daily and converted it to a monthly average and she believed that within the next couple of weeks they should have a status report on the outsourcing of the delinquent fines and she was also scheduling a status report on the Taskforce Committee at the next Fiscal Affairs Meeting which she believed was August 1.

Council Member Robinson stated that one thing relative to the contract was not only accepting credit cards but also checks on line and that there would not just be a delinquent payment system on line but also a current payment and he wanted to make sure it would be a part of the contractual arrangements; and Ms. Culbreth stated that they would include that in the status report for Fiscal Affairs.

MAYOR'S REPORT

Mayor Brown stated that he wanted to use his time to ask Mr. Bass to give Council an update on the issue of the Solid Waste collection changes and problems associated with that.

Mr. Bass stated that all had received calls relating to changes which were implemented July 1, 2000, and he wanted to briefly run down the changes; that one change was the collection contractor, previously contracts were with BFI and Waste Management and now were with Republic Waste and the change involved collection from two times a week manual collection and new collection one time a week for garbage and one time for yard waste, receiving two collections; that the change allowed them to give every citizen automated collection which was clearly something they wanted; that the next change was heavy trash collection and adjustments were made affecting about 2,000 citizens, collection methods were changed to try and become more efficient and they were asking for patience in that area; that most citizens were going to put heavy trash out on the right day but some would go with their old schedule for two to three months and they would work with them; that he also wanted to say he had come before Council on several occasions and they had been very gracious in their compliments and he wanted to say that as a department they had not done as good a job as they could have in communicating the changes and as department director he was accountable and could assure all that they would do a better job; that he also wanted to point out that it was not indicative of the track record they had with the community; that he had surveys done with citizens in 1995 and in 1998 with a 98% approval record and he had a report from the Controller's Office in 1999 giving them a 100% approval rating and Council Members rated them excellent in December 1999 and he brought those up to say that their performance over the last month was not indicative of what they had done and he committed to a better job; that normal collections would continue and Mr. Bill Lithicom, representing Republic Waste and their partner, was present and they had also committed to getting on and staying on schedule. Council Members Boney and Robinson absent.

Mayor Brown stated that he was correct in saying changes were made in scheduling and they had created temporary problems and beginning now they would begin getting garbage picked up on time; and Mr. Bass stated that was correct, they had fallen short on implementing their plan but it was being corrected. Council Members Boney and Robinson absent.

Upon questions by Council Member Galloway, Mr. Bass stated that they had attempted to notify the public with door hangers and mail outs and placing notice on the carts. Council Members Boney, Todd and Robinson absent.

Council Member Galloway moved to suspend the rules to hear from Mr. Bill Lithicom, representative of Republic Waste, and was seconded by Council Member Ellis. All voting aye. Nays none. Council Members Boney, Todd and Robinson absent. MOTION 2000-0888 ADOPTED.

Upon questions by Council Member Galloway, Mr. Lithicom stated that they had mail outs to the 80,000 homes and did the door hangers and placed information on the carts; that they were also putting signs in the neighborhoods to notify them of collection times; that they tried to keep their service days the same, but some had two days and they were now getting one. Council Member Galloway stated that she would like to be sent information on collection times for District B as well as the heavy trash pickup so she could pass the information on to others. Council Members Boney, Todd and Robinson absent.

After a lengthy discussion Mr. Bass had stated that all problems were being handled and if there were budgetary complications because of overtime he would be back with that concern to the Administration, but they were doing what was necessary to get the job done.

Council Members discussed garbage collection on private streets and Council Member Todd suggested that an automated system set up on Solid Waste's phones to notify people of collection times by zip code; and Mr. Bass stated that was a good idea.

Consent Agenda (Items 1 through 24) were considered as follows:

MISCELLANEOUS - NUMBERS 1 through 6

1. REQUEST from Mayor for confirmation of the reappointment of the following to the **AIR CONDITIONING BOARD**:
 - Position Three - **MR. RICHARD W. BURR**, for a term expiring January 2, 2001
 - Position Four - **MR. ELI SCHAFFER**, for a term expiring January 2, 2002
 - Position Five - **MR. RICHARD J. GRAVES**, and to serve as Chair, for a term expiring January 2, 2001
 - Position Six - **MR. LEVI MOSS, JR.**, for a term expiring January 2, 2002
 - Position Seven - **MS. PAMELA BEST**, for a term expiring January 2, 2001- was presented, moved by Council Member Sanchez, and was seconded by Council Member Quan. All voting aye. Nays none. Council Members Boney, Vasquez, Bell and Robinson absent. MOTION 2000-0889 ADOPTED.

3. **REQUEST from Mayor for confirmation of the reappointment of the following to the HOUSTON REINVESTMENT ZONE NUMBER EIGHTEEN CITY OF HOUSTON, TEXAS, also known as FIFTH WARD AREA BOARD OF DIRECTORS:**
Position 2 - **MR. HARVEY CLEMONS, JR.**, for a term ending July 21, 2002 and as Chair of the Board to serve an unexpired term ending December 31, 2001
Position 4 - **MS. ELEANOR D. JONES**, for an unexpired term ending July 21, 2002 - was presented, moved by Council Member Sanchez, and was seconded by Council Member Quan. All voting aye. Nays none. Council Members Boney, Vasquez, Bell and Robinson absent. MOTION 2000-0890 ADOPTED.
4. **RECOMMENDATION from Director Department of Public Works & Engineering to approve refunds over \$5,000.00 for Water & Sewer Accounts for various customers - \$44,103.28 Enterprise Water & Sewer Fund - was presented, moved by Council Member Sanchez, and was seconded by Council Member Quan. All voting aye. Nays none. Council Members Boney, Vasquez, Bell and Robinson absent. MOTION 2000-0891 ADOPTED.**

PURCHASING AND TABULATION OF BIDS - NUMBERS 8 through 13

LOW BIDS

8. **GLOBE ELECTRIC COMPANY, INC** - \$62,229.60 and **REXEL SUMMERS ELECTRIC** \$15,002.93 for City Hall and Annex Lighting for Building Services Department - General Fund - was presented, moved by Council Member Sanchez, and was seconded by Council Member Boney. All voting aye. Nays none. MOTION 2000-0892 ADOPTED.
11. **DERRYBERRY'S L.P.** for Replacement of Two Chiller Units for Parks and Recreation Department - \$72,620.00 and contingencies for an amount not to exceed \$76,251.00 - General and Equipment Acquisition Consolidated Funds - was presented, moved by Council Member Sanchez, and was seconded by Council Member Boney. All voting aye. Nays none. MOTION 2000-0893 ADOPTED.
12. **ACTION HANDLING SYSTEMS, LLC** for One Forklift for Department of Public Works & Engineering - New - \$42,945.00 - Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Sanchez, and was seconded by Council Member Boney. All voting aye. Nays none. MOTION 2000-0894 ADOPTED.

ORDINANCES - NUMBERS 14 through 24

14. **ORDINANCE** consenting to the addition of 21.7739 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 114** for inclusion in its district - was presented. All voting aye. Nays none. **ORDINANCE 2000-644 ADOPTED.**

17. ORDINANCE amending Ordinance Number 94-761 to increase the maximum contract amount; approving and authorizing second amendment to contract between the City and **PHARMCHEM LABORATORIES, INC** for Alcohol and Controlled Substance Testing Services - \$400,000.00 Central Services Revolving Fund – had been pulled from the Agenda by the Administration, and was not considered.
20. ORDINANCE appropriating \$148,000.00 out of Airport System Commercial Paper Series A, C (AMT), and approving the purchase of approximately 0.9556 acre of land out of the Amos Barber Survey, Abstract 125, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving and purchase and sale agreement with **HARVESTALL CORPORATION** to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B – GALLOWAY** - was presented. All voting aye. Nays none. ORDINANCE 2000-645 ADOPTED.
21. ORDINANCE appropriating \$2,000.00 out of the Tax and Revenue Certificate of Obligation Series 2000A Fund for the payment of Appraisal Fees, for and in connection with the Street Improvements for Reinvestment Zone Number One Project, located at 5465 McCullough Circle; Parcel Number AYO-067; CIP N-1033-03-1 - **DISTRICT C – GOLDBERG** – had been pulled from the Agenda by the Administration, and was not considered.

Council Member Boney moved to suspend the rules to take Item 31 out of order, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0895 ADOPTED.

31. ORDINANCE (1) approving and authorizing contract between the City of Houston and **100 VICTORY, L. P.** to provide \$5,000,000.00 Loan of Federal “HOME” and “CDBG” Funds to construct 100 units of Public Housing at 1500 Victor Street, Houston, Texas, restricted for Rental to low income persons (“contract”); and (2) approving and authorizing first amended and restated interlocal cooperation agreement with the Housing Authority of the City of Houston (“HACH”) related to the contract - **DISTRICT I – CASTILLO – (This was Item 28 on Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBERS QUAN, CASTILLO and KELLER)** – was presented.

Council Member Goldberg stated that he received two different sets of figures and the explanation was that the numbers were transposed, but he thought it was more than that because the numbers regarding lot size, land size, etc. were all changed also; and moved to postpone Item 31 for one week.

Council Member Castillo stated that he was going to vote against the motion to delay and would urge his colleagues to do the same; that part of the financing for this item included tax credits from the state and though there was time left it would require all that time to bring the sale to a close and any delay would work against being able to do that; that this was a one time opportunity and the tax credits would not be available, it was a lottery which the Housing Authority won; that the Housing Authority admitted there had been errors but at the time the sale closed all numbers would be clear and it would be voted upon by the Housing Authority and he thought there was still enough safe

guards and it did involve grant funds and not general funds and for that reason he would ask that the item not be delayed.

Council Member Todd moved to suspend the rules to hear from Ms. Bingham, and was seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-896 ADOPTED.

Council Member Todd stated that Council Member Castillo commented there was urgency on getting the item passed today; and he would like her to explain the situation. Ms. Bingham stated that she would not say a delay would kill the project but it would create some time confusion for the Housing Authority; that \$3,000,000 of the budget came about by the Housing Authority participating in a state lottery for 4% out of the tax credit funds; that the state conducted a lottery on an annual basis where private developers and non profit agencies could participate; that there was confusion about the numbers but it did not affect the bottom line of the project; that she had already received revisions and some members of the Housing Authority attended the Fiscal Affairs Committee Meeting and handed out a sheet of paper she had, but it was not the revised sheet she had already received and it did not affect the bottom line; that she passed out the correct numbers to all Council Members yesterday. Council Members Galloway and Sanchez absent.

Council Member Todd moved to suspend the rules to hear from Mr. Barry Palmer, attorney for the Housing Authority, and was seconded by Council Member Castillo. All voting aye. Nays none. Council Members Galloway and Sanchez absent. MOTION 2000-0897 ADOPTED.

Upon questions by Council Member Todd, Mr. Palmer stated that the project had to close by July 27 and it did require HUD approval and a number of other fashions so a one week delay would make it extremely difficult and placed the money at risk; that the deadline was 16 days away and it had come to Council on July 5 but was tagged at that time, it did not come sooner because they were getting finalized documents; that they were awarded the credits in April, but a number of things had to happen before they could get the item to Council such as finalizing negotiations with their tax credit investor and finalizing the structure of the HUD funds coming into the project. Council Members Galloway, Sanchez and Robinson absent.

Council Member Goldberg stated that he was at the committee meeting where a representative stated the drop dead date was August 19 and not July 27 and that the paperwork only took three days; and upon questions, Mr. Palmer stated that the closing was scheduled for July 27 and he did not know where the August date came from. Council Member Robinson absent.

Council Member Todd stated that in light of the confusion he supported the delay of the item. Council Member Robinson absent.

Council Member Boney stated that to clarify some things, the most important thing to understand was that the \$9.4 million, the bottom line for construction of the project, had never changed; that some numbers bringing them to that bottom line were inaccurately presented during the committee but it was recognized and the committee was satisfied with the response in discussion in order to recommend it for Council's

approval today; that other issues regarding time and whether or not it was doable with the week delay was that it may be doable but it did put the project at risk; that this was a very unique project that they had a federal obligation to complete, when they went through the process of getting permission from the federal government to demolish Allen Parkway Village and to renovate it and so forth they made a commitment, and were required, to replace one unit for one unit so for every one of the 1,000 units at Allen Parkway Village that was being renovated or eliminated they had to replace 1,000 units somewhere in Fourth Ward or the City of Houston and those 100 units were a part of the 1,000 so if by virtue of misunderstanding or discomfort they did not complete the 100 units the City of Houston would still be obligated to pay whatever was necessary to replace those units and they were fortunate in that the Housing Authority was able to get additional grant money from HUD and they also entered into a lottery process and came up luckily with tax credits to provide additional funds for the project and while they wanted to review numbers and ask questions it was fine to do that and they could have a briefing, but if the project did not close on July 27 they would lose \$3,000,000 worth of tax credits and if the project collapsed and they did not have the 100 units of housing for low income, etc., and would still have the obligation to come up with a new project and another 100 units and they did have the revised numbers and did address the matter in committee and it did not make sense to jeopardize the project with another week delay. Council Members Keller, Castillo and Robinson absent.

Council Member Parker stated that she agreed with Council Member Boney it was an important project and a part of the original Allen Parkway Village replacement housing and a longstanding commitment to the former residents of Allen Parkway Village, residents of the Fourth Ward and to low income citizens of Houston who did depend on that type housing and she did intend to support it when it came up for a vote; that had the item been brought to committee before the Agenda they may have had the opportunity to debate the issues and find out the problems and have questions answered and she hoped they would get into the habit of giving Council more of an opportunity; that she had pointed out the incorrect numbers at the meeting and she also had heard the August date and for someone wanting to vote for the project they were making it very hard; and upon questions, Council Member Goldberg stated that moving the item to the end of the Agenda would not work for him; that at the committee meeting they were told the reason for the error was the transposed numbers, but that was ridiculous because now they had new numbers showing the land area bigger, etc., just so the bottom line of \$9,400,000 would match; that he fully intended to vote for the item but wanted to make sure numbers were correct and they did have time; that there was too much wrong information on the project. Council Member Robinson absent.

Mr. Palmer stated that if he could address the numbers, Council Member Goldberg was right there were other differences and the reason for that was that the original budget submitted to the Housing Department included projections on hard cost and it was before they went out for bid on construction; that they had since gone through the bid process and received hard bids on construction cost which came in \$300,000 plus higher than initially anticipated, but they discovered that they had the wrong number for the land so part of the increased construction cost was picked up by the fact the land cost was lower than what was budgeted; that the way they picked up the rest of the construction cost was by reducing the developer fee and that was why the total budget stayed at \$9.4 million. Council Member Goldberg stated that the consultant fee changed and a number of things changed just to meet the total \$9.4 million and it was not the

right way to do it; that he wanted people to get the housing being paid for and he was not satisfied. Council Member Robinson absent.

Council Member Todd stated that this was not the first time a department brought information at the eleventh hour; that Council regularly had departments give them information at the last minute and the burden may be on them to work extra hours if the item was delayed, but he did support the delay; and he would second Council Member Goldberg's motion if it had not been seconded. Council Member Robinson absent.

Council Member Quan stated that he had tagged the item last week because he did not think Council had adequate notice at that time, subsequently he received a briefing by the department and Council Member Boney scheduled a committee meeting specifically for that purpose and he thought they did have adequate information to proceed and while he respected Council Member Goldberg and his feelings on the matter he believed they were ready to go forward. Council Member Robinson absent.

Council Member Boney stated that he was trying to appeal to Council Member Goldberg; that at yesterday's meeting they discussed giving each Council Member a complete briefing of the overall structure and strategy of what was being done in the Fourth Ward; that the effort some Council Members had been involved in for four and a half years to find a balanced approach to development of that area without gentrifying the Fourth Ward and moving all the poor people had been a very delicate hard fight and to try and make it work physically as well and they managed to pull it off; that it was not that the Housing Authority woke up 30 days ago and said here's a bright idea, it was an ongoing everyday process with them and if Council Members really had questions would call the Housing Authority they could get the same answers as Council Member Quan and the land was \$5.00 a square foot because it was sold to them at that price in support of low income public housing; that a delay would jeopardize whether they can or should because they had to sale bonds, get approval from HUD and the state and they were all processes the staff had to go for; that they could say lets roll the dice to understand the numbers more, even though the numbers were right, but it would not change the bottom line or that it was a good deal and that was why he was urging the passage to get the housing done. Council Member Robinson absent.

Council Member Goldberg stated that he was just as interested as Council Member Boney in getting this but he wanted the people who were to live in them to get the value; that he had concerns about the construction cost as only 60% went into construction and the rest was tied up in administrative fees; and if he was just saying \$9.4 million was the bottom line and the other numbers were irrelevant, which seemed to be what he was saying, then why even have numbers for construction cost. Council Member Boney stated that he had been to Allen Parkway Village and Fourth Ward, etc., and the Houston Housing Authority provided some of the best quality and safe and clean and descent housing of any public housing in the United States and the least thing he was worried about was the quality of housing.

Council Member Galloway moved to call the question, and was seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-0898 ADOPTED.

A roll call vote was called on the motion to postpone Item 31 for one week.

ROLL CALL VOTE:

Mayor Brown voting no.	Council Member Vasquez voting no
Council Member Tatro voting no.	Council Member Castillo voting no
Council Member Galloway voting no.	Council Member Parker voting aye.
Council Member Goldberg voting aye.	Council Member Quan voting no.
Council Member Boney voting no.	Council Member Sanchez voting aye.
Council Member Todd voting aye.	Council Member Bell voting no.
Council Member Ellis voting aye.	Council Member Robinson voting no.
Council Member Keller voting aye.	MOTION 2000-0899 FAILED.

A vote was called on Item 31. Council Member Goldberg voting no. Balance voting aye. ORDINANCE 2000-646 ADOPTED.

Items removed from the Consent Agenda were considered as follows

MISCELLANEOUS

2. REQUEST from Mayor for confirmation of the reappointment of the following to the **COASTAL WATER AUTHORITY**, for terms to expire March 31, 2002:

Position 1 - **MS. DOROTHY WASHINGTON**

Position 2 - **MR. JERRY E. DIETRICH**

- was presented, moved by Council Member Boney, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-0900 ADOPTED.

5. RECOMMENDATION from Director Department of Aviation for 7th Annual Familiarization Visit, ACI African Region - \$22,000.00 - Enterprise Fund – was presented, moved by Council Member Boney, seconded by Council Member Vasquez, and was tagged by Council Members Keller, Tatro, quan and Todd.

Council Member Robinson stated that today Senator Muctar Mohammed from Nigeria was present; and asked that he stand to be recognized. Council Member Robinson stated that outside of Nigeria and London Houston had the largest Nigerian population in the world. Mayor Brown welcomed Senator Mohamad to the City of Houston and the City Council Meeting. Council Member Boney absent.

6. RECOMMENDATION from Director Parks & Recreation Department for annual supplemental allocation of \$490,000.00 to **EPIC SPECIAL EVENTS** for the Funday in the Park! Program General Fund – was presented, moved by Council Member Castillo, and seconded by Council Member Vasquez.

Council Member Quan stated that he had been to a few Funday in the Park and felt the city was under utilizing them and could do more programs through that; that visitors to the Chamber were constantly talking about the epidemic of AIDS and HIV and they did not use the opportunity to educate and he would like to see that opportunity better used. Council Member Boney absent.

Council Member Goldberg stated that he felt he would be voting against the item; that the backup said the project was to help families rediscover their parks, essentially they were spending almost half a million to get people to rediscover their park and a lot of them were not even refurbished; that he agreed with Council Member Quan and would like to see it become a more community services program where they had community services going out and explaining; that they could do immunizations and needed more public/private partnership activity; that representatives from Epic assured him they intended to have more emphasis on that, but at this time he did not think it was enough. Council Member Boney absent.

Mayor Brown stated that there were a number of activities which took place at Funday such as library card registration, free immunization, voter registration, health screening, life safety programs, etc., many things they talked about were done, but they would look at other things also. Council Member Boney absent.

Council Member Sanchez stated that it seemed to him almost half a million out of the general fund would be best used in increasing one of the lowest levels of immunization in the nation or to services such as trash or fire and he could not support the item. Council Members Boney and Todd absent.

Council Member Castillo stated that this was a five year contract and this was the third year and Council was only allocating this year; that the project was to become self supporting through sponsorships and perhaps they should continue to look in that direction; and requested information on the sponsors for the last two years and the amounts; and Mayor Brown stated that he would get the information requested. Council Members Boney, Todd and Robinson absent.

Council Member Bell stated that he supported the item, it had been a good program for the city and brought people into the parks and raised awareness of what they offered; and while he did think it was a good program what really brought them back was improvements which sometimes were not very expensive and he would like to see resources focussed.

Council Member Galloway stated that she also supported Funday and went to several and the community was very excited and felt it was worthwhile for the children. Council Member Sanchez absent.

Council Member Boney stated that on immunization he spoke with the members of the Chamber of Commerce and members of the Rotary Club and they talked about a program they worked with and were bringing the model to the Health Director to see if they could use it; and on Funday they asked the District Council Member every year what parks they thought they should have it at and they had been very open on doing whatever was requested; that they had been one of the most amenable vendors he had seen and he supported the item and would urge support of other Council Members. Council Member Sanchez absent.

Council Member Robinson stated that he wanted to use the opportunity to promote his idea of more parking meters downtown and then to use that revenue for parks and libraries; that about 1,500 to 2,000 meters generated somewhere in the neighborhood of \$2,000,000.

A vote was called on Item 6. Council Members Goldberg and Sanchez voting no. Balance voting aye. MOTION 2000-0901 ADOPTED.

ACCEPT WORK

7. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$1,553,870.93 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Modernization of the Municipal Courts Building Phase II, GFS D-0044-04-3 - 10.20% over the original contract amount - **DISTRICT H – VASQUEZ** – was presented, moved by Council Member Vasquez, seconded by Council Member Quan, and was tagged by Council Members Todd, Keller and Ellis.

PURCHASING AND TABULATION OF BIDS

LOW BIDS

9. **HOUSTON SOFA MANUFACTURING** for Sofas for Fire Department - Replacement - \$59,250.00 General and Fire Department Revolving Fund – was presented, moved by Council Member Boney, and was seconded by Council Member Tatro.

Council Member Bell moved to suspend the rules to hear from Chief Britt at this time, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-0902 ADOPTED.

Council Member Bell stated that he was confused because during the fiscal affairs budget workshop he raised a question about a particular fire station and the condition of its furniture and Chief Tyra pointed out that in the FY 2000 budget contracts were passed for mattress and furniture replacement and that station had simply not asked for it; and upon questions, Chief Britt stated that this was a new contract and he was right the furniture had not been requested by that particular fire station, but there were four sofas still in at that time; that this would replenish the supply and furniture was replaced as needed once notified and fire stations knew the procedure for acquisition and all they needed to do was activate the process. Council Member Boney absent.

Upon questions by Council Member Sanchez, Chief Britt stated that he thought there had been some renovations of the kitchen conditions at the dispatch center and there would continue to be renovations in the area. Council Members Boney and Parker absent.

A vote was called on Item 9, and was tagged by Council Member Goldberg. Council Members Boney and Parker absent.

10. **DIVERSIFIED MEDICAL SERVICES INTL.** for X-Ray Film for Health and Human Services Department - \$58,716.40 - General Fund – was presented, moved by Council Member Sanchez, and was seconded by Council Member Tatro.

Council Member Todd stated that he supported the item, but his question dealt with reimbursement; that he spoke to the Health Department and it was his understanding reimbursement on this was only 30% because roughly 30% of those being serviced had Medicaid or insurance and he would like to request that the Administration study the possibility of hiring an outside consultant, if no one in the department could do it, to see if the rate of reimbursement could be higher; that maybe they needed to assist people in getting Medicare or Medicaid as it seemed 70% of the people were not bothering to do so and maybe they could make it a condition that they be certified to get service; that it was in everyone's interest to screen for Tuberculosis; and Mayor Brown stated that studies were being done and that would be included. Council Member Boney absent.

A vote was called on Item 10. All voting aye. Nays none. Council Member Boney absent. MOTION 2000-0903 ADOPTED.

13. **LINBERRY AUTO PARTS** for Automotive, Fan Belts, Hoses and Caps for Various Departments Replacement - \$135,686.00 - General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Castillo, and was seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Boney absent. MOTION 2000-0904 ADOPTED.

ORDINANCES

15. ORDINANCE approving and authorizing contract between the City of Houston and **GTE COMMUNICATIONS CORPORATION** for Telecommunications Equipment Maintenance Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - 3 Years with two one-year options - \$7,475,606.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E – TODD** – was presented, and was tagged by Council Member Goldberg. Council Member Boney absent.
16. ORDINANCE amending Ordinance No. 98-673 to establish a maximum contract amount for contract for On-line Cataloging Services between the City of Houston and **AMIGOS BIBLIOGRAPHIC COUNCIL, INC** for Library Department - Contract not to exceed \$757,000.00 General Fund – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-647 ADOPTED.
18. ORDINANCE approving and authorizing first amendment to contract (C38084) between the City and **XEROX CORPORATION** acting by and through its Xerox Business Services Division for Photocopier Acquisition, Supplies and Maintenance for all Departments - \$1,396,440.00 - Central Service Revolving Fund – was presented. All voting aye. Nays none. Council Member Boney absent. ORDINANCE 2000-648 ADOPTED.
19. ORDINANCE appropriating \$223,900.00 out of General Improvement Consolidated Construction Fund and approving and authorizing third amendment to contract between the City of Houston and **DANSBY & MILLER AIA, ARCHITECTS**, for professional architectural services relating to Municipal Courts Expansion/Modernization Data Center Upgrade, CIP D-0044-02-2; providing funding for contingencies relating to construction of facilities financed by the General Improvement Consolidated Construction Fund - **DISTRICT H - VASQUEZ**

- was presented, and was tagged by Council Member Keller. Council Member Boney absent.
22. ORDINANCE appropriating \$4,077,000.00 out of Airport System Commercial Paper Series A, C (AMT) and \$12,000.00 out of Airports Improvement Fund, CIP A-0425, A-0131, awarding construction contract to **SWINERTON & WALBERG CO.** on low bid of \$3,837,084.00 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$38,000.00 for Terminal B Tenant Space Alterations at George Bush Intercontinental Airport/Houston (IAH), Project 533C - **DISTRICT B – GALLOWAY** – was presented, and was tagged by Council Members Ellis and Tatro. Council Member Boney absent.
23. ORDINANCE appropriating \$14,630,000.00 out of Airport System Commercial Paper Series A, C (AMT), CIP A-0091 and \$145,000.00 out of Airport System Commercial Paper Series A, C (AMT) A-0131, awarding construction contract to **SWINERTON & WALBERG CO.** on low bid of \$13,551,226.00 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC** in the amount of \$140,000.00 for Terminal B/C Utility Distribution Upgrades at George Bush Intercontinental Airport/Houston (IAH), Project 424C - **DISTRICT B – GALLOWAY** – was presented, and was tagged by Council Member Tatro. Council Member Boney absent.
24. ORDINANCE appropriating \$2,105,200.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **AUSTIN FILTER SYSTEMS, INC** on low bid of \$1,842,450.00 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** in the amount of \$60,000.00 for Buffalo Bayou Trail north of Buffalo Bayou, GFS N-0420-28-3 (N-0420-28); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT I – CASTILLO** – was presented, and was tagged by Council Member Tatro. Council Member Boney absent.

MATTERS HELD - NUMBERS 25 through 33

26. MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from Chief of Police for Extension of Injured on Duty Status for Police Officer **J. T. JACKSON**, Employee Number 73821 - **(This was Item 4 on Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBER KELLER)** – was presented.

Council Member Todd stated that it was his understanding with the particular officer there was an allegation of malpractice with the physician and he would like to know if the city was subrogating under the claim; and Mr. Hall stated that as he read backup from the Police Department he read the first surgery was not successful, but he was not aware there was a malpractice litigation, but if so it would be something to analyze to see about recovering costs. Council Member Todd stated that he did not

want to go into more at the table and he did support the item, but he would like Mr. Hall to get back with him. Council Members Boney and Robinson absent.

A vote was called on Item 26. All voting aye. Nays none. Council Members Boney and Robinson absent. MOTION 2000-0905 ADOPTED

27. MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from City Attorney for settlement of lawsuit styled **EDWIN O. HEITSCHMIDT** v. City of Houston, et al; in the United States District Court, Southern District of Texas, Houston Division, Civil Action No. H-96-1743 - \$100,000.00 - Property & Casualty Fund – **(This was Item 5 on Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBERS KELLER, PARKER, GOLDBERG and BELL)** – was presented.

Council Member Bell stated that he wanted to say this was a case where a man was charged for his connection for his involvement of a prostitution ring and claimed malicious prosecution and mistreatment by police and he found it somewhat disgusting they were paying him \$100,000 but he did thank Legal for taking time to meet with him and explain their decision making process which did make sense and it made it a little easier to stomach that most of the money would go to his creditors and not him. Council Member Todd absent.

Council Member Goldberg stated that he also agreed and would be voting for it; that he met with the attorneys also and he thought the \$100,000 was a very good settlement and it made him feel good that most of the money would go to his lawyers. Council Member Todd absent.

A vote was called on Item 27. Council Member Keller voting no. Balance voting aye. Council Member Todd absent. MOTION 2000-0906 ADOPTD.

28. MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from Finance & Administration Department to award to **SUGAR LAND JET CENTER, INC** for One Fixed-Wing Airplane for Police Department - \$268,803.44 - Asset Forfeiture Fund – **(This was Item 17 on Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBER PARKER)** – was presented. All voting aye. Nays none. MOTION 2000-0907 ADOPTED.

29. MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from Finance & Administration Department to award to **OFFICE DEPOT BUSINESS SERVICES DIVISION** for Office Supplies for Various Departments - \$3,593,410.00 General, Enterprise and Other Funds – **(This was Item 20 on Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. Council Members Keller, Tatro and Ellis voting no. Balance voting aye. MOTION 2000-908 ADOPTED.

Council Member Parker stated that this was the first agreement with a supplier where they could purchase supplies on the internet and it was worth noting.

30. MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt recommendation from Finance & Administration Department to award to **PACIFIC WASTE INDUSTRIES, INC** - \$100,000.00, **UNITED RENTALS** - \$25,000.00, **MUSTANG RENTAL SERVICE** - \$215,000.00, **INGERSOLL RAND EQUIPMENT SALES** \$65,000.00, **GE ENERGY RENTALS** - \$272,250.00 and **HERTZ EQUIPMENT RENTAL CORPORATION** - \$575,000.00 for Equipment Rental for Various Departments - \$1,252,250.00 General, Enterprise and Fire Department Revolving Funds - **(This was Item 23 on Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. All voting aye. Nays none. MOTION 2000-0909 ADOPTED.

Council Member Keller stated that he wanted to compliment Mr. Wells and Ms. Tywater for their thorough briefing.

32. ORDINANCE approving and authorizing the submission of an application for grant assistance to the Houston-Galveston Area Council for the Environmental Investigations Program; declaring the City's eligibility for such grant; authorizing the Mayor to act as the City's Representative in the application process; authorizing the Director of the Public Works & Engineering Department to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the program - \$481,000.00 Grant Fund - \$56,400.00 General Fund – **(This was Item 30 on Agenda of July 5, 2000, TAGGED BY COUNCIL MEMBER TATRO)** – was presented. Council Member Tatro voting no. Balance voting aye. ORDINANCE 2000-649 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 – (This was Item 51 on Agenda of July 5, 2000, POSTPONED BY MOTION #2000-881)** – was presented. All voting aye. Nays none. ORDINANCE 2000-650 ADOPTED.

Upon questions by Council Member Boney, Council Member Tatro stated that this was grant funding and general fund to hire four full-time employees for a year and there was no option on the second year; that if they did not get the grant next year the employees would be absorbed into the general fund for their salaries and he did not think funding employees through grants was a particularly good way to administer staffing. Council Member Boney stated that in fiscal affairs where they recommended going on with the temporary contracts there were a number working in Public Works who avoided paying benefits and picking them up on contract and when people were picked up on a grant they realized their tenure with the city was not assured when the grant ran out.

RESOLUTION 2000-32, a resolution commending Adopt 2000 for a collaborative alliance and committing to place 700 abused and neglected children in the Houston area; and wishing them much success, was signed by the Mayor and Council Members.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Parker stated that she had received information regarding the Fourth of July activities; that the fireworks were great and those at Eleanor Tinsley Park had a nice, safe and enjoyable day, but the fireworks attracted people to other nearby locations and she understood from folks at Studewood Park that there was rowdy behavior and there was firing of bottle rockets and that police cars had difficulty getting in because of the illegal parking; that she had turned over the E-mails and she was sure they would follow-up but she wanted to raise the concern there were many other places that people did congregate to watch the fireworks and she looked forward to getting a report from the department on what happened and on whether they could better prepare in the future. Council Members Keller and Vasquez absent.

Council Member Parker stated that in the Houston Chronicle today there was an article on the new zoo director and she wanted to welcome Mr. Rick Barongi to the city staff; that she had met him when he was being interviewed and he had a stellar reputation and great credentials and she thought the citizens of Houston would be pleased with him.

Council Member Castillo stated that the city owned a block of land in Midtown, 1500 Webster, and there were several complaints about the lot being weeded and trash and debris dumped on the property and he would request that Neighborhood Protection investigate because it was a large parcel; that Ms. Link went in May and found violations and now there were more complaints; and Mayor Brown stated that it would be taken care of. Council Members Vasquez and Sanchez absent.

Council Member Ellis stated that Item 16 today was a process by which they could expedite online cataloging services for the Houston Library Department and he wanted to applaud Barbara Gubbin for taking the step and he did hope that it would help reduce the personnel service expenses in the Library Department. Council Member Vasquez absent.

Council Member Ellis stated that a tragic event took place in Houston, anytime a child passed away it was tragic but with this one there were certain allegations against the Houston Fire Department Station 18; that a young man, Daniel Lopez, passed away and the only information he had received was through the media; that he knew the Mayor had ordered a full investigation; and with that said would ask for a moment of silence for Daniel. Council Member Vasquez absent.

Council Member Goldberg stated that he went to a civic club meeting last night for the Briar Meadows Subdivision and he wanted to thank Gary Schatz from Public Works for staying until about 9:30 p.m. and explaining speed humps, etc., and thank police officers Terry and McGowen for explaining about the Richmond traffic; that one thing brought up at the meeting was that the Westpark Tollway was going to go in and they had no input into the design and he would encourage the Toll Road Authority to hold public hearings because they did need to hear from some of the groups. Council Members Vasquez and Castillo absent.

Council Member Goldberg stated that the Glenshire Subdivision brought up once again a hot sheet motel going up in their neighborhood and they were not the kind of neighborhood that would cater to that sort of activity; that he had talked to the owner of the motel and he agreed to put legal language into documents saying it would not be used as a one hour or hot sheet motel and he would ask the Legal Department to help draw up language to keep it from being used as such; and Mayor Brown stated that he would ask the Legal Department to sit with him and see what could be done. Council Members Vasquez, Castillo and Robinson absent.

Council Member Todd stated that Council had a number of discussions about bike paths and he was traveling down Nasa Rd 1 and noticed on the state project where they were widening it from a four lane to a six lane they were adding bike paths and what they were doing with their bike paths was they were designing them into new projects so that it did not affect the flow of traffic and maybe the city should look at what they were doing, they were not eating any roadway but adding and the city may want to look at that when adding bike lanes; that they may want to start planning it in for the new construction; and Mayor Brown stated that he would ask Public Works to do that. Council Members Vasquez, Castillo and Robinson absent.

Council Member Galloway stated that she wanted to thank Mayor Brown for participating in her onsite tour; that many constituents called and thanked him for his concern and for coming out to look over the community and she wanted to thank him also. Council Members Vasquez, Castillo and Robinson absent.

Council Member Galloway stated that she would like an update on the bridge in the 5100 block of Lockwood; that she received a report from Mr. Rolan that it would be approximately two weeks and it had been over two weeks and the contract for repair had not yet come on the Agenda; and Mayor Brown stated that he appreciated the opportunity to visit with her in her district and he would make sure she got a meeting regarding the update on the bridge. Council Members Goldberg, Vasquez, Castillo, Bell and Robinson absent.

Council Member Quan stated that he wanted to apprise citizens of Houston and Council that last Friday the Gulf Coast Community Service Association began its Christmas in July Program where they replenish food pantries; that 196,000 children under the age of 18 live in poverty in Harris County and in summer months there was a problem providing meals to them; that they had set up about 40 locations to collect food and he was pleased the city had barrels and he encouraged all to participate in the program. Council Members Goldberg, Vasquez, Castillo, Bell and Robinson absent.

Council Member Quan stated that he and Council Member Parker had gone to Allen Parkway Village to visit with residents regarding their accessibility to the project on weekends and evenings and what was happening was gates were being locked after 5:30 p.m. and locked all weekend and it caused a great inconvenience to residents; that they had spoken with Horace Ellison and they were hoping to get the gates open and convenient hours; and Mayor Brown stated that would be followed up on. Council Members Goldberg, Vasquez, Castillo, Bell and Robinson absent.

Council Member Tatro stated that he wanted to thank Sara Culbreth for meeting with him during the week to discuss a problem on a paving assessment; that the city had

constructed a project before 1993 and assessed property owners along the road for a part of the cost and sometimes as a person went to sell their property they were surprised to find it had a lien and he hoped that entire process could be moved through. Council Members Galloway, Goldberg, Todd, Vasquez, Castillo, Bell and Robinson absent.

Council Member Keller stated that he too had learned of the Daniel Lopez incident through the media and he was joined by many who felt public safety was the number one function of government; that he fully supported those in the police and fire and he would ask that someone in the department schedule a meeting with him to brief him on the details concerning the Daniel Lopez incident; that he was very interested personally and had also received a number of calls; and Mayor Brown stated that someone would meet with him. Council Members Galloway, Goldberg, Todd, Vasquez, Castillo, Bell and Robinson absent.

Council Member Sanchez stated that he wanted to take the opportunity to correct a couple of statements made by the Fire Chief and the press not long ago; that the first claim made by the Fire Chief was that his (Council Member Sanchez) office had held a press conference at Fire Station 18 and nothing could be further from the truth there was no press conference held at Station 18; that second, the Fire Chief accused him of launching accusations of negligence against members of the Houston Fire Department and again nothing could be further from the truth; that he had contacted the family of Mr. Daniel Lopez and spoke with them Tuesday after the story aired on television and he was appalled to hear that no one from the city had contacted the family and having talked to them briefly and understanding they were an immigrant family he sort of shared some sensitivity and sympathy with them as he too was an immigrant and he felt it was difficult for the family, particularly the mother, to get some answers from the City of Houston and being one of the few Members of Council who was perfectly bilingual he spoke to the mother and family in Spanish and felt a compulsion as a representative of the people to meet with them and explain what the city process was and how an investigation would be launched; that he did ask the family if there were any remarks they wanted him to convey to the public and Administration and the mother pleaded with him that this should not be allowed to happen again and he was most disappointed that when he shared that message with the media the Mayor's response was that his actions had been despicable and all he had done was to carry the message the family had asked him to send to Council and the Administration; that it was no secret he had spoke about the Fire Department for a long time and they had problems, the staffing problems had been identified by the Mayor's own transition team over two years ago and by the Fire Chief and his 2001 budget request; that problems with equipment and policy had been identified in numerous studies that the city had paid hundreds of thousands of dollars for; that they had witnessed tragedies from Acres Homes to Kingwood to Station 18 and in looking at statistics on fire deaths in 1995 Houston had 14 fire deaths; in 1996 there were 18 fire deaths; 1997 there were 23 fire deaths; in 1998 there were 35 fire deaths; in 1999 there were 29 fire deaths and this year alone, just over halfway through the year there were 25 fire deaths and it was reasonable to anticipate they may reach 50 fire deaths; that another issue which disturbed him was he noticed according to the records of the Houston Fire Department that between June 15 and June 19 of this year there were six fire deaths and he asked his staff to call the Fire Department and find out if between those dates they were on critical resource dispatch and he was told the Fire Department no longer kept a log of critical resource dispatch and that was very disappointing; that the public and Council Members needed to know when the Fire Department was short of

equipment, the records should be kept and made available to Council and to constituents and during this time of crisis perhaps a written report should be issued to Council Members on a daily basis on how often the Fire Department was put on critical resource dispatch; that last summer after an ambulance took over 18 minutes to respond to a fatally wounded officer the Office of Inspector General took three weeks to issue a report which resulted in the suspension of several firefighters including the Chief of the Houston Fire Department; that larger issues of leadership, priorities, staffing, funding and moral were not addressed and a consultants report that did address some of the issues was not released in its 36 page original format, but sanitized before giving it to the Council Members and public as an 18 page brief and two months after it was completed and they could not let that happen again; that Ms. Lopez asked that this not happen again; that Council Members must demand to see the Tridata Report in its original form and the public must demand changes in the Houston Fire Department, people must speak up and call and write the Attorney General's Office and talk to media and elected officials, they must demand better basic services, it was their tax dollars and they deserved it. Council Members Galloway, Goldberg, Todd, Vasquez, Castillo and Bell absent.

Council Member Boney stated that they were required by law to review Affirmative Action and Disadvantaged Business Enterprise goals and to present them to the federal government on an annual basis and they were now at that period of time again and he was convening a meeting of the Minority Women Business Enterprise Small Contractor Development Committee Meeting at 1:30 p.m. today and he would appreciate Council Members attending; that he expected it to be brief as it was merely a review. Council Members Galloway, Goldberg, Todd, Vasquez, Castillo and Bell absent.

There being no further business before Council, the City Council adjourned at 11:54 a.m. upon MOTION by Council Member Robinson, seconded by Council Member Quan. All voting aye. Nays none. Council Members Galloway, Goldberg, Todd, Vasquez, Castillo and Bell absent. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary