

City Council Chamber, City Hall, Tuesday, August 29, 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, August 29, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Mr. Paul Bibler, Senior Counsel, City Attorney's Office, Mr. Richard Cantu, Director, Mayors Citizens Assistance Office; Ms. Marty Stein, Agenda Director present. Council Member Jew Don Boney, Jr. absent on personal business.

At 2:02 p.m. Mayor Brown stated that they wanted to get started with some presentations they had before the meeting of the City Council and wanted to begin by giving recognition to a group of young men present who had made the entire area very proud of them and that was the Bellaire Little Leaguers and presented a proclamation to each of them that stated that Lee P. Brown, Mayor of the City of Houston proclaimed Tuesday, August 29, 2000 as Bellaire Little League Day in Houston, Texas and invited the coaches and team to the podium to accept the proclamations. Council Members Todd, Vasquez, Castillo and Bell absent.

Coach Terry McConn thanked the City of Houston for all the support they had throughout the City all the way through their tournaments in Florida and Williamsport, that the support throughout the City had been tremendous and they really appreciated it and also appreciated the City of Houston for including them in the Comets Parade. Council Members Todd, Vasquez, Castillo and Bell absent.

Mayor Brown stated that most of them if not all of them watched with great pride their accomplishments these last few weeks and were very proud of them and encouraged everyone to go out to their parade on Wednesday night which was at 7:00 p.m. behind City Hall in the City of Bellaire. Council Members Todd, Vasquez, Castillo and Bell absent.

Council Member Tatro stated that in the week of champions it was only appropriate to continue the stream with Olympians, that he wanted to make a presentation to the 1999 U.S. Long Jump Champion and one time outdoor, that representing the United States at the Sydney Olympics was Dawn Burrell and Mayor Brown read a proclamation that stated that Lee P. Brown, Mayor of the City of Houston proclaimed Tuesday, August 29, 2000 as Dawn Burrell Day in Houston, Texas. Council Members Todd, Ellis, Keller, Vasquez, Castillo and Bell absent.

Ms. Susan Bandy of the Houston 2012 presented Ms. Burrell a 2012 Shirt and cap to take with her to Sydney. Council Members Todd, Ellis, Keller, Vasquez, Castillo and Bell absent. Council Members Todd, Ellis, Keller, Vasquez, Castillo and Bell absent.

Ms. Burrell stated that it was a very great honor to be present and to accept the award, that she appreciated the City for its support. Council Members Todd, Ellis, Keller, Vasquez, Castillo and Bell absent.

Council Member Galloway stated that this was a first, that as they all knew she was known as the Queen of trash abatement, that she had some constituents in her district that had come to the rescue for the City of Houston and was proud to have negotiated

with the Lakewood Church Family and Reverend Joel Osteen, that this was the first time that a church had presented some funds to the City to help eradicate illegal dumping and was displaying a check in the amount of \$19,000, that she wanted the Mayor to know it was specifically earmarked for District B for a camera to catch the illegal dumpers and wanted to thank Reverend Osteen and the Lakewood Church Family for the fantastic contribution, that she wanted more corporations and churches to give the City some money because they were all in it together. Council Members Todd, Ellis, Keller, Vasquez and Bell absent.

Mayor Brown stated that he also wanted to express his thanks to Lakewood Church for making the contribution, that it was a good example of being a good neighbor, and he also thanked Council Member Galloway for her hard work in bringing that community together, that now they found the situation where the church and all the neighborhood civic associations were working together around one cause and that was to make it a better neighborhood. Council Members Todd, Ellis, Keller, Vasquez and Bell absent.

Council Member Robinson stated that he had two presentations, that one was a presentation relative to September as Sickle Cell Month and invited Kenneth Beatty, Executive Director, Dr. Joye Carter, Chair of Medical Advisory Group, and Arnita Gates, President of the Board of the Sickle Cell Association of the Texas Gulf Coast to the podium and recognized other members of the contingency, otherwise known as the court, who were present and read a proclamation that stated that Lee P. Brown, Mayor of the City of Houston, proclaimed the month of September as National Sickle Cell Awareness Month in Houston, Texas. Council Members Todd, Ellis, Keller, Vasquez and Bell absent.

Mr. Beatty stated that their mission was knowledge, hope and promoting the search for a cure, that in 1971 a nurse by the name of Ann Norris in the likes of the honorable Barbara Jordon and Dr. John Codwell Senior, began a volunteer organization to help support individuals and their families living with Sickle Cell Disease as well as to bring attention to a very difficult, painful and dreaded disease, that thirty years later they were still in the business of working with and helping families who lived with that disease, that anyone who was aware of it knew that if they had a family member with Sickle Cell Disease the entire family was impacted, that they wanted to thank the City of Houston for their support and Mayor Brown and Council Member Robinson for their support as they go forward with National Sickle Cell Month in September. Council Members Ellis, Keller and Vasquez absent.

Dr. Carter stated they wanted to thank the Mayor and City Council Members for helping them start the month off, that Council Member Robinson was one of their honorary chairs, that they tapped Council Member Quan last year, that they would be asking all of them to participate, that Sickle Cell was a disease that just did not belong in the African American Community and they were trying to find a way to eradicate it for all citizens. Council Members Ellis, Keller and Vasquez absent.

Council Member Robinson stated that they started out with a presentation to the one of the outstanding baseball teams in the City and he wanted to use that as a jumping off point, that those young men were out and they watched them on television and some folks might be under the impression that it was still summer vacation when it

fact the kids were back in school and the Triple A of Texas, Lee Vela with Eller Media and the Southeast Texas Trauma Regional Advisory Council put together an educational campaign to try to let people know that school was back in and when school was open to slow down and that was what the little yellow billboards with the school bus were about, and invited Mr. George Clark, President of Triple A Texas and Mr. Lee Vela to the podium, that they wanted to keep on everybody's conscientious mind that they were still in the process, that it was a 35 billboard campaign around the State of Texas and 10 of the billboards had been donated in the City of Houston and because Mayor Brown had dedicated his administration to the children they wanted to continue to do the things that help young people and presented Mr. Clark and Mr. Vela with a certificate of appreciation. Council Members Keller and Vasquez absent.

Mayor Brown expressed his thanks and appreciation to both Mr. Clark and Mr. Vela and certainly to Council Member Robinson for taking on the initiative, that there was not enough that they could do for their children, that making them safe was the responsibility of the adults. Council Members Keller and Vasquez absent.

Mr. Vela stated that on behalf of Eller Media he was pleased to be present one more time with a project that was so important to all of them in the Houston area and that was protecting their children, that many folks did not remember that school was open and school was open at different times in the month of August and certainly they wanted to try to remind folks that it was open, slow down and watch for the children as they crossed, not only at the schools but throughout the entire City, that they were very pleased to be a part of it along with Triple A and the Southeast Trauma Center to bring the particular project to fruition, not only in Houston, but throughout the State of Texas. Council Members Goldberg and Vasquez absent.

Mr. Clark stated that he wanted to echo their thanks for all of their support, that last year they had a similar program and particularly wanted to recognize Council Member Robinson for his leadership, on a personal note he had three boys in school and last year they witnessed an accident right in front of their school and this year there were not accidents so he wanted to think the billboards helped and to recognize Council Member Robinson as the Chair he was presenting him with a plaque. Council Members Goldberg and Vasquez absent.

At 2:24 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Parker invited Reverend Howard Caesar, Senior Minister of Unity Church of Christianity to offer the prayer and Council Member Parker led everyone in the pledge of allegiance. Council Member Vasquez absent.

Mayor Brown requested the City Secretary to call the roll. Council Member Boney absent on personal business. Council Member Vasquez absent.

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

Council Member Sanchez moved to suspend the rules to hear Ms. Susan Monteverde out of order at this time, seconded by Council Member Tatro. All voting aye.

Nays none. Council Member Boney absent on personal business. Council Member Vasquez absent. MOTION 2000-1059 ADOPTED.

Mayor Brown requested the City Secretary to call the list of speakers.

Ms. Susana Monteverde, 4800 Calhoun, Houston, Texas 77204-4891 appeared and stated that she was Curator of Education at Blaffer Gallery, the art museum at the University of Houston, that tomorrow morning they might experience a little bit of traffic, that no they were not having another parade, instead people would be stopping to admire a beautiful brightly colored trailer parked on the Library Plaza, that the trailer was a Mobile Art Quest or MAC, a first of its kind interactive art museum for children, that MAC would travel free of charge to schools, libraries and family centers throughout Houston, bringing to children and their families the wonders of art and celebrating the process of creativity, a cornerstone of Blaffer Gallery's effort to reach out into the Houston Community, the MAC would touch the lives of close to 4,000 students in the Houston area by the end of the year, that she was present to extend to them a personal invitation to every one of them and their staff members to join them tomorrow in a celebration of the MAC, that they would begin after Council session at Library Plaza with students from Herrera Elementary and a proclamation by Mayor Brown, then they would move on to the Visitors Center for a lunch reception and hoped that all of them would attend, that it was a very exciting opportunity for all of them in reaching out to the young people in Houston. Council Member Vasquez absent.

Mr. Augustine J. Castillo, 1103 Erin, Houston, Texas 77009 (713-697-4253) appeared and stated that it was the second or third time he had been present and they were still having a problem of parked cars, that they just finished having a sidewalk on Collingsworth extended from Irvington to close to Hardy and that sidewalk was now a parking lot, that he did not know where to go, that he had already been to Irvington Village Wesley House, through the sergeants and captains, that it was not just Collingsworth, it was Irvington, Cavalcade, Harrisburg, Shepherd, that tickets were not enough, that property owners stated if they gave them the tickets they would still do their business, that auto repair shops were pulling up the hoods and working on the sidewalks, that grocery stores were parking their customers vehicles right on top of the sidewalks on Patton, that it was very frustrating, that their neighborhood looked trashy, that sidewalks were broken and curbs were busted and he did not know who was going to repair them in the future. Council Member Vasquez absent.

Mayor Brown asked if he was stating that he had no success with the efforts of the Police Department or Citizens Assistance Office and Mr. Castillo stated no, that he had a list from Neighborhood Protection, the heavy trash people, the Police Department and even the dumpsters were not helping on the sidewalks, and Mayor Brown stated that Mr. Morris, Citizens Assistance Office, would work with him to resolve the problems so that he would not have to come back and tell them about the problem again, and Mr. Castillo stated that he needed someone from the Police Department to review the neighborhood, and Mayor Brown stated that Assistant Chief Stewart was present and was available today, that they wanted to solve the problem, that Chief Stewart would report back to him as to how the problem had been resolved. Council Member Vasquez absent.

Council Member Castillo stated that the problem was consistency in enforcement, because it seemed like they went from a very intensive approach, and sometimes the

parking management people or beat cops acted rather capriciously and give a bunch of tickets and then would not come back for a while until someone complained, and in other cases there was not enforcement whatsoever so somewhere they had to find a happy medium and make it a part of everyday patrolling to maintain the sidewalks clear, that kids had to walk on those sidewalks to get to school and when the weather gets inclement it becomes even more necessary. Council Member Vasquez absent.

Mayor Brown stated that what Chief Stewart would do was to hold that officer assigned to the area accountable, and that officer's supervisor for getting the job done, that it was a matter of accountability and should not be a onetime only event, they should do it continuously. Council Member Vasquez absent.

Mr. Trent Winters, 7961 West Airport, Houston, Texas 77071 (713-729-1153) appeared and stated that it had been a while since he had been present, that back in the 60's and 70's a lot of people fought to make the Council look like it was right now, diversity with different ethnic backgrounds, that it saddened him and the people he had talked to, that the people gave their lives, went to jail or had their house bombed so that the us's could do the same thing to the us's, and implored them not to do politics as usual, that they did not fight and die and go through what they went through for them to be put on the City Council and do the same thing that they were doing back then, that it was primarily to the minorities right now, and the last point, that he talked to Council Member Boney about what happened with the immunization and his statement to him was that it was going to be a budget block, that to him immunizing their kids could not be a budget block, that it should not be a budget block and if it did then let it bust, that it was a sad state of affairs that they would not allow the money to help their kids get shots so they would not get certain diseases, to all of them who helped to do whatever was done to where it did not pass and on behalf of all the children who would not get shots, they ought to be ashamed of themselves. Council Member Vasquez and Sanchez absent.

Council Member Quan asked what he thought they were not doing as far as not looking after the welfare of the City and Mr. Winters stated that it was games, that the backdoor politics needed to stop, and Council Member Quan stated he was all for that to and anything they could to make government more open, and thought that everyone of them was dedicated to that. Council Members Vasquez and Sanchez absent.

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

Mr. Christopher Cato, 710 Voggess, Houston, Texas 77016 (713-633-3515) had reserved time to speak, but was not present when his name was called. Council Members Vasquez and Sanchez absent.

Ms. Damone Stewart, 8414 Parnell, Houston, Texas 77088 (281-448-2628) appeared and stated that he had a couple of questions he wanted to ask about his job, that he was employed by the City of Houston, that the first question was actually a statement, that his benefits would end on October 5, 2000 and asked how did the City decide if he was eligible for medical separation and if he was how long would it take after he submitted papers, and he was told that while the job search was going on he could apply for unemployment, and asked when could he do that and did he have to pay his

insurance while he was out, and if he applied for unemployment would his job search continue. Council Members Vasquez, Castillo, Parker and Sanchez absent.

Mayor Brown asked if he had spoken to anyone in Human Resources and did they have the answer to his questions, and Mr. Stewart stated that he had spoken to them but they were not able to answer all of his questions, and Mayor Brown stated that he was told that they had met with him and given him certain information, that he was injured on the job and during the recovery from the injuries he had been off duty, and Mr. Stewart stated yes, that he had been working the Employee Disability Referral Program, and that the effort would go on for 90 days and after that his department could put him on medical separation and his question was how would his department know if he was eligible for medical separation, that it was never answered, and Mayor Brown stated that he would have the appropriate person in Human Resources, that could answer all his questions, get in contact with him and answer his questions and help him in anyway they could. Council Members Vasquez, Castillo 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 Vasquez, Castillo, Parker and Sanchez absent.

Ms. Birdia Churchwell, 3310 Charleston, Houston, Texas 77021 (713-741-2739) appeared and stated that she was present to share with them that she had developed a solution to the health care crisis, that she did not know how that would sound to them, but she would like for them to know that the solution that they had developed was one that was based on scientific research and embraced the inner space focus of the 21st Century as opposed to the outer space focus of the 20th Century and would like for them to know that Houston could be number one, could be the first in the Nation to implement a center for empowerment of persons to participate meaningfully in their own health care, using the strategies that had now been approved and tested and validated medically and scientifically and that all of them at some time in their history had benefited from, that she just wanted to ask them, as the City of Houston, like to be number one in the Nation, that it was an approach that was accessible, efficacious, approachable, practical, low cost and one that was available to every citizen, and she asked if they would be willing to do that and also if they would be willing to provide her some technical assistance, some guidance and direction in organizing a center and sessions for people who were already ill and those who were in the workplace and need the strategist that she was talking about and would be willing to share with them, that she brought with her a couple of studies that had been done and they were perhaps aware that in 1992 the National Institute of Health sought a Congressional Mandate and received it for the approval of alternative medicine or the study of alternative medicine, and at that time eight areas were designated for study, that she had participated in the training at Harvard University in the spirituality and healing area, that she knew that Houston had taken the lead in so many wonderful things and just wanted to ask them if they wanted to be first to have a center and sessions for that particular area. Council Members Castillo and Sanchez absent.

Mayor Brown stated that Gloria Moreno from the Health Department would meet with her and work on it. Council Members Castillo and Sanchez absent.

Ms. Elanda Richard, P.O. Box 226, Houston, Texas 77038 (281-931-3016) had reserved time to speak, but was not present when her name was called. Council Members Castillo and Sanchez absent.

Mr. Monty Hanson, 9102 Arvin, Houston, Texas 77028 (281-862-9767) appeared and stated that he had some statistics and facts that were going to backup what he was going to ask and that was, did the City Council have the ability to try to start funding for a public skateboard park, that it would also cover BMX Bicycles and inline roller blades, that in September they would have the opening of the Van Skate Park on I-10 West which would represent the third skate park in the City of Houston that had opened in the past four years, that there was only a growing amount of people who rode skateboards, bicycles and inline's, that he could show them the need for a skate park in the City in that he could walk them around downtown itself and take them to areas that had been architecturally blocked off for skating inline's because of the amount of skaters who used downtown as a skate park because there was no public facility, that fees for a private skate park could run over \$250 for a year's worth of skating, in addition to the \$200 to \$250 for proper equipment and safety gear it could easily make it \$500 per year for a parent, which in some cases puts skateboarding, inlining and biking out of the reach of a certain group of Americans, especially in the Houston area, that he was 28 years old and had skated in Houston for 12 of those years back when Mayor Brown was still the Police Chief and Houston had a pretty relaxed attitude as far as it came to skating in public places, but it was still not acceptable to do in downtown Houston, that there were several places in Houston that had served as a type of underground skate parks, Easy 7, which was a drainage ditch on Watonga Parkway, that TC Jester Park had been Houston's unofficial skate park for over 20 years, that they could go down there on the weekends or any day of the week and find people riding it and they also maintain that the ditch was kept clear of debris, because they could not ride in it if there was debris, that there was no funding available for the riding of skateboards there, so it was basically just a grassroots activity, that he could tell them how skate boarding was a sport that had evolved over the past 30 years, from people nailing roller skates onto pieces of wood and imitating surfers to a sport that had basically influenced all of the motor extreme sports, such as snow boarding, BMX bicycling and inlining, that the sport inspired initiative and creativity. Council Members Galloway, Castillo and Sanchez absent.

Mayor Brown stated that Mr. Oliver Spellman, the Parks Director, did a master plan for the parks, he held hearings throughout the City and in Kingwood there was a great interest in a skating park in that area and he was planning on bringing before Council sometime a recommendation to accomplish that and asked if Mr. Hanson was aware of that, and Mr. Hanson stated no, that the project had been running for only two weeks now, but already the response he had gotten from everyone he had spoken to had been overwhelming, and Mayor Brown stated that Ms. Joy Sewing, from the Parks Department was present to meet with him and would take advantage of his offer to help with it. Council Members Galloway, Castillo and Sanchez absent.

Upon further discussion by Council, Council Member Todd stated that he supported what he was calling for, that he represented the area that included Kingwood and was at the CIP meetings where they had skateboarders who were asking for the City to build skateboarding parks, that folks had asked for skateboarding parks for two years, that the request for the parks had not only been in Kingwood but throughout his district, and asked Mr. Bibler how it worked on the liability side and did they have a statute in Texas

on extreme sports, and Mr. Bibler stated that he would be glad to look into that and would get back with him. Council Members Galloway, Vasquez, Castillo and Sanchez absent.

Council Member Parker stated that she was an advocate for special use parks, including skateboard parks and dog parks and had discussed it with Mr. Spellman on several occasions and presented parents who wanted to help organize the skateboard parks, that the liability issue had been the hang up and was glad to see that they were addressing it and discussing doing it through the State Legislature, that she would request that Council Member Sanchez consider adding that to one of the things they would do up in Austin next year, that it was an excellent idea and would encourage him to contact the folks up in Kingwood and the parks representatives who had been putting that park together. Council Members Galloway, Vasquez, Castillo and Sanchez absent.

Council Member Ellis asked if there were any private skateboard parks, and Mr. Hanson stated that yes, and that the third private skate park would be opening at the beginning of next month, that it was located over by Ikea, and Council Member Ellis asked Mayor Brown if Mr. Spellman was looking at possibly some study of the skateboard parks, and Mayor Brown stated not so much studying but he held the public hearings and a large number of people in Kingwood wanted one, that they had to find the resources. Council Members Galloway, Vasquez, Castillo and Sanchez absent.

Council Member Parker stated that Mr. Spellman did have all the information about how much it would cost and what kind of skateboard parks other cities had, because they had discussed it. Council Members Galloway, Vasquez, Castillo and Sanchez absent.

Council Member Keller asked if Mr. Hanson had talked to the owners of the skateboard park by Ikea, and Mr. Hanson stated that he had spoken to someone briefly, that he had e-mailed them and not received a reply yet; that it might be a franchise because Vans itself was sponsoring construction of skate parks all around the country, and Council Member Keller stated that maybe they would be the candidate to do another skate park out in Kingwood and maybe could do it faster than what the Parks Department could do, and Mr. Hanson stated it was possible, but his personal view was to try to attain something that was actually free, and Mayor Brown stated that he could see that there was a lot of interest in helping him accomplish his goals. Council Members Galloway, Vasquez, Castillo and Sanchez absent.

Mr. Carlos Lozano, 6234 Brook Lea, Houston, Texas 77087 (713-643-8264) appeared and thanked Council for the opportunity to speak and stated that was why he loved the United States and had become an American Citizen, that he was almost ready to move into his new house, that he and his only helper built in less than a year, that they did not use any special tools or fancy machinery, that it was ready except for the sewer line connection, that when he went to the City of Houston they provided him a blueprint that showed where the sewer pipe service was supposed to be, that he worked very hard and never found it, he then went back to the City and they gave him a second blueprint and he believed that it was wrong to, because he had already spent over \$1,000 looking for the famous pipe and had not found it, that he had been looking for help but they never came to help him, that he felt like a football because everyone was kicking him out of the way and guessed they forgot their duties, he did not know what they were doing but they did not help him, that it was a very long story and he did not have the time to tell it, but he had all details if anyone was interested and could share it with them later, that he called

Houston Lighting and Power and they went to his house and provided him with 3 free posts 150 feet from the street to his backyard and did not charge him anything, and that was what he called very good service, that he was not asking the City of Houston to bring him the pipe to the back of his yard, he just wanted them to put it where the blueprint showed, that was all he needed, he would do the rest, that 9 days ago he had appointment and the City said they would check the videos to check all the pipes and see if he had the pipe to provide the service and they asked for 24 hours to provide him the answer, that it was on a Monday, that he called during the week and finally on Friday afternoon he was told that they did not have videos for the section of his neighborhood, in other words it took one week just to tell him they did not have the video, that finally the last notice they gave him was that he would have to spend \$5,000 to \$10,000 so he could contract somebody to provide him the service and pipe, that he thought it was not fair and hoped that Council could help him and tell them just to do their job and their responsibility. Council Members Galloway, Parker, Sanchez and Robinson absent.

Mayor Brown stated that Mr. Wes Johnson, Public Works and Engineering would meet with him and have Public Works do what was necessary to resolve the problem, that if they were supposed to have the line going there they should be able to find it, if not do what was necessary to correct his problem. Council Members Galloway, Parker, Sanchez and Robinson absent.

Mr. Griff Griffin, Suffolk Dr., Houston, Texas 77027 (713-503-8064) appeared and stated what a great week of sports, that Houston Number One was a thrill for everybody, especially the Comets, they were an inspiration to all the young ladies in the City, that one of the big things he watched were the prices at the Comets games, that how many children were at the parade, how many people in general, because they could take the girls that had been brought up on Comets tickets, the prices were good, that it was a new league and they put it down low, but now they were coming back to the Arena again and they were working their productions, that he went before the Sports Authority the other day and mentioned to them that they were very close to getting a family section and the reason he was asking them to encourage the Sports Authority was because their spokesman stated they were discussing it, that all he was asking for was 500 tickets out of the 18,500 in the new arena, to a family section, not the last three rows or the nosebleed section, not cheap in the sense that they were not asking for nothing for nothing, they were talking about the \$20 tickets, where a guy could bring his two boys with him for \$80, and if they could not set aside 500 tickets, forty something games, 20,000 families could bring their family to see a Rocket game and if it was hockey the same way, that he guaranteed if they could get 500 for basketball they could get 1,000 from Mr. McNair, and that was a 1,000 seats in another stadium, that the kids had been going to the Comets games for the past four years, that everybody would think the same thing, why should they vote for the Arena when seven out of ten could not afford to buy a season ticket. Council Members Galloway, Todd, Parker, Sanchez and Robinson absent.

Upon questions by Mayor Brown, Mr. Griffin stated that they would work out the ticket distribution, that there were certain ways to tell so someone would not be scalping the tickets, that they would have a section designed for the families, that it would be 500 seats for every single game which would give a chance to 20,000, that they would make sure to spread it around.

Upon further discussion by Council, Council Member Goldberg stated that Mr. Griffin had been an advocate of the idea for a long time, and it was something that they seriously needed to look at and make sure that a broad segment of the community would be able to go to basketball and football games, that he was right that when they went to Comets games, because the price of the tickets were a lot lower, they saw a lot of families and children, and not so much the corporate structure and thought it was something that should be taken seriously, and Council Member Keller stated that Mr. Griffin had been a champion of children's causes for most of his life, and asked if other stadiums or franchises in the United States do something like it that they could imitate, and Mr. Griffin stated that a lot of them had different price structures and it depended on different arenas, that the Rockets would be the ones to oversee the dispensing of the tickets, that it would take a little bit of work, but could be done, that they did not want for the Arena to be for the elite or just the corporate guy, and Council Member Tatro stated that he knew that Mr. Griffin had put a lot of people in a lot of seats over the years in different sports venues, and asked if those agreements existed either at Enron Field or the proposed stadium and Mr. Griffin stated that Enron Field had 12,000 seats under \$10, and Mr. McNair stated that he would have seats where anybody could bring their children. Council Members Todd, Galloway, Parker, Sanchez and Robinson absent.

Mr. Homerzelle Rousseve, 6602 Sherwood, Houston, Texas 77021 (713-748-4594) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Todd, Parker, Sanchez and Robinson absent.

Mr. Rufus Brown, 5202 Chapman, Houston, Texas 77009 (713-692-0084) appeared and stated that he was present with three concerns from the Concerned Citizen Association which he represented and a forth coming organization yet to be named which was the management district on the other side of the bridge in the Ryan Addition, that the three issues he was concerned with were the proposed location of the Arena, the Main Street Light Rail Project and the removal of C. L. Jackson from the Sports Authority Board, that the proposed location of the Arena would be blocking Crawford Street and would inconvenience and interrupt 5,000 motorists daily drive to their destination and it would put senior citizens and non freeway users, lives in danger and would interrupt a historical and major thoroughfare, that number two, the proposed Main Street Light Rail Project would cause them to lose traffic lanes on Main Street, where there were six lanes now, there would only be two, one going in either direction, that it would inconvenience and interrupt 12,000 motorists daily, to drive to and from their destinations, and would put senior citizens and non freeway users lives in danger, that it would disrupt the historical parade route and would disrupt a historical and major thoroughfare, and he was disappointed at what happened at the last Sports Authority meeting where C. L. was removed, that he was fighting for his neighborhood at the time and was trying to help some people get their jobs back at the arena and two days later he got kicked off the board, that he knew they did not have anything to do with that, that it was a County thing, but hoped that it would never happen in the City of Houston, that he had been present on the same subject before and Mayor Brown stated he would get with traffic and find out what was really going on, that as a citizen born and raised in the City of Houston he felt they could not afford to have the disruption of those streets, Main Street and Crawford Street, that he was going to oppose the Arena as long as it blocked those streets. Council Members Galloway, Goldberg, Sanchez and Robinson absent.

Mayor Brown stated that the traffic people were working with the project and would make sure that the traffic would flow smoothly, that he initiated a major program to make Main Street their signature street in the City of Houston, that they had a coalition that involved every stake holder up and down Main Street that was working on it, and would guarantee that 15 to 20 years from now they would be very proud of Main Street. Council Members Galloway, Goldberg, Sanchez and Robinson absent.

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

Ms. Vera Hicks, P.O. Box 14534, Houston, Texas 77221 had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Sanchez and Robinson absent.

Mr. Paul Okuarume, 9301 Beechnut St., No. 1711, Houston, Texas 77030 (713-773-2820) appeared and stated that he was present to find out if he could be held at the Houston Zoo where he paid his fee, that he could be held and arrested there for criminal trespass, that he went to the Zoo and paid his fee, that the Zoo rangers fought with him and called the police, that his car was driven to the storage, that he was arrested and jailed for 3 days, that he got released but his car was still in storage and he wanted to know if he could be held at the Houston Zoo for criminal trespass. Council Members Galloway, Goldberg, Sanchez and Robinson absent.

Upon questions by Mayor Brown, Mr. Okuarume stated that it was his first day at the Zoo, that the rangers told him that he had walked through a restricted area of the Zoo, that he told them he did not know anything about that and they made mockery of his accent and stated they did not understand what he was saying, that as he was leaving they blocked him and jumped him, and Mayor Brown asked if he was really complaining about some Zoo employees as well as the Police Department and Mr. Okuarume stated yes, that he went to Internal Affairs and made a complaint, that he went to the Zoo yesterday and met with the Zoo Operation Manager, Mr. Michael, who told him to go to the City Council and make a verbal and written complaint, and Mayor Brown stated that Ms. Joy Sewing from the Zoo was present to meet with him and would explain how he would go about complaining against a Zoo employee and that he would find out why they sent him to Council to file a complaint and would not take care of it themselves, that there was an established procedure. Council Members Galloway, Goldberg, Sanchez, Bell and Robinson absent.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and voiced his religious opinions and sang until his time expired. Council Members Galloway, Goldberg, Sanchez and Robinson absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Sanchez and Robinson absent.

At 3:26 p.m. upon motion by Council Members Vasquez and Bell the City Council recessed until Wednesday, August 30, 2000 at 9:00 a.m. Council Member Boney absent

on personal business. Council Members Galloway, Goldberg, Sanchez and Robinson absent.

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, August 29, 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, Carroll G. Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Richard Lewis, Deputy Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Ms. Marty Stein, Agenda Director; Ms. Linda Layton, Agenda Office, present.

At 8:30 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:11 a.m. Mayor Brown called the meeting to order. Council Members Boney, Keller, Vasquez, Castillo, Sanchez and Bell absent.

MAYOR'S REPORT

HEARINGS

1. **PUBLIC HEARING** to consider amendments to **CHAPTER 42 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS - 9:00 A.M.** – was called.

Ms. Galye Ramsey, 1001 Bomar, Houston, Texas 77006 (713-529-7010) appeared and stated that Chapter 42 did not have a lot of things that they in the neighborhood were really crazy about, that one of the things that they felt it really needed was the notification and they were so pleased to see the notification proposed by Mr. Litke's office and they hoped that they would support it, that some members of the development community would tell them that it was too much trouble and cost too much, but they wanted to remind them that their residential assets were their single largest financial asset and investment, that they had an investment in the neighborhood and they needed to know what was going on and she felt fairly confident that most Council Members were willing to support the neighborhoods in their districts and at large in knowing what was going on in their neighborhoods, and she urged Council to vote to support it despite all the stuff that they would hear about it being a lot of trouble. Council Members Boney, Keller and Vasquez absent.

Mayor Brown asked the City Secretary to remind everyone of the Council rules on demonstrations in the Council Chambers, and the City Secretary stated that under the Rules of Council, any outburst of applause, boo's or anything of that nature were prohibited, that it just delayed the meeting and Council would appreciate their cooperation in observing that rule. Council Members Boney, Keller and Vasquez absent.

Mr. Ed Gonzales, 1518 Morse, Houston, Texas 77019 (713-526-2759) had reserved time to speak, but was not present when his name was called. Council Members Boney, Keller and Vasquez absent.

Mr. Mike Catrett, 417 Woodard, Houston, Texas 77009 (281-263-7397) appeared and stated that he was speaking in favor of the 200 foot notification for the neighborhoods, that why should they vote in favor of that, the only word he could come up with was volunteers, that volunteers in the City worked in the schools, their communities, soccer teams and their churches, that they extend the City services by a value of about half a billion dollars a year, that those volunteers worked very hard to make Houston a better place to live, what was the ordinance going to cost the developers, not very much money, a couple of hours that a clerk at a computer could pull up the addresses from HCAD home page, that they pulled them up all the time, that mail out costs could be about \$150 per mail out, that most civic clubs spend less time and money than that on their newsletter deliveries, that on the four or five civic clubs that he dealt with on a regular basis and around his community delivered newsletters by hand each month to over 20,000 different people, that 20,000 different people saw their news letters, was it too much to ask the developers to notify communities three or four houses deep away from where they were proposing the development, and he asked for their support of the 200 foot Notification Ordinance and Chapter 42. Council Members Boney, Keller and Vasquez absent.

Ms. Mary Lou Henry, 515 Post Oak Blvd., Houston, Texas 77027 (713-624-8666) appeared and stated that she was an urban planner and the National Chair of the College of Fellows of the American Institute of Certified Planners and was Vice President of Vernon G. Henry and Associates and they submitted well over 100 plats every year to the Houston Planning Commission on behalf of developers and builders, that the plats ranged from two single family home sites to office parks and industrial facilities such as landfills and power plants, that many of those plats required variances and would need notice under the proposed revisions to Chapter 42, that the current notices for re-plats were not informative and had bred great dissatisfaction with the Commission and City Government among the citizens that had received them, that spreading the same process would not be good for anyone, speakers at Commissions meetings virtually never address issues controlled by the Commission, that she supported the neighborhoods desire to know what was going on, but she sincerely thought they could develop a better means of doing it than the current proposal was and would ask them to separate the notification process from the other eight technical requirements, send those technical requirements on for a vote and send the notice procedure back to the Council committee so that they could work out a better, more informative, less costly and all together more satisfactory method for everyone. Council Members Boney, Keller and Sanchez absent.

Mr. Tom Northrup, 9328 Westview Dr., Houston, Texas 77055 (713-461-3489) had reserved time to speak, but was not present when his name was called. Council Members Boney, Keller and Sanchez absent.

Mr. Kerry Gilbert, 15810 Park Ten Place, Houston, Texas 77084 (281-579-0340) appeared and stated that he was President of Kerry Gilbert and Associates, they were a land planning and developing consulting firm in Houston and had been for the last 15 years, prior to that he proudly served as the Assistant Director of the Houston Planning Department, that his firm and some of his colleagues worked very hard with the City staff and various committees and organizations to help draft the changes they were considering, at least the eight technical ones, however the one on expanded notification presented a lot of concerns to them and they thought they were very serious concerns and did have to do with delay and money, but more importantly did not address what the

citizens and home owners would like to address and that was to be notified on issues that pertained to them, they thought if there was room for improvement in the verbiage of that particular section they too would like to see it sent back to the committee or just allow them more time to have some input into that particular segment of the ordinance, that Council Member Parker was nice enough to spend sometime with him and his colleagues and they had provided her with a package as well as the other Council Members that showed some examples and expressed some of their concerns with that particular portion of the ordinance. Council Members Boney, Keller and Sanchez absent.

Council Member Goldberg moved to suspend the rules to add Mr. Kirby Keahey to the speakers list, seconded by Council Member. All voting aye. Nays none. Council Members Boney, Keller and Sanchez absent. MOTION 2000-1060 ADOPTED.

Ms. Kay Crooker, 3711 San Felipe, Houston, Texas 77027 (713-621-4591) appeared and stated that she was a member of the Planning Commission but was present as a private citizen as the Planning Commission had not had an opportunity to discuss or have a workshop on the issues before them today, that the Chapter 42 revision went directly to the Council Committee without going to the Planning Committee, that the issues of adjacency and compatibility were the two issues that were so important to neighborhoods and thought any responsible developer would respect and honor how important the Houston neighborhoods were and acknowledge how important the issues of adjacency and compatibility were, that notice was the key component of that if a neighborhood wanted to know what was going on next door, across the street or in the same block and was hard pressed to think there was anybody on the City Council that would not acknowledge and respect that because they were all interested in neighborhoods and the quality of the neighborhoods so she would urge them to honor and respect the measures that had been proposed, the expanded notice and how important that was to neighborhoods, that there were other issues that deserved attention, like parking, that they were rapidly losing their inner city parking and there were provision in Chapter 42 that could alleviate that, but it only had limited success and deserved more attention, the issues of permeability deserved greater attention, that she just finished serving on a City committee that addressed clean air and science proved that greenspace and trees went a long way towards cleaning the air and were losing that rapidly because there were not adequate greenspace provisions and enough permeability left in the developments, that the greenspace requirements, the pocket parks, that the amount of greenspace required from the huge apartment complexes were inadequate and would urge them to look at that, that certainly the issues could be separated, which they heard before, but would urge that the technical changes proposed by the Planning Department and the Expanded Notification go forward and be acted upon by Council, but that there be a commitment from the Council and a timeframe in which they would address the issues of parking, greenspace and permeability, that they were critical to the future of the City. Council Members Boney and Sanchez absent.

Council Member Parker stated that to be fair they should say that the Chapter 42 changes were not adequately presented to the Planning Commission, that she understood that Ms. Crooker had been in meetings with a couple of the other planning commissioners to discuss changes to Chapter 42 and wanted to assure her that the other changes to Chapter 42 would be considered at a future time and would take plenty of time to go over them, that what was presented to them today were some minor housekeeping changes and the notification change, that any other changes to Chapter 42

would have to come later, that they were not off the table, they were still considering a number of other items and knew there were other planning commissioners interested in being involved in that process, and asked Ms. Crooker if she believed they could make some changes to what they passed that would improve the situation for both the neighborhoods and developers, and Ms. Crooker stated that she had some very amicable meetings with some other people in the development community and they all agreed how important notices were and issues of adjacency were important and did not think anyone had any difference of opinion on the 250 feet at all or the fact that it should go to everyone within the 250 feet from the boundaries and not just the ones within the original plat boundaries, which was only what State Law required, which had proven to be very inadequate, so the fact that it would go 250 feet from the boundary of the parcel there would be a sign and all variances and special exceptions. Council Members Boney and Sanchez absent. Council Members Boney, Todd and Sanchez absent.

Council Member Keller stated that any developer worth his salt was wanting to do things the right way, that what he would like for them to do was really analyze and dissect and go through Chapter 42 in a very serious way with their input and asked what her thoughts were on that and Ms. Crooker stated that the technical considerations that the Planning Department was recommending were housekeeping matters that needed to be done to make their work go more efficiently and would benefit everyone, that on the notice she thought it was something that was proven to be a problem and there was such a pressure from the public for better notice from the neighborhoods because of so many things that had happened. Council Members Boney, Todd and Sanchez absent.

Mr. Mark Kilkenny, 8307 Wateka, Houston, Texas 77074 (713-802-7900) appeared and stated that he was present on the modifications to Chapter 42, that he was currently serving his second term on the City Planning Commission, that he was not present as a representative of the commission but as a concerned citizen and a member of the development community, that the amendments to Chapter 42 before them was a document that was enacted a little over a year ago with approximately eight issues technical in issue and the initiation of an expanded notification process for variances and special exceptions on any plat, residential, commercial or otherwise, that was located within the City limits, that he was in support of the passage of the eight technical issues but was concerned that the impact of the expanded notification process as drafted went beyond the original intent desired by the Council subcommittee and he respectfully requested that Council consider returning the expanded notification portion of the amendment to the subcommittee for further review and discussion, that he supported expanded notification in particular instances, both as a developer and a member of the Planning Commission, that expanded notification should give adjoining residential owners of property the opportunity to have input on matters affecting their neighborhoods, such as stub street extensions, street widening and building line alterations to mention a few, those were variances and special exceptions that were generally external in nature to a pending plat, however expanded notification for matters internal to a plat, many times technical in nature and of no impact to adjoining property owners, would only result in significant time delays for the development community in delivering a product that could be a benefit to the City, neighborhood as well as ultimately profit for the developing landowner, as such he had circulated a proposal that was being submitted for their consideration to better differentiate those variances or special exceptions that were external from those that were internal and in turn use the expanded notice to improve information available to those living around new development in matters that may affect

them, that in a further effort to discuss the impact of the proposed amendments to Chapter 42 the Planning Commission would have on its agenda an item at its next regular meeting, September 7, 2000 to establish a workshop to review the changes and their implementation. Council Members Galloway, Todd and Sanchez absent.

Mr. Mark Kaufman, 16000 Memorial Drive, Houston, Texas 77027 (281-558-8787) appeared and distributed handouts to Council and stated that he was the CEO of Kaufman Meeks + Partners, an architectural planning firm that had been based in Houston for 26 years, they had offices in Newport Beach, California and Barcelona, Spain and designed and planned housing developments of all types all over the world, that approximately 3 years ago they created a company called KFarrel One Limited, that was known in doing business in Houston as Parkside to develop and build affordable housing, not just throughout Houston, but throughout America, that 3 years ago Chapter 42 did not exist, they worked with Bob Litke in the Planning Department creating an exciting design that would allow them not only to build affordable housing, but to build it without assistance, that when they started they were fortunate enough to get \$600,000 worth of assistance from Harris County Community Development for their home buyers, that Chapter 42 did not allow them to build affordable housing in the City of Houston or in the ETJ as the land was relatively inexpensive outside the 610 Loop and in the ETJ, that when they went before the Planning Commission there were no variances permitted, that they needed the creative Planning Department of the City of Houston to have some kind of vehicle to permit creativity and innovation in housing, that affordable housing by itself was very difficult to do, much less to do it market rate, that all of their homes sold for the same prices, with assistance or not, they needed to work outside the box. Council Members Galloway and Sanchez absent.

Council Member Quan asked if the density issue was what did not allow Parkside and similar developments to exist within the Loop and Mr. Kaufman stated setback issues, that they developed between 6 1/2 to 8 units to the acre in the suburbs and referred to the photographs in his handout, and Council Member Quan stated they would visit more on that. Council Members Galloway and Sanchez absent.

Council Member Castillo asked that Mr. Litke give them what the proposed regulation was on setbacks and related items and Mr. Litke stated there was nothing in their proposal that would change the issue of setbacks and variances, but would point out that Mr. Kaufman did obtain variances from the Planning Commission for his particular development, that he had to work very hard to document the case. Council Members Galloway and Sanchez absent.

Mr. Mike O'Brien, 12800 Briar Forest House 154, Houston, Texas 77077 (281-496-0752) appeared and stated that he was President of the Houston Homeowners Association, that he strongly urged that Council support the amendments all nine of them, that they put it on the agenda as soon as possible and pass it on, that neighborhoods wanted to be informed, that the process started when he wrote a letter to Mayor Brown dated June 5, 2000 after the Gramsey Park fiasco, where property owners that abutted the property that was going to have the 19 story condominium were not notified, and his understanding was that after Mayor Brown received the letter he went to Mr. Litke, the Planning Director, that they originally asked for notification on all platting activity and notification to property owners within 500 feet and notification to civic associations, that Mr. Litke came back with what he thought was something he could live with and so stated

at an August 10, 2000 Planning Commission meeting, that he had stated it was doable with his current staff, that they supported it, that neighborhoods were informed and could point to people in the room that had spent a great deal of time on Chapter 42, they wanted to know what was going on in their neighborhoods, that the Houston Homeowners Association was on record on a number of occasions of wanting to standardize the notification process and all the ordinances. Council Members Tatro, Galloway, Sanchez and Robinson absent.

Council Member Parker asked Mr. O'Brien if in his opinion was there a possible compromise, and Mr. O'Brien stated that they originally asked for all notification of platting activity up to 500 feet, but they wanted to be informed about what was going on in their neighborhoods, and he asked Mr. Litke if he stated that all urban things were internal and Mr. Litke stated that what he stated was that in his opinion almost all so called urban variances would have external affects and the so called internal approach would be applicable in limited cases in larger subdivision than they saw in the inner city. Council Members Tatro, Galloway, Vasquez, Sanchez and Robinson absent.

Council Member Keller asked if it was limited to home ownership and Mr. Litke stated no it would not, that it would be notification with respect to any variance or special exception and all property owners within 250 feet would receive notification as well as the civic association, just property owners. Council Members Galloway, Vasquez, Sanchez and Robinson absent.

Mr. Jack Rose, 805 Harold, Houston, Texas 77006 (713-460-0264) appeared and stated that he was President of the Neartown Association, that they had no real purpose other than to serve the community and inform them of what was going on, that people spend their hard earned money buying membership to their organization because they wanted information, they wanted knowledge about what was going on in the neighborhood around them, that it was not something unique to Neartown but probably true for every civic organization in the area, including the Houston Homeowners Association, that what Mr. Litke had proposed was a intelligent and sound proposal, that the Neartown Association and its members were not anti development or anti townhome, but they thought there was a disagreement about how the proposal was going to affect them, that most of their members did not relish the fact of going down to every Planning Commission Meeting and griping about every little variance was happening, that when they felt that something bad was happening in the neighborhood, with regard to a variance, would show up and express their opinion, and urged that they support the proposal in its entirety because it was workable as it was. Council Members Vasquez and Castillo absent.

Council Member Galloway recognized some ladies from the Goodwill Industries Welfare to Work Pride Program and asked that they stand and be recognized, and Mayor Brown welcome them and stated he hoped they found the Council meeting exciting, energizing and educational. Council Member Vasquez absent.

Mr. Allen Tiller, 611 E. 9th, Houston, Texas 77007 (713-658-2504) appeared and stated that he was President of the Houston Heights Association, the principal resident based organization concerned with preserving the historical integrity and character of the Houston Heights neighborhoods, that he was present in favor of the proposed changes to Section 42-47 and 48 of the City Code which would add certain notification

requirements for applicants for variances from Chapter 42, that the requirements made imminent good sense, that the whole purpose of the existence of Chapter 42, as he understood it, was to impose certain restrictions on development in order to serve certain public policies and interests of the City, that was of its citizenry, to a certain extent the citizenry can and must rely upon the paid staff of the City and on the volunteers of the Planning Commission to represent their interests, particularly with respect to determining whether an applicant for a platting had complied with the published requirements of the law, that the situation was different with regard to variances from the published requirements of the law, that in those cases it was quite appropriate to have an opportunity for public input and as the law provided to notify the public of the right, that the primary purpose was to determine if granting the variance would serve the public's interest, that to deny the right of notice was essentially the same as denying the public of any right of input, that it might serve the short term interest of the developer, but not the long term interest of confidence in government, therefore respectfully requested their support for the proposed notification requirements for variances. Council Members Boney and Vasquez absent.

Mr. Jeff Berry, 2402 Elmen Street, Houston, Texas 77019 (713-754-7005) had reserved time to speak, but was not present when his name was called. Council Members Boney and Vasquez absent.

Mr. Jim Box, 15320 Clevedon, Houston, Texas 77040 (713-937-1813) appeared and stated that he was speaking for the Houston Real Estate Council and the Houston Developers Council and chaired one of the committees that drafted the ordinance, that basically they asked that Council approve the technical part and separate the notice, that they needed to go back to the drawing board and fine tune the notification part of the ordinance, that they recognized some changes to be made that would make it more effective and more palpable to the neighborhood, that they had been working with the Planning Commissioners trying to come up with something that would be palpable to the neighborhood as well as the development community. Council Members Boney and Vasquez absent.

Council Member Quan asked what alternatives were they looking at, and Mr. Box stated if they were going to develop inside the City particularly they were going to have some variances, because it just did not fit, that most of the testimony given before the Planning Commission had to do with zoning and not the variance, that it was not a matter of the form of notice, but the type of variance they were really concerned about, that it had been expressed to the committee and Mr. Litke. Council Member Boney and Bell absent.

Council Member Keller asked that Mr. Box submit to him the recommendations that he would have Council consider if they decide to reconsider or rework the suburban part of the equation, and Mr. Box stated yes he would. Council Member Galloway, Goldberg, Boney, Todd, Vasquez and Bell absent.

Council Member Tatro asked Mr. Box if any of the organizations that he represented submitted any of the separate technical variances that their groups would like to see pulled out from the notification, and Mr. Box stated they had worked and supported the efforts of the Planning Group and Toy Wood was present representing the Builders

Association, that they had been in very close contact. Council Members Galloway, Goldberg, Boney, Vasquez and Bell absent.

Council Member Parker stated she appreciated all the folks from the development community who expressed an interest in neighborhood notification and stated she hated to pass only the technical items, that they really seemed to be talking about a fairly small but significant portion of the notification, which was whether they could make a distinction between external or internal variances, or minor or major variances, and did not know if they could put in ordinance form a rule that would easily draw that distinction, that there were a number of other proposed changes to Chapter 42 that were still floating out there and would be considered in the next few months and asked if Mr. Box stated that the biggest consideration was how much of a delay it added to the process from the City's side and she understood it would average about two weeks and asked Mr. Litke to explain, and Mr. Litke stated that technically the requirements for posting would in fact add two weeks, however if developers worked with staff up front, it could reduce the overall time by eliminating issues that lead to deferral, that it would add two weeks to the overall process. Council Members Boney, Keller, Vasquez and Bell absent.

Ms. Katie Dorfman, 1710 Albans, Houston, Texas 77005 (713-524-8146) appeared and stated that she was a representative of the Boulevard Oaks Civic Association and stated there was no doubt in her mind that there would be some increased costs to the developers under the proposed notification system, however they could not simply look at the cost that the system imposed on them, they must also look at the cost imposed on the neighborhood residents, that last year she spent over 1,500 hours of volunteer time helping various neighborhoods in and around Boulevard Oaks deal with new development and worked every day with lots of other people who donate similar amounts of time on those issues, that while the proposed notification procedures would not be the cure all for all problems faced by the neighborhoods, it would solve some of the problems as it reduces the overall cost of the current system, that in addition the revised notification system would mean that the neighborhood leaders would automatically receive notification of the re-plats and would be able to take any necessary action in a timely and organized manner, that she had the utmost confidence in their City Planning Staff, however she would never go into a neighborhood and try to determine what should be done there without input from the residents, and knew that the Planning staff did not want to do that either, that increasing the flow of information would only make the system better, that the revised notification procedure takes them further in the right direction and strongly urged them to support it. Council Members Galloway, Boney, Keller, Vasquez, Parker and Bell absent.

Mr. Monty McDannald, 4 W. 11th Place, Houston, Texas 77005 (713-961-7683) appeared and stated that he was the President of the Museum Area Municipal Association, MAMA, and was present to speak in favor of the notification proposal, that it was a vast improvement, that the notification was spotlighted several months ago when they protested a plat by a developer building a Montrose high rise before the Planning Commission, that unfortunately they only found out about it the day before it was going for its final approval, that they were not aware it was under preliminary discussions that prior month, if the proposal had been in effect they would have known about the preliminary hearings, that he agreed that developers needed predictability, however homeowners also needed predictability in protecting their investment in their homes, that he disagreed that plats that came up for discussion had not impact on communities, that

he disagreed that homeowners and the community was uninformed, that the City needed input from the community. Council Members Boney and Parker absent.

Ms. Wendy Laubach, 4510 Stillbrooke, Houston, Texas 77035 (713-729-7421) appeared and stated that she was the President of the Willowbend Civic Club, a neighborhood in Southwest Houston with about 750 homes and was present to speak in favor of the proposed changes to Chapter 42, particularly in connection with the notification procedures for neighborhoods, and suggested that neighborhoods like Willowbend needed notice of any variances that changed at all what the published standards were that they had been relying on up to that point, that they would like the opportunity to decide for themselves whether it had impact on them or not, that if it caused controversy it was exactly the kind of thing the neighborhood needed to know about, and urged Council not to dilute the proposal. Council Member Boney absent.

Ms. Janet Bechheit, 1620 Columbia, Houston, Texas 77008 (713-229-1894) appeared and stated that she was on the Board of the Houston Heights Association and also Chair of the Code Enforcement Deed Restriction Committee and was present as one of the neighborhood representative to speak in support of the amendments to Chapter 42 that would improve notification to civic organizations, and asked the people present to stand and show support. Council Members Tatro, Boney and Todd absent.

Ms. Pam Higgins, 1706 Albans, Houston, Texas 77005 (713-524-0180) appeared and stated that she was present to speak for the notification process, that she had heard a lot of conversation about the potential expense both to the developers in the form of delays as well as to the City in the form of increased notification, however she echoed that the cost to the neighborhood had not been assessed, that recently they had a re plat a block from her house, she did not live within the footage and consequently she was not informed and as a result of the re plat two large homes were torn down and a vacant lot was left and had become overrun with weeds and debris, that the notification process would have helped the neighborhood and City. Council Member Quan absent.

Mr. David Pevear, 1415 Kipling, Houston, Texas 77006 (713-529-8909) appeared and stated that he was President of the WAMM Association, that he was present to offer strong support, personal and of the civic association, for all of the proposed amendments of Chapter 42, but especially the notification process, that they were a simple and low cost solution to a difficult problem, in the long run it would reduce costs overall if they considered all the time the neighborhood spent on those kind of issues, they had a somewhat complicated and ad hoc system of land use in Houston and owners and especially civic associations through deed restrictions committee's were the legal enforcers of deed restrictions, that they were all volunteers, that without notification they had to watch construction activity, call builders, owners, and the City and wade through a bureaucracy in order to find out what was going on in their neighborhoods, that builders would not and never would volunteer information to people in the neighborhood, he had never seen that happen, that once a development activity had started that in some way violates deed restrictions or even Chapter 42 it was a very bothersome and costly process for the owners, developers, civic associations and the City, they had seen numerous examples of it, that the developers should notify the civic club of all platting changes, variances and important new construction, both internal and external, that he had heard absolutely no useful alternatives to the simple proposed amendment given by

the people who had attempted to modify or oppose the amendment on notification. Council Members Boney and Castillo absent.

Council Member Keller stated that the way to really rectify their concerns was to increase their deed restriction department, that regardless of Council passing the language they were still vulnerable because nothing got done until enforcement, that what they were voting on were words, that eventually what they had to do was enforce. Council Member Boney absent.

Council Member Robinson asked Mr. Litke what was the process used to come up with the notification process and who was involved in terms of input, and Mr. Litke stated that the Houston Homeowners Association and others proposed in written form to the Council Member Parker's committee that there be notification within 500 feet of every proposed development that takes place, that he wrote an analysis of that to the committee and the Mayor suggesting that it was an impossible thing for them to handle and he suggested some alternatives and then the Council Committee discussed those alternatives and moved forward with it, and Council Member Robinson asked what kind of notification was given to everybody that might be interested in having some input, and Mr. Litke stated that Council Member Parker's committee meetings were public and well attended and representatives from the Greater Houston Home Builders Association were there and in fact spoke to the particular proposals and raised some objections to them and some indications of support, that there was public discussion at the committee level, the totality of the development community may not have been there but it was certainly assumed on his part that they were involved because the GHBA was there and so were other people. Council Member Boney absent.

Council Member Parker stated that notification was her responsibility and anyone who requested to be notified of committee meetings was added to an e-mail or fax list, in addition to the regular public postings, that she had private meetings with representatives of Perry Homes and GHBA who tended to monitor every time they dealt with planning issues before it was voted on in committee and they were present at all of the committee meetings dealing with Chapter 42, there was a letter of support from GHBA for the item, that what she thought happened was that there were some unintended consequences perceived by the development community after the item went through Council and they were trying to sort those out, but she assured them that her list of people who wanted to be notified of committee meetings had broadened considerably since it happened, but anybody who expressed interest and the development community was certainly informed through groups like GHBA. Council Member Boney absent.

Council Member Robinson asked if anybody in the development community submitted any written commentary or counter proposals or was it just a letter of support, and was the letter of support relative to notification, and Council Member Parker stated that most of the debate in the committee centered on the placement of signs and the size of signs, that Mr. Litke had already amended the original proposal to limit the notification to those items at which the Planning Committee actually had discretion and it took a lot of things off the table that had originally been raised by the development community. Council Members Boney and Castillo absent.

Mr. Joseph Santamaria, 7337 Sunset Boulevard, Houston, Texas 77005 (713-871-7204) appeared and stated that he was the President of the South Hampton

Extension Civic Club, that they were adjacent to University Village and had unrestricted areas on three sides of their subdivision, that he also represented South Hampton Civic Club which was immediately to the east, as well as a member of the Board of the University Place Association and was present to speak strongly in favor of the neighborhood notification as it was currently set out in Chapter 42, that it was important that neighborhoods such as theirs know in advance of things that were happening around them, that they did a good job of keeping their own subdivision in check, but there was not a lot they could do if something was happening outside of their borders, that a lot of the prior discussion was a little bit of a smoke screen from the developers and thought they could put it back in committee and it could keep going on and on without proper notification, that it was a lot easier to talk about something up front in the preliminary phase than it was to get into lawsuits over enforcement issues.

Council Member Castillo moved to suspend the rules for the presentation of the financial report, and was seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-1061 ADOPTED.

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

Ms. Sylvia Garcia, City Controller, stated that she was pleased to present the financial report for the month of July, the first month of the current fiscal year, that changes were made in the preliminary numbers for the pending year FY2000, estimates indicated that the Fiscal Year 2000 Ending Fund Balance in the General Fund would be at \$69.4 million and in the last report it was at \$74.6 million and the reason for the change was that they had received about \$2.4 Million less than expected in the sales taxes and about \$1.1 million less than August of last year; that the total number of \$69.4 million represented 6.5 in the Excess Fund Balance rather than the 7.5% mandated by City Council; that they had no projection of any excess Reserve Fund Balance at the end of the last fiscal year; that for the current fiscal year revenues were projected at budget except for sales tax and an adjustment was made and it was brought down by \$5.5 million; that expenditures were reported at budget and they would continue to look at all revenue forecast closely and they would work with the Administration to watch the expenditure side and would alert Council of any changes when necessary.

Ms. Sara Culbreth, Acting Director F & A, stated that their report for the first reporting period ending July 31 for 2001 and she too would like to comment on the Fiscal Year 2000; that numbers reported in the report were preliminary CAFR numbers and were subject to change, however, and did not believe they would be significant; that regarding the Fund Balance they were projected to be at \$69.4 million for the end of the fiscal year and that was about 6.6% of the expenditures less debt service which was about \$10,000,000 less than the 7 1/2% goal or about \$17,000,000 in excess of the 5%; that relative to projections included in last months report for the period in June there were changes made to the revenue, as the Controller indicted the sales tax receipts for the last two months were not as positive as anticipated, the last month indicated the year sales tax was 2.8% over the prior fiscal year compared to an average growth of somewhere around 4 1/2%; that other items on expenditures had items they were still in

conversation with the Controller's Office on that would be handled during the audit process on the expenditure side that could change some numbers although as indicated not significantly, however, departments were able to come in under budget for FY 2000 about \$25,000,000 to \$27,000,000; that in total overall on the expenditure side they were under the General Fund original adopted budget by \$22,000,000 and on the revenue side they were under the original adopted budget by \$38,000,000; that relative to 01 their projections were at budget in all funds, in both revenues and expenditures, and as the Controller indicated they had adjusted their sales tax numbers; that the F & A Department, however, had not adjusted theirs although they did disclose to the Fiscal Affairs Committee Meeting yesterday that because of the year end growth numbers not being as significant as they had wanted for the FY 2000 it did have some implication on the growth projected for FY 2001; that they had not adjusted the numbers and were expecting the final completed report from Dr. Smith forecasting the sales tax and should that modeling indicate that sales tax should be adjusted then they would do that.

Council Member Bell stated that he appreciated the disclosures made by the Controller and the Finance and Administration Departments at the Fiscal Affairs Meeting yesterday; that he believed most had a fear of shortfall because last year they found themselves in a similar position early in the budget cycle and as the year proceeded it became worse and worse; and upon questions, Ms. Garcia stated that as she indicated yesterday at the meeting they kept the 4% growth rate and applied it to the preliminary CAFR number rather than projected number and they would continue to closely monitor the sales tax and work with the State Comptroller to ensure they get ahead as much as they could and project things early and bring it to Council's attention so they could make changes; that on the Court side, the secondary area of concern, it was disappointing that the first month there were less than anticipated ticket writings, but in this area the Administration had more control as opposed to sales tax and some things could be done at the courts to enhance the collection area and both areas were on her watch list. Ms. Culbreth stated that she too would echo the fact that monitoring revenue was important and once the report was received from Dr. Smith they could look at his modeling and forecast methods on sales tax; that sales tax was extremely unpredictable and volatile, however, at this point they had an edge on sales tax they did not have last year in that they did know now that it was the non-retail side and certainly volatile and that needed to be monitored and they would do that; and relative to the Municipal Court fines and forfeits they did not have as much control over that, the year ended in FY 2000 with an average daily ticket issuance of around 2,700 which was what the budget for 2001 was developed in using; that at this point the 2,700 may be more realistic than conservative as in July of this fiscal year the average daily ticket issuance was just under 2,700 and through August 24 the daily average ticket issuance was around 2,800 and that would be monitored and Council would be made aware of any adjustment being needed. Council Member Bell stated that he hoped the issue of Municipal Courts would be an ongoing discussion between the Administration, Courts and Police to work for everyone; that the dismissal rate was way too high and a procedure needed to be built in to address it. Ms. Culbreth stated that she did agree and they would have the meetings and stay in closer contact briefing the Fiscal Affairs Committee Meetings regularly on that particular subject.

Upon questions by Council Member Tatro, Ms. Culbreth stated that during FY 2000 they made two cash transfers of \$40,000,000 which they repaid and at the end of the year they transferred \$20,000,000 and that was repaid as well. Council Member Tatro

stated that it was true they did not have control over the sales tax but did over the estimates and was concerned when he heard it was volatile because they had increased 3% to 3 1/2% and he believed the estimates were volatile that he pointed out in March he received an estimate for electrical franchise from Reliant Energy and they were estimating about \$2.5 million less than the Administration and about what the Controller was estimating and it took the Administration 2 1/2 months to come to those numbers and they were available from Reliant and he hoped she would place more reliance on their estimates of those franchises as they were in tuned to what those fees were; that so early into the game they were looking at a change in the sales tax projections and he heard the Administration would be utilizing Mr. Smith's projections and he had a big concern there that if he gave a thumbs up they could continue to spend at the same rate and his recommendation would be to adopt a policy more in line with what the Controller's was on sales tax projections, months from now he did not want to be pointing a finger at Barton Smith saying he was the one goofing up, the accountability needed to be in-house and he hoped the Administration would work with the Controller in arriving at those rather than an outside source. Council Member Bell absent.

Council Member Keller stated that he commended the Mayor on establishing a taskforce to overhaul Municipal Courts and get to the bottom of it; that based on the first three months they were talking of numbers from \$14,000,000 to \$17,000,000 and he commended him and the Administration if they could come up with that; that the legislative process was starting soon and as Council exercised themselves in a nonpartisan way and strove to do that state politics did not and he was not certain of the makeup of the city's lobbying team, but other cities were not having the same problems in determining state sales tax and he hoped he was wrong, but if 50% of the lobbying team was of the same party as the state leadership it might help to get a better relationship with the State Comptroller's Office and maybe clear up numbers; and Ms. Culbreth stated that they had discussion with the State Comptroller's Office and Dallas had experienced the same numbers with sales tax, however, their growth was higher; that the volatility in that they had no growth in sales tax or reduced growth and then two months of double digit growth in sales tax was what she meant when referring to volatility; that regarding Austin they were in double digit growth so the significance of volatility in sales tax may not be as greatly noticed in that regard; that when she visited with the Comptroller's Office last spring they felt the growth for Houston would be closer to 5% and that had not materialized; that she has had no problem working with them and they had been very forthcoming in giving more detailed information. Upon further questions, Ms. Garcia stated that she had a very excellent relationship with the State Comptroller that they had visited them on occasion and they had visited with them; that the city as a whole had a good working relationship. Council Members Goldberg, Ellis, Parker ad Bell absent.

Mayor Brown stated that he wanted to remind Council Members there was a Public Hearing to continue and the complete Agenda and he would urge gravity in their questions. Council Members Goldberg, Ellis, Parker ad Bell absent.

Council Member Todd stated that he thanked the Controller and F & A for giving a full presentation at yesterday's Fiscal Affairs Meeting; that problems were not just in forecasting revenue but also expenditures and he felt at times the problem was being overly optimistic and it was discouraging that they continuously missed the ball on forecasting the sales tax revenue and more disturbing was that they could not forecast

expenditures; that he knew a part of the shortfall was a judgement paid, but the judgement was based on a verdict and they knew the verdict was against them and the amount and that could be contemplated plus interest and he did not know how that could be missed; that while they were doing an audit in the Legal Department perhaps it would be wise to extend to that how they forecast judgments and pay and factor in appeals in the budget process, they could not just assume they would win on appeals; and he wanted to comment on a non fiscal issue, on the performance measures in the back of the Monthly Financial Report there was a section on contracted overlays and in-house overlays and they were planning on doubling contracted overlays in the coming year and he noted in the first month of this year they reported no contracted overlays and if they planned on doubling he would think they would do it equally spaced over time and he did not know if that was a misprint or because it was the first month and slow in getting back, but would request that Public Works get back to Council with a report on how they intended to do the overlays as his constituents were clamoring for them; and Mayor Brown stated that it would be done. Council Members Ellis, Castillo, Parker and Bell absent.

Council Member Robinson stated that he apologized to those present for the hearing, but he felt the primary responsibility was taking care of their tax dollars and then working their way down; that relative to the Municipal Courts he was not just interested in tickets written but in the dismissal rate and he assumed that would be a part of the discussion and solution; and Ms. Culbreth stated that was being looked at and the dismissal rate at one time had reached 70% and now it was about 58%. Council Member Robinson stated that another thing he mentioned yesterday was the delinquent ticket collection, if there was a problem in the contract it needed to be fixed because there was still a chance to collect revenue on the delinquent tickets; that another issue for him, and a broader policy issue, was when they talked about the fact that the reality of the fund balance was there was not \$69,000,000 sitting in cash any place and there were cash flow issues; that they had \$100,000,000 in trans authorization and he wanted to make sure that was enough for the spots where they had cash flow issues and if it was not he would rather everyone come back early and add additional authorization so at those cash flow times there would be enough money to borrow and pay bills because the money would be coming in later relative to property and sales tax collection; and Ms. Culbreth stated that this year their trans authorization was up to \$200,000,000 so they had that and additionally the initial trans borrowing they did was \$160,000,000 with the authorization to go to \$200,000,000 and they would inform Council of what the cash position was in a timely manner. Council Member Robinson stated that he was also interested in how they would close the trajectory lines so they would have the ability from a cash point of view to take money off to a cash base cumulative rainy day type account where you actually set aside cash money because in his mind if you had your own money you could borrow from yourself as opposed to the trans authorization or the Any Lawful Purpose Fund; that the other issue since he had been here was that the one source of revenue that had outperformed itself was property taxes and he would not be surprised if they outperformed projections again and if they could not do a property tax he hoped they could at least look at a tax payer dividend program like other cities around the state so in good circumstances they would have the mechanism in place to sit down and invest and with leftover monies pay a dividend. Council Member Keller absent.

Council Member Castillo moved to accept the Monthly Financial Operating Report, and was seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Keller absent. MOTION 2000-1062 ADOPTED.

Mayor Brown stated that Council would now go back to the public hearing; and asked the City Secretary called the next speaker. Council Member Keller absent.

Ms. Evalyn Krudy, 2038 Milford, Houston, Texas 77098 (713-807-1787) appeared and stated that she was present on behalf of the University Place Association and University Place Super Neighborhood Council; that neighborhood notification was the number one reason they formed a super neighborhood council and they felt that benefit would override every other benefit they could derive; that information provided to Planning was computerized, they had extensive maps done of all the civic associations and deed restrictions were given to them and they were told it would not be difficult to provide the notice in a computerized fashion to civic clubs and super neighborhoods; that they were under severe revitalization but at a price and they were left very frustrated when they attended Planning Commission Hearings they learned about at the last minute to find out nothing could be done; that the 4 x 8 signs were very helpful and they would like those required; that another problem was with the current plan they were notified only in the original platted subdivision and they had areas where there were three and four different subdivisions on one block phase and that phenomena existed in about eight or nine places and that was where they had replats; that notification would be very strong for the city and neighborhoods. Council Members Boney, Keller and Vasquez absent.

Mr. Greg Brown, 5711 Meadow Creek Ln., Houston, Texas 77017 (713-944-1415) appeared and stated that he was president of the Meadow Creek Village Civic Club and present to voice their strong support to the amendments of Chapter 42; that they had about 1,500 homes from \$60,000 to over \$200,000 and surrounded by vacant land and land that would be redeveloped; that they all had a large financial and personal investment in their homes and communities and they learned from previous experience that surrounding properties had a long-term impact on a neighborhood and if the "People are the Community" as it said over the door in the Council Room they needed tools to make informed decisions and notification was one small step in the right direction. Council Members Boney and Keller absent.

Council Member Tatro moved to suspend the rules to add Ms. Toy Wood to the speakers list, and was seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Boney and Keller absent. MOTION 2000-1063 ADOPTED.

Ms. Olga Morgan, 8010 Buffalo Speed Way, Houston, Texas 77025 (713-661-8793) had reserved time to speak, but was not present when her name was called. Council Members Boney and Keller absent.

Ms. Sandra Sisson, 9431 Vickijohn, Housotn, Texas 77031 (713-271-8179) appeared and stated that she was representing the Braeburn Valley West Civic Association and surrounding community and present to ask that Council support the amendments to Chapter 42; that the area was no stranger to Council having appeared before them last year when a chicken processing plant was suddenly in the neighborhood; that if they had been informed she felt many of them would not have

wasted countless hours and Council's time; and strongly urged support. Council Members Galloway, Boney and Keller absent.

Mr. Kirby Keahey appeared and stated that he was representing the David Crocket Addition Homeowners Association and would urge passage of the notification amendments to Chapter 42; that David Crocket was a small inside the loop community of 100 homes and every week they struggled to maintain their homes by enforcing deed restrictions and prior notification of any change was essential to the effective enforcement of deed restrictions and to the democratic process in general. Council Members Galloway, Boney and Keller absent.

Ms. Toy Wood appeared and stated that she was with the Greater Houston Builders Association and they did understand the need for notification under some circumstances but believed the proposal before Council was too broad and would unnecessarily delay some development; that when the city was aggressively in its 5,000 Homes Program and working hard to make building in the city competitive to building in the county they felt the proposal was a step backwards and would like to be able to review that further; that she thought the eight technical items should go further and the proposed notification should go back to Council Member Parker's committee. Council Member Boney absent.

Upon questions by Council Member Robinson, Ms. Wood stated that when they heard about this it was a verbal conversation in Council Member Parker's committee and thought it was a much narrower version of what ended up on paper; that she was responsible for saying they supported it but it was before seeing it in black and white.

Upon questions by Council Member Robinson, Mr. Litke stated that his memorandum to the committee outlining the proposal for expanded notification was not in any substantive way different from what came out in the legal written amendment form. Ms. Wood stated that she was not saying they were not informed only that she had not seen it and what she heard at the committee meeting table was not the same and she took full blame for that.

Council Member Parker moved to close the public hearing and take the matter under advisement for consideration at a later time, and was seconded by Council Member Keller. All voting aye. Nays none. MOTION 2000-1064 ADOPTED.

Council Member Quan moved to suspend the rules to take Items 40, 18, 22, 23, 19 and 15 out of order, and was seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-1065 ADOPTED.

40. MOTION by Council Member Sanchez/Seconded by Council Member Parker that the request from Mayor for confirmation of the appointment of the following to the **MUNICIPAL COURTS:**

JUDGE

Position 15 - MR. HERBERT GEE, for a term to expire two years from the date of appointment

Position 18 - **MS. ESMERALDA PENA GARCIA**, for a term to expire two years from the date of appointment

SUBSTITUTE JUDGE

Position 7 - **MR. G. HARLAN COLEMAN**, appointment, to complete an unexpired term ending July 1, 2001

(This was Item 1 on Agenda of August 16, 2000, POSTPONED BY MOTION #2000-1006) – was presented. All voting aye. Nays none. MOTION 2000-1066 ADOPTED.

Council Member Quan moved to suspend the rules to hear from Judge Mejia, and was seconded by Council Member Todd. All voting aye. Nays none. MOTION 2000-1067 ADOPTED.

Judge Mejia appeared at the podium; thanked the Mayor for the judges nominations and Council for confirming them; and introduced appointees who were present and asked them to stand to be recognized.

Mayor Brown congratulated them and welcomed them to judgeship in the City of Houston.

18. ORDINANCE appropriating \$8,300,000.00 out of Convention & Entertainment Commercial Paper Series B, Fund 604; consenting to the purchase of Blocks 278 and 279, S.S.B.B. by the Houston Convention Center Hotel Corporation for use as the site for the Convention Center Hotel and authorizing the transfer of the \$8,300,000.00 to the Houston Convention Center Hotel Corporation for the purchase of the land and related costs - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2000-767 ADOPTED.

Council Member Boney moved to suspend the rules to hear from Mayor Bob Lanier on Item 18, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-1068 ADOPTED.

Mayor Lanier appeared at the podium and stated that the hotel site was adjacent to the convention center at it would allow low-rise buildings to be built saving about \$15,000,000 in construction cost; about \$5,000,000 in interest and it made it safer that it would be done in time for the Super Bowl and another big advantage was that it gave complete circulation around the site and direct contact with the convention center and parking, it was by far the best operational site and gave a net profit of over \$12,000,000 to the city.

Council Member Castillo thanked Mayor Lanier and the board members of the hotel corporation and all others who came up with the cost savings ideas.

Council Member Robinson thanked Mayor Lanier and all who had been a part of the process; and upon questions, Mayor Lanier stated that with the HOT tax they were in good shape. Council Member Robinson stated that he hoped the Avenidas De Las Americas would be finished off all the way across to Enron Field and if everything worked out right and all the HOT tax was not used and there were additional dollars left he would like that looked at.

Mayor Brown thanked Mayor Lanier for all he was doing.

22. ORDINANCE ordering and giving notice of a Joint Special Election to be held on November 7, 2000, for the purpose of submitting to the qualified voters of the City of Houston, Texas, a proposition supporting the City's efforts to be designated the Host City for the 2012 Olympic Games by authorizing the contribution of a portion of the City's Sales and Use Taxes – was presented.

Upon questions by Council Member Keller, Mr. Lewis stated that the \$14,000,000 was the estimated incremental sales tax that would be due the city if the Olympic games came to Houston during 2012 and there was \$84,000,000 in state incremental sales tax that would also be put into the guarantee so those were projected revenues that related to sales directly related to conducting or preparing for the Olympic games and those determinations would be made by the State Comptroller's Office.

Upon questions by Council Member Robinson, Mr. Lewis stated that the election would cost about \$160,000, the General Government Budget provided a Contingent Fund for off year elections and that was about \$1.2 million. Council Member Robinson stated that he would like the Mayor to confirm and the reason was as he understood if there was no other special election in the course of this cycle there was still money there and he would like the Administration to look at making contingency preparation to use some of the money for immunization.

Council Member Boney moved to suspend the rules to hear from Mr. George DeMontrond, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-1069 ADOPTED.

Mr. DeMontrond appeared at the podium and stated that this was an opportunity to place Houston ahead of all the other bid cities, no other state has passed legislation allowing for a guarantee of the games yet and they would all have to pass something in the future and it would allow Houston to go on record as being the first to get this accomplished; that it was great legislation because it took no money and jeopardized no money from the general fund from the city or the state; that it took only incremental funding generated by the games themselves to guarantee the games; that most of Houston's venues were already built so they did have a low cost bid and the chances of having to tap the fund was virtually zero; and he did urge Council's support of placing this on the ballot for the City of Houston for the Houston voters. Council Members Galloway and Castillo absent.

A vote was called on Item 22. All voting aye. Nays none. Council Members Galloway and Castillo absent. ORDINANCE 2000-768 ADOPTED.

23. ORDINANCE relating to the City's Bid to host the 2012 Olympic Games – was presented. All voting aye. Nays none. ORDINANCE 2000-769 ADOPTED.
19. ORDINANCE establishing Lane Use Restrictions for Trucks upon a portion of Interstate Highway 10; declaring certain conduct to be unlawful and containing other findings and other provisions relating to the foregoing subject; providing for severability - **DISTRICTS B - GALLOWAY and I – CASTILLO** - was presented. All voting aye. Nays none. ORDINANCE 2000-770 ADOPTED.

15. RESOLUTION making certain findings in connection with the proposed Leader Crossing Public Improvement District related to the advisability of the improvements, the nature of the improvements, the estimated cost of the improvements, the boundaries of the proposed district, the method of assessment and the apportionment of cost between the district and the city as a whole; and making other findings related to the district - **DISTRICT F – ELLIS** - was presented. All voting aye. Nays none. RESOLUTION 2000-43 ADOPTED.

Consent Agenda (Items 1 through 52) were considered as follows:

RESOLUTIONS AND ORDINANCES - NUMBERS 14 through 39

27. ORDINANCE approving and authorizing the assignment and assumption of interest of a Waste Disposal Contract with the City of Houston from South Bend Municipal Utility District to **CLEAR BROOK CITY MUNICIPAL UTILITY DISTRICT** - was presented. All voting aye. Nays none. ORDINANCE 2000-771 ADOPTED.
30. ORDINANCE approving and authorizing contracts between the City and **IMPACT CHARTER SCHOOL, JOHN PAUL II CATHOLIC SCHOOL** and **HUFFMAN INDEPENDENT SCHOOL DISTRICT** for School Crossing Guard Activities - 5 years - Child Safety Fund - was presented. All voting aye. Nays none. ORDINANCE 2000-772 ADOPTED.
36. ORDINANCE appropriating \$8,563,973.00 out of Airport System Commercial Paper Series A, C (AMT), CIP A-0116, awarding construction contract to **CHAMPAGNE-WEBBER INC., TEXAS**, on low bid of \$7,785,429.99 and approving and authorizing professional services contract for engineering testing services with **TERRA MAR, INC** in the amount of \$155,710.00 for new Cargo Facilities, Taxiway and Drainage Improvements at George Bush Intercontinental Airport/Houston (IAH), Project 561 - **DISTRICT B – GALLOWAY** – had been pulled from the Agenda by the Administration, and was not considered.
39. ORDINANCE No. 2000-746, passed first reading August 23, 2000
ORDINANCE granting authority to **PF.NET NETWORK SERVICES CORPORATION**, a Delaware corporation, to encroach upon and use the public way of the City of Houston, Texas, pursuant to Article XIV, Chapter 40, Code of Ordinances, Houston, Texas, for the purpose of laying, constructing, leasing, maintaining, repairing, replacing, removing, using and operating therein, telecommunications facilities for providing authorized telecommunications services; providing for related terms and conditions - **SECOND READING** – was presented. All voting aye. Nays none. ORDINANCE 2000-746 PASSED SECOND READING IN FULL.

Items removed from the Consent Agenda were considered as follows:

MISCELLANEOUS

2. RECOMMENDATION from Finance & Administration Department that the City Council receive the Effective Tax Rate and the Rollback Tax Rate calculated for

the Tax Year 2000 in accordance with the provisions of Section 26.04(c) of the Texas Tax Code – was presented, moved by Council Member Vasquez, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1070 ADOPTED.

- 2a. ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2000 and for each year thereafter until otherwise provided; making various findings and provisions relating to the subject; providing for severability – was presented, and was tagged by Council Members Todd, Tatro, Keller and Ellis.

Upon questions by Council Member Tatro, Mr. Lewis stated that it had not gone through the Fiscal Affairs Committee as this action was consistent with the budget adopted by Council on the third Wednesday in June and in light of that no one saw any reason to highlight it for committee action.

3. RECOMMENDATION from Finance & Administration Department for funding for various software licenses and software maintenance contracts for FY01 for the following contractors - \$121,700.00 General Fund:
29868 **Computer Associates** - \$26,900.00
33741 **BMC (formerly New Dimension Software)** - \$27,300.00
29993 **Sterling Software** - \$41,500.00
29867 **Sterling Software** - \$26,000.00
- was presented, moved by Council Member Boney, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1071 ADOPTED.

ACCEPT WORK

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$80,368.55 and acceptance of work on contract with **T. G. THOMAS, INC** for Exterior Building Signs at Five Library Locations, GFS E-0108-01-3 - 03.07% over the original contract amount - **DISTRICTS A - TATRO; E - TODD; G - KELLER and I – CASTILLO** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-1072 ADOPTED.
5. RECOMMENDATION from Director Department of Aviation to accept work on contract with **D & W CONTRACTORS, INC** for Drainage Improvements at Ellington Field (EFD), Project 468; CIP A-0299 - Final contract amount \$1,075,996.56 - 03.60% under the original contract amount Enterprise Fund - **DISTRICT E – TODD** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-1073 ADOPTED.

PROPERTY

6. RECOMMENDATION from Acting Director Department of Public Works & Engineering to purchase Parcel N81-18, located at 711 Jackson Street, owned by Howard H. Chen, Trustee, for the **GEORGE R. BROWN CONVENTION CENTER-**

EXTENSION OF THE AVENIDAS DE LAS AMERICAS PROJECT, CIP B-0005-00-1 - \$831,600.00 - Enterprise Fund - **DISTRICT I – CASTILLO** – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-1074 ADOPTED.

PURCHASING AND TABULATION OF BIDS

LOW BIDS

7. ORDINANCE appropriating \$292,950.00 out of Water & Sewer System Consolidated Construction Fund for Replacement of Valves for the Public Works & Engineering Department, CIP S-1000-M5 – was presented. All voting aye. Nays none. ORDINANCE 2000-773 ADOPTED.
- 7a. **LEM CONSTRUCTION COMPANY, INC** for Valve Replacement for the Department of Public Works & Engineering - \$279,000.00 and contingencies for an amount not to exceed \$292,950.00 – was presented, moved by Council Member Boney, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1075 ADOPTED.
8. **VAN WATERS & ROGERS, INC** - \$328,840.90 and **COMMERCIAL CHEMICAL PRODUCTS, INC** - \$138,029.00 for Chlorinated Chemicals for Parks & Recreation and Public Works & Engineering Departments - General and Enterprise Funds – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2000-1076 ADOPTED.
9. **HERBERT A. HEITMAN COMPANY, INC** for Auto, Heavy Duty Brake Lining and Blocks for Various Departments - \$122,160.00 - General, Enterprise and Fleet Management Funds – was presented, moved by Council Member Boney, and seconded by Council Member Sanchez.

Council Member Castillo stated that again this was a 36 month contract as other items on the Agenda and he would raise his same concern on passing 36 month contracts which was he thought they passed the opportunity for bidders to submit more advantageous bids and he would like to go back to doing annual contracts, particularly in those that were not commodities; that services were basically bid more competitively.

A vote was called on Item 9. All voting aye. Nays none. MOTION 2000-1077 ADOPTED.

OTHER

10. **TEXAS DEPARTMENT OF PUBLIC SAFETY** for State Inspection Stickers for the Houston Police Department - \$21,750.00 - General Fund – was presented, moved by Council Member Tatro, and seconded by Council Member Quan.

Council Member Todd stated that he supported the item because it was the law but would request that the Legislative or Fiscal Affairs Committee look at this and see if it could be added to the focuses for the legislative team; that whenever you had one governmental authority essentially paying taxes or fees to another governmental

authority it always seemed offensive to him; that it may be good to go to the legislature and get an exemption for governmental vehicles paying registration fees; and Mayor Brown stated that he would ask the committee chaired by Council Member Sanchez to look at that.

A vote was called on Item 10. All voting aye. Nays none. MOTION 2000-1078 ADOPTED.

11. **SMITH-MOBLEY, INC** for Securing Dangerous Buildings and Site Clean-up Services for Department of Public Works & Engineering - \$19,839.00 and contingencies for an amount not to exceed \$20,830.95 - CDBG Grant Fund - **DISTRICTS B - GALLOWAY; D - BONEY; G - KELLER; H - VASQUEZ and I – CASTILLO** – was presented, moved by Council Member Boney, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1079.
12. **PARK PLASTIC PRODUCTS** - \$73,400.00 and **GREAT WESTERN SUPPLY COMPANY, INC** \$19,658.66 to Furnish and Install Chemical Storage Tanks for Department of Public Works & Engineering - Replacement - Enterprise Fund - was presented, moved by Council Member Boney, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1080.
13. **PATHLORE CUPERTINO, INC** for On-Site Software Training for the Department of Public Works & Engineering - \$34,500.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Castillo, and was tagged by Council Member Parker.

RESOLUTIONS AND ORDINANCES

14. RESOLUTION authorizing the establishment of the Leader Crossing Public Improvement District in the City of Houston, Texas; authorizing publication of this Resolution; providing for the preparation of a service and assessment plan - **DISTRICT F – ELLIS** – was presented. All voting aye. Nays none. RESOLUTION 2000-44 ADOPTED.
16. ORDINANCE calling Public Hearings at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston and **BAYBROOK MUNICIPAL UTILITY DISTRICT NO. 1** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes all of the area in Baybrook Municipal Utility District No. 1; providing for the publication of notice of such hearings; containing other provisions relating to the foregoing subject; providing for severability - was presented. All voting aye. Nays none. ORDINANCE 2000-774.
17. ORDINANCE directing the Department of Planning and Development to prepare a service plan that provides for the extension of Municipal services into the areas proposed to be annexed in the vicinity of the intersection of El Dorado Boulevard and Interstate Highway 45 and in the vicinity of the intersection of Bay Area Boulevard and Glenwest Drive in Harris County, Texas; calling public hearings at which interested persons will be given the opportunity to be heard; providing for the

publication of notice of such hearings; containing other provisions relating to the foregoing subject; providing for severability - was presented. All voting aye. Nays none. ORDINANCE 2000-775.

20. ORDINANCE altering and establishing maximum prima facie speed limits in certain zones in the City of Houston; containing findings and other provisions relating to the foregoing subject; providing a repealer; containing a savings clause; providing for severability; declaring certain conduct to be unlawful and providing a penalty – was presented, and was tagged by Council Members Tatro and Keller.

Council Member Keller stated that one of his concerns was an amendment he made to be sent to the State Legislature; and upon questions, Mr. Bibler stated that Prima Facie speed limit in Texas in urban areas was 30 miles per hour and this ordinance only addressed streets where they wanted to change that speed limit, you did not have to set a speed limit when you wanted to leave it at the prima facie speed; that if a neighborhood wanted to change their speed they would contact the Traffic Division of the Public Works Department and an engineering study would be performed. Council Member Keller stated that he was told when he did this, and made the amendment in Legislative Affairs for neighborhoods to be reduced to 20 miles per hour, that he had to go through the State Legislature. Mr. Bibler stated that here the state set the speed limit unless the city changed it and if a Traffic Engineering Study would support reducing it then it could be reduced but it would have to be street by street. Council Members Todd and Vasquez absent.

Council Member Tatro stated that he did not know if this went through the Neighborhood Protection Committee or any committee and that was a concern; that some areas in his district were highly residential and people were concerned with speeding, on Blalock they were very concerned, here they were raising it up and next week he would like to discuss with Traffic how the process was arrived at. Council Members Todd and Vasquez absent.

21. ORDINANCE approving and authorizing the execution of a lease agreement with option to purchase by and between **COHCC, LLC**, as landlord, and the City of Houston, as tenant, for occupancy of Houston Emergency Center, a Consolidated Public Safety Communications Center located at 5320 North Shepherd - **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Members Todd and Vasquez absent. ORDINANCE 2000-776 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City and **BAYLOR COLLEGE OF MEDICINE-DEPARTMENT OF FAMILY AND COMMUNITY MEDICINE** for Professional Psychological Services for the Fire Department; providing a maximum contract amount - 3 Years with two one-year options - \$471,618.00 - General Fund – was presented, and was tagged by Council Member Parker.
25. ORDINANCE approving and authorizing contract between the City and the **U.S. DEPARTMENT OF TRANSPORTATION FEDERAL HIGHWAY ADMINISTRATION** for Phase II Main Street Corridor Planning and Research Project - \$435,500.00 - Grant Fund - **DISTRICTS C - GOLDBERG; D - BONEY; H**

- VASQUEZ and I – CASTILLO** – was presented. Council Member Todd voting no. Balance voting aye. Council Member Vasquez absent. ORDINANCE 2000-777 ADOPTED.
26. ORDINANCE approving and authorizing contract between the City and the **MAIN STREET COALITION** for Communication and Administrative Services in support of the Revitalization Activities in the Main Street Corridor - **DISTRICTS C - GOLDBERG; D - BONEY; H - VASQUEZ and I – CASTILLO** – was presented. All voting aye. Nays none. ORDONANCE 2000-778 ADOPTED.
28. ORDINANCE approving and authorizing an interlocal agreement between and among the City of Houston, the **CITY OF DALLAS, THE TRINITY RIVER AUTHORITY, THE NORTH TEXAS MUNICIPAL WATER DISTRICT** and the **TARRANT REGIONAL WATER DISTRICT** for a Study of Water Inflow Requirements for Galveston Bay - \$165,600.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDONANCE 2000-779 ADOPTED.
29. ORDINANCE approving and authorizing contract between the City, **CLAY POPE** and **CLIFF JOHNSON** for assistance on Water and Wastewater issues in the Texas Legislature and various state agencies; providing a maximum contract amount - \$360,000.00 - Enterprise Fund – was presented. All voting aye. Nays none. ORDONANCE 2000-780 ADOPTED.
32. ORDINANCE amending Ordinance No. 98-355, passed May 6, 1998 awarding concrete pavement repair contract to **INFRASTRUCTURE SERVICES, INC**, CIP N-0655-01, in order to increase the maximum contract amount - FY01 \$600,000.00 - METRO and Street & Drainage Maintenance Funds – was presented. All voting aye. Nays none. ORDONANCE 2000-781 ADOPTED.
33. ORDINANCE approving and authorizing amendment to professional services contract (approved by Ordinance No. 96-233) between the City of Houston and **HOUSTON COMMUNITY COLLEGE** in connection with the Basic Firefighter Training Program conducted for all City of Houston Firefighters – was presented. All voting aye. Nays none. ORDONANCE 2000-782 ADOPTED.
34. ORDINANCE appropriating \$1,600,000.00 out of Airports Improvement Fund and approving and authorizing contract between the City of Houston and **CAMP, DRESSER & McKEE, INC** for professional environmental services for the Houston Airport System; CIP A-0423 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E – TODD** – was presented. All voting aye. Nays none. ORDONANCE 2000-783 ADOPTED.
35. ORDINANCE awarding contract to **EQUIPMENT SUPPORT SERVICES, INC** for Fleet Vehicle and Equipment Maintenance Services at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field; providing a maximum contract amount - 5 years \$14,587,371.68 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E – TODD** – was presented. All voting aye. Nays none. ORDONANCE 2000-784 ADOPTED.

37. ORDINANCE appropriating \$82,970.31 out of Parks Consolidated Construction Fund, awarding construction contract to **SUMCO, INC** on low bid of \$372,200.00 and approving and authorizing a professional services contract for engineering testing services with **ATSER, L.P.** in the amount of \$13,500.00 for Parks to Standard Program Phase II - Bid Package No. 18 - Edgewood and DeZavala Parks, F-0363-18-03 & F-0363-19-03; providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund and \$328,783.69 from Community Development Block Grant - **DISTRICTS E - TODD and I – CASTILLO** – was presented. All voting aye. Nays none. ORDONANCE 2000-785 ADOPTED.
38. ORDINANCE appropriating \$392,000.00 out of Storm Sewer Consolidated Construction Fund, awarding contract to **JRC CONSTRUCTION, INC** on low bid of \$345,678.00 and approving and authorizing a professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** in the amount of \$8,000.00 for Lakeview Relief Storm Sewer Phase I, GFS M-0231-02-3; providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund - **DISTRICT G – KELLER** – was presented. All voting aye. Nays none. ORDONANCE 2000-786 ADOPTED.

MATTERS HELD - NUMBERS 40 through 45

41. MOTION by Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation from Mayor's Office of Public Safety & Drug Policy 3-1-1 Core Implementation Team for supplemental allocation in the amount of \$2,288,917.00 to contract with **UNISYS CORPORATION** for Houston Service Center System Integration Services to implement a 3-1-1 Call Center - Equipment Acquisition and Dangerous Building Consolidated Funds – **(This was Item 2 on Agenda of August 23, 2000, TAGGED BY COUNCIL MEMBER TATRO)** – was presented.

Council Member Tatro stated that he met with Mr. Hollongisworth as he had concerns about some of the cost with the budget situation they were in; that it was important to know the cost of the program, the concept was good, but he got data back that was a 311 budget at a glance and he would like it in an in depth view with the operating and personnel cost; that he saw a letter dated July 17 from Mr. Rolan which had done no interfacing with the 311 group on their interfacing and that was a concern with Public Works going to be a major component of this entire matter; that he wanted more time to understand the implication factor; and moved to postpone Item 41 two weeks, and was seconded by Council Member Parker.

Council Member Bell moved to suspend the rules to hear from Mr. Hollingsworth and Mr. Rolan relating to Item 41, and was seconded by Council Member Boney. All voting aye. Nays none. MOTION 2000-1081 ADOPTED.

Mr. Hollingsworth stated that he met with Council Member Tatro relative to information on the ongoing budget and that information was provided; that the estimated annual budget contained cost for space through the maintenance network and he reiterated in that meeting that they did intend to use existing personnel between Citizens

Assistance, Water Customer Service and the City Switchboard and any additional personnel needed would be drawn from departments; that they intended to use no new personnel. Council Member Castillo absent.

Council Member Bell stated that for the public's understanding if a citizen wanted to report a giant pothole and they called 311 what would happen; and Mr. Hollingsworth stated that an operator would answer and would have before them a computer system with a vast information data base, report the pothole and the request for service would be sent electronically to Public Works and it would be time tracked and then the responsibility of Public Works to service it; that he would also add that if any other potholes were recorded near that one it would note those potholes in the event that Public Works would like to repair those while they were in the area. Council Members Goldberg and Castillo absent.

Upon questions by Council Member Bell, Mr. Rolin stated that a presentation was on the system in late June and some of his representatives had questions and that was the basis of him sending the letter he did in June, subsequent to that they had presentations and he had visited with Mr. Hollingsworth and he saw no problem in moving ahead; that one concern he had and that was being provided in the contract was the integration of the 311 system with their so to speak link; and he felt comfortable that the system being proposed could be integrated. Council Members Goldberg and Castillo absent.

Upon questions by Council Member Parker, Mr. Rolin stated that the new system would work in that the 311 system would go into their system and in turn dispatch and they would have record and go out and look and enter the data into their work order system. Council Member Goldberg absent.

Mr. Hollingsworth stated that when they retain the consultants to look at the customer service system they asked that they look at all departments needs and their expert opinion on the Public Works system was that it was a utility maintenance system designed for that purpose and he believed they had the best of both, the suntrack system would enhance the utility maintenance center. Council Member Goldberg absent.

Upon questions by Council Member Todd, Mr. Hollingsworth stated that there was an immense amount of integration in the 311 system for example the telephone system was not integrated with the computer system; that when the 311 system received a call from a line or wireless phone you would get a phone number and you did not get that in the CRC system and CRC did not record calls at the position, if a citizen called and you needed to replay that call you must go to the back control room and find it, but the 311 system would have built into the console system a call recording system and this would be the first 311 system that would have caller identification in the U. S. and the 311 system allowed each department to customize their questions and the CRC did not allow it. Council Member Todd stated that he would ask that the ordinance regarding borrowed personnel reflecting their pay to that department be looked into and then give him a response on how it all came out, it was important for the ordinance to remain in effect and he did not want any incremental weakening of it to occur. Council Member Goldberg absent.

Council Member Parker moved to remain in session beyond the noon recess to complete the Agenda, and was seconded by Council Member Boney. All voting aye. Nays none. Council Member Goldberg absent. MOTION 2000-1082 ADOPTED.

Council Member Boney stated that questions had been answered and he would ask that Council Members vote down the motion to delay; that there was no significant budget impact and how personnel was listed in the budget did not trouble him, he was interested in getting work done. Council Member Goldberg absent.

Council Member Bell stated that he wanted to correct a statement that this came under consideration in January 1999 as he thought it was even prior to that and there was a lot of consideration which had gone into it and he agreed with Council Member Boney that two weeks would not change opinion; that this could be a huge step in the right direction and many Council Members and constituents encountered what it was like to be trapped in the City maze, this was a step to centralize information and see that concerns were being addressed in a timely fashion; that it would make for more work, but it did not make sense to think you would have a good reporting system and not more work; and also urged a move forward. Council Member Goldberg absent.

Council Member Castillo stated that he raised questions and was still at a point of not understanding the budget impact which he called the downstream affect; that Mr. Hollingsworth provided information that San Antonio had a 21% or 22% increase in service request and that would take more people at the downstream end to satisfy the requests, but on the other hand the implementation of technology itself generated request because then people expected there would be a way to hold someone accountable and departments handled requests on a first come/first serve basis and now with this type of case worker system it would generate more work and he did not see how it could be implemented without increasing cost to maintain it and the manpower to deliver the goods at the end. Council Member Goldberg absent.

Council Member Boney stated that he felt they were mixing issues here, what the technology did was allow a tracking and accounting and managing of information better and it was the only way he saw to increase productivity without hiring massive amount of new staff; that there may be an increase of demand for service, but it was a good thing and the ability to respond more quickly would be enhanced by 311. Council Member Galloway absent.

Council Member Castillo stated that he had seen several systems invested in which did not work and if they were going to believe this was the end all and be all of tracking service request he hoped they would have the fortitude to body it in an ordinance and make it a part of the operating system so year after year they would sustain it; and Mayor Brown stated that they were not pioneering anything new here; that the 311 had been kicked around for years and years even when he was Police Chief it was talked about having an alternative number to 911 because many used 911 for many non-emergency reasons and as a result of that the Department of Justice funded pilot projects and tested the system and after testing well in a number of places they went about the process of technology transfer sharing with other cities that 311 worked and encouraged other cities to look and implement it and there were even grants for implementation; that it was a good management tool and they would be able to track calls, follow through and determine whether problems were taken care of; that he felt it

was good for the city, the public, management and he would urge a vote for it. Council Members Galloway and Robinson absent.

Council Member Quan stated that he would echo some of the same sentiments as Mayor Brown had just expressed; that he could appreciate concerns of cost, but they were not inventing the wheel, other cities did have it in place; that he spent a day in Chicago with their 311 system and was greatly impressed and he did not think they were risking a lot; that he was impressed and would like to move forward also. Council Member Robinson absent.

Council Member Tatro stated that his concern was they had looked at no budgetary aspects of this, they had startup costs and no continuing operating costs were spelled out; that this could be a significant department in the city and a significant customer service benefit, but they had no six month or year plan and to hear this had no budget impact they had no idea.

Council Member Vasquez stated that he viewed this as a reform as to how the city conducted business and customer service and he did not think they should run from items which allowed them to be more accountable and responsive; that he thought this would establish real performance measures in terms of how the bureaucracy and how the Administration as a whole responded to its citizens; that this would be a real tangible item in telling what the performance measure of their own systems were and that was a real positive and he would support it and oppose the delay.

Council Member Sanchez stated that he thought there were significant benefits, he had driven and seen things wrong and had to call his office and ask for numbers to have things fixed and he saw benefits to him and his office and others, but listening to Council Member Castillo's remarks he remembered when all thought it was great to install a system in the Fire Department and it cost more than a million dollars and did not operate so if the two week delay was to flush out budgetary issues and get Council Members comfortable with a unanimous vote it seemed to be a prudent measure and he would ask consideration of the delay.

Council Member Robinson stated that he hoped they would buy a warranty so if something did not work they could send it back and get it fixed or that the Legal Department could exercise their contractual right to not have a defective product sold to them; that this system could give a benchmark to see if they were meeting the appropriate performance standard and he could understand Council Member Castillo's downstream concerns but they would never know what downstream was without the performance standard against which to measure; and he was willing to take a chance and would like to move forward on the issue.

A roll call vote was called on the motion to postpone Item 41 for two weeks.

ROLL CALL VOTE:

Mayor Brown voting no.
Council Member Tatro voting aye.
Council Member Galloway voting no.
Council Member Goldberg voting no.

Council Member Vasquez voting no.
Council Member Castillo voting no.
Council Member Parker voting no.
Council Member Quan voting no.

Council Member Boney voting no.
Council Member Todd voting no.
Council Member Ellis voting no.
Council Member Keller voting no.

Council Member Sanchez voting no.
Council Member Bell voting no.
Council Member Robinson voting no.
MOTION 2000-1083 FAILED.

A roll call vote was called on Item 41.

ROLL CALL VOTE:

Mayor Brown voting aye.
Council Member Tatro voting no.
Council Member Galloway voting aye.
Council Member Goldberg voting aye.
Council Member Boney voting aye.
Council Member Todd voting aye.
Council Member Ellis voting aye.
Council Member Keller voting aye.

Council Member Vasquez voting aye.
Council Member Castillo voting no.
Council Member Parker voting aye.
Council Member Quan absent.
Council Member Sanchez voting no.
Council Member Bell voting aye.
Council Member Robinson voting aye.
MOTION 2000-1084 ADOPTED.

42. ORDINANCE amending Exhibit "A" of City of Houston Ordinance No. 2000-573 by deleting one (1) Deputy Chief Position, by adding three (3) District Chief Positions, by adding five (5) Senior Captain Positions, by adding four (4) Engineer/Operator Positions, and by adding one (1) Investigator Position; substituting the amended exhibit as part of the current Fire Department Classified Personnel Ordinance; providing for severability – **(This was Item 19 on Agenda of August 23, 2000, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented.

Council Member Parker stated that she did not understand why these type of management issues kept coming to Council, it was like the death of 1,000 cuts and she was weary of it and would love someone to explain again why such was done at the Council level; that there were unintended or additional budget implications each time they created management positions in the Fire Department because of the skewed system, Council Member Castillo absent.

Council Member Robinson stated a study was to be coming back soon and he did not know what would happen if it came back saying the Fire Department was too top heavy because as he understood you could not eliminate any new supervisory positions and that was a concern; that they were getting ready to go to meet and confer with Police and Fire Departments and there was a diversion of view on what parity meant and he felt there needed to be a better handle and clarity and he wanted serious thought given to what they would do if the Fire Department report came back with recommendation for elimination of positions, would that be a part of the meet and confer; and he hoped that Mr. Hall and Mr. Lewis would once again be a part of the team representing the city so they could come to a happy medium. Council Member Castillo absent.

Council Member Todd moved to refer Item 42 back to the Administration, and was seconded by Council Member Galloway.

Council Member Boney stated that he would prefer to delay the matter instead of sending it back and killing it. Council Member Todd stated that his intention was not to

kill it but to have it hashed out so they would not have a lot of the death of 1,000 cuts at the table; and it was his understanding from the Agenda Director that it would be more feasible to refer it back rather than to negotiate it from the table. Council Member Castillo absent.

Council Member Sanchez stated that he was going to inquire as to when they could expect the tridata report; that during the budget process Mr. Haines indicated Council would have the report in their hands in August and there were not many days left; that he would like to know where the report was and when they might get it; and Mayor Brown stated that he would get an answer and get back with him, he was told it should be any day. Council Member Castillo absent.

Upon questions by Council Member Vasquez, Mayor Brown stated that he did not think there were any deadlines if it was referred back.

Council Member Vasquez moved to suspend the rules to hear from Chief Tyra on Item 42, and was seconded by Council Member Tatro All voting aye. Nays none. Council Member Castillo absent. MOTION 2000-1085 ADOPTED.

Upon questions by Council Member Vasquez, Chief Tyra stated that in regards to the abolishment of the creation of the position there was one timeline which was the second week of October; that the job creation for the senior captain and the engineer operator were for Ladder 55; that the equipment was here and they needed to begin putting that piece of equipment into service; that instead of moving Ladder 18 to Cullen and Selinsky at Station 55 they created a new ladder truck and that was the personnel to staff it and that was the urgency of the ordinance, to get it into service as soon as possible; that if it were referred back equipment would not be utilized. Council Members Castillo and Sanchez absent.

Upon questions by Council Member Boney, Chief Tyra stated that the truck had arrived was prepped and received but needed personnel to staff it; that the three district chief positions were a part of the Quality Assurance Program in the EMS Division; that if the positions were not added the truck could not be serviced, he did not have the authority as a Fire Chief to put a piece of equipment into service and create positions as it was only the authority of Mayor and Council. Council Member Boney stated that he would like to split the question and get the personnel to put the truck into service. Council Members Castillo and Sanchez absent.

Upon questions by Mayor Brown, Chief Tyra stated that putting the equipment into service required the establishment of four engineer operators and four senior captain positions and that was what they were doing with this ordinance. Council Members Castillo and Sanchez absent.

Mayor Brown stated that what was before Council now was a motion to refer back to the Administration and he would point out that if it was worked out it could be brought back as early as next week. A roll call vote was called on referring Item 42 back to the Administration.

ROLL CALL VOTE:

Mayor Brown voting aye.	Council Member Vasquez voting no.
Council Member Tatro voting aye.	Council Member Castillo absent.
Council Member Galloway voting aye.	Council Member Parker voting no.
Council Member Goldberg voting no.	Council Member Quan voting no.
Council Member Boney voting no.	Council Member Sanchez absent.
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 2000-1086 FAILED.

A vote was called on Item 42. All voting aye. Nays none. Council Members Castillo and Sanchez absent. ORDINANCE 2000-787 ADOPTED.

43. ORDINANCE authorizing Special Assignment Pay for members of the Police Department of the City of Houston; establishing the amount of such assignment pay; making other provisions related to the subject; providing for severability - **(This was Item 20 on Agenda of August 23, 2000, TAGGED BY COUNCIL MEMBER TATRO)** – was presented.

Council Member Tatro stated that he wanted questions answered on the item as it applied city wide 1) when did the current meet and confer contract end; 2) was there a cap on the amount of employees to be utilized; 3) was there a skill set which was to be implemented and what was the plan to do so; and Mayor Brown stated that at this time there were no plans other than the Police Department, they were the ones who brought it to the Administration's attention and it was a three year program, a fourteen week course, it was not in Fire and it was budgeted.

Upon questions by Council Member Tatro, Mr. Lewis stated that the department demonstrated a need for it and he believed it should go forward. Council Member Tatro stated that the commonality of it throughout the city ...; and Mayor Brown stated that the Police Department interacted with more people more often than anyone. Mr. Hall stated that this was not complicated, the Chief determined there was a deficiency in that officers were not prepared to deal with the hearing impaired person and his proposal was to establish an incentive to provide that service and develop more fully that skill and that did not offend the meet and confer agreement; and Council Member Tatro stated that he did not say it was complicated he simply addressed the evenhandedness of applying it throughout the city. Mayor Brown stated as other departments needed it then Council could consider it on its own merit, but now it was only the Police Department. Council Members Todd, Vasquez, Castillo and Robinson absent.

A vote was called on Item 43. All voting aye. Nays none. Council Members Todd, Vasquez, Castillo and Robinson absent. ORDINANCE 2000-788 ADOPTED.

44. ORDINANCE amending Ordinance No. 97-1405, which authorized contract between the City and **MCLEMORE BUILDING MAINTENANCE, INC** for Cleaning and Janitorial Services for the Houston Police Department, to increase the maximum contract amount - \$229,371.88 - General Fund - **DISTRICTS B - GALLOWAY; E - TODD and G – KELLER – (This was Item 45 on Agenda of August 23, 2000, TAGGED BY COUNCIL MEMBERS KELLER, QUAN and TATRO)** – was presented.

Council Member Keller stated that he had one issue, it was long but he would save it for his pop-off next week; that he asked for the square footage of the increase at the table and never got the answer and he would be voting no. Council Members Todd, Vasquez, Castillo and Robinson absent.

A vote was called on Item 44. Council Member Keller voting no. Balance voting aye. Council Members Todd, Vasquez, Castillo and Robinson absent. ORDINANCE 2000-789 ADOPTED.

45. ORDINANCE approving and authorizing professional architectural services contract between the City of Houston and **ROBERT W. MCKINNEY, AIA** in connection with the Maintenance Complex-Memorial Park Golf Course, GFS F-0464-01-2 - \$218,350.00 - Parks Special Revenue Fund **DISTRICT G - KELLER - (This was Item 46 on Agenda of August 23, 2000, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. All voting aye. Nays none. Council Members Todd, Vasquez, Castillo and Robinson absent. ORDINANCE 2000-790 ADOPTED.

Council Member Quan stated that he would like his yes vote recorded on Item 41. The City Secretary stated that Council Member Quan was absent on Item 41; and Mayor Brown stated that it would be recorded that if he were present he would have voted yes. Council Members Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Galloway stated that she displayed her sign yesterday, but evidently the news media did not think it was newsworthy enough to spread the good news so she decided to show it again today; that she was so excited because yesterday she presented the city with a \$19,000 check to go toward an illegal dumping surveillance camera from the Lakewood Church family; that Pastor Joel Osteen cared enough to reinvest in the community in which his church operated; that government could not do it all and Pastor Joel Osteen had risen to the challenge and given back to a community in great need of assistance; and although Pastor Osteen could not be present today she wanted to commend him publicly and thank the Lakewood Church family; that she would ask that all join her in giving them a round of applause for throwing down the garment for other churches and companies to get involved with the community; and asked that all give the new, young, handsome and spirit filled pastor a round of applause. Council Members Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

Council Member Tatro stated that there was a spirited meeting in his district last night on a waste disposal facility and he would ask that the City Attorney's Office or Health Department or third party make a decision on the merits of those specifications that would be contingent on what the TNRCC did. Council Members Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

Council Member Tatro stated that on January 25 he issued a letter to the Mayor requesting the city's review of the grease pit and where they had or did not have authority and to this date he had no response; that it was a significant issue and he nor those in Spring Branch received any internal correspondence from the Administration; that Mr. Litke was there last night stating the review process, but he felt it was incumbent on the

Administration to respond to the memo and put on paper where his Administration had been on such an important review and hoped to have it soon; and thanked Council Member Parker and all state representatives who had been present. Mayor Brown stated that Mr. Litke was there representing the Administration and the people in the Spring Branch knew the Administration's position and a letter was issued to the TNRCC and if he had not received it he would see why it had not reached his office when it did reach those in the community. Council Members Todd, Keller, Castillo, Bell and Robinson absent.

Council Member Vasquez congratulated Council Member Galloway on getting the donation to the city. Council Members Todd, Keller, Castillo, Bell and Robinson absent.

Council Member Vasquez stated that Denver Harbor felt their community had been neglected for the last several decades and he would be holding a town hall meeting Tuesday, September 5 from 7:00 p.m. to 8:30 p.m. at 619 Port Street at the New Jerusalem Church; and extended an invitation to all At-Large Council Members. Council Members Todd, Keller, Castillo, Bell and Robinson absent.

Council Member Vasquez stated that he would like to report on what they started during the past April which was Safe and Clean Zones around schools in District H; that they took the City's Schools to Standard Program and called a town hall meeting of all PTAs and principals and asked them to do a survey around schools regarding safety need and cleanliness, Neighborhood Protection needs, and had over a 60% response rate in creating the zones; that they were working on the other schools as they wanted 100% and the schools and PTAs like the idea they had control and power to improve the neighborhood and schools; and thanked his staff member Courtney St. Julian for her help. Council Members Todd, Keller, Castillo, Bell and Robinson absent.

Council Member Vasquez stated that this fall they were initiating a District H Youth Council to specifically address the youth in the district and they were asking high schools to nominate youth to join the council who would meet once monthly and they were very pleased and would urge anyone interested to apply as long as they lived in District H. Council Members Todd, Keller, Castillo, Quan, Bell and Robinson absent.

Council Member Vasquez thanked Mayor Brown for his support in terms of helping with the Police Department; that last night they were in full force at Marshall Middle School to talk with the PTA and concerned parents about how they were responding about the two children who were abducted. Council Members Todd, Keller, Castillo, Quan, Bell and Robinson absent.

Council Member Boney stated that he spoke last night at the Northwest Community Faith Baptist Church about the HIV/AIDS crisis in Houston and since the Mayor's call for the declaration of a state of emergency some 32,000 citizens had been tested and there was a strong campaign underway; and as chair of that task force he wanted to report. Council Members Todd, Keller, Castillo, Quan, Bell and Robinson absent.

Council Member Boney stated that he talked to the Chairman of the Legislative Committee and Council Member Parker about legislative initiatives they ought to consider and since HIV/AIDS was a crisis throughout the state as well as Houston it may be time for the State Legislature to take into debate the distribution of condoms in state prisons

and the potential positive impact of a legal sharing program; that he also felt the TNRCC ought to be an area of concern by the legislative team, there were a number of state licensed facilities where the TNRCC determined where they could go and some were located in residential neighborhoods, it did not seem a priority for them to be located in nonresidential industrial areas and he did not understand why neighborhoods continued to come to Council complaining about such facilities being located in or near them; that if Council was not going to have the authority to regulate there should be stronger guidelines to TNRCC and also with regard to their hearing process of citizens being notified and allowing them to appear; and he wanted to bring that to the attention of the Legislative Committee and the Administration and would be doing so in the future. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

Council Member Sanchez stated that he talked on a number of occasions about utility companies seeking permits from the City of Houston and excavating right of ways and doing a shoddy job of repairs; that many instances there was concrete pavement and when the contractor filled it in it was with tar and that did not support the weights of vehicles and as a consequence there were areas which looked like portions of Beirut during the bombing and a number could be found on Kirby with one prime example being the feeder road of Post Oak heading south from Braes Bayou; that the holes were literally able to swallow a car and he noticed the problem in districts was becoming increasingly worse; that the city spent a lot of money reconstructing Bissonnet between the Medical Center and Kirby and recently on Morningside a contractor tore it up and went into the intersection of Bissonnet so a newly constructed street was cut up and a less than desirable substance was used for repairs and now an uncomfortable bump would be on a new street; that he wanted to know how much of a priority was placed on a policy demanding that contractors reconstruct the streets to the existing condition if not better; and it warranted immediate attention. Mayor Brown stated that Mr. Lewis would look at that, find out what was being done, determine what should be done and report back. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

Council Member Parker stated that she too wanted to congratulate the folks in Spring Branch for how organized they were and the tremendous turnout at last night's meeting with the TNRCC on the grease spot and apologized to anyone inconvenienced by her contribution to the abrupt ending of the meeting last night, but it was a great example of citizen interest of what went on in their neighborhoods and how important notification was in getting them organized. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

Council Member Parker thanked Council Member Boney for his remarks about legislative initiatives on condom distribution and needle exchange, it was discussed before and she did support him; that it would not only help in the war on AIDS but also in Hepatitis C. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

Council Member Parker stated that it was hard not to recognize groups and individuals but there was a Council rule limiting presentations each week to three and the list had been getting longer and longer and she would encourage the Mayor Pro Tem's Office and the Administration to enforce their self-imposed rule on presentation; and she and Council Member Sanchez would again repeat their call to start on time which was

1:30 p.m. according to the Agenda. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Bell and Robinson absent.

Council Member Goldberg stated that he wanted to respond to something Council Member Sanchez brought up regarding the Post Oak exit; that he was notified last week by a constituent and sent out a staff member with someone from the city and the problem was no one wanted to take responsibility, they wanted to investigate and find out who should fix the problem instead of fixing the problem; that an example this week was a pile of construction material on Heatherglen and on a city easement and he called Solid Waste to clean it up, but was told they would investigate and find out who placed it there and see if they or someone else should clean it up so he called Neighborhood Protection to see if they would clean it and all anyone wanted was to investigate and see why it was there, but he did not care why it was there or who left it and only wanted it clean as the material was there a month now and was on city easement property and he wanted someone to standup and do it; and Mayor Brown stated that Mr. Lewis would follow-up and see that it was done. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Quan, Bell and Robinson absent. (NO QUORUM PRESENT.)

Council Member Goldberg stated that College Court was a project budgeted and had brand new streets and he found it cut up and it was repaired in a way it would not last very long; that he wanted to know if the City of Houston gave permission and if no permissions was given he wanted the contractor to rebuild that section of street. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Quan, Bell and Robinson absent. (NO QUORUM PRESENT.)

Council Member Goldberg stated that regarding the Graustark Bridge and the issue of whether there should be a bridge, it was a TxDOT matter and did lie in their hands but they were holding up the issue until September 1 and he would invite comments from people on both sides of the freeway and they should contact his office. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Quan, Bell and Robinson absent. (NO QUORUM PRESENT.)

There being no further business before Council, the City Council adjourned at 1:06 p.m. upon MOTION by Council Member Ellis, seconded by Council Member Tatro. Council Members Galloway, Todd, Keller, Vasquez, Castillo, Quan, Bell and Robinson absent. MOTION ADOPTED. COUNCIL ADJOURNED. (NO QUORUM PRESENT.)

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary