

City Council Chamber, City Hall, Tuesday, September 12, 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, September 12, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, 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, Ms. Linda Layton, Agenda Office present. Council Member Annise D. Parker out of the city on city business.

At 1:58 p.m. Vice Mayor Pro Tem Castillo stated they had a couple of resolutions to present, which were in connection with work done during the Census 2000 effort, that the first was in recognition of the hard work done by Ms. Carol Alvarado in the Mayor's Office and presented a proclamation that stated that Ms. Alvarado championed the Census 2000 effort, coordinated the City's contributions to the Census 2000 effort and enthusiastically sought participation and the Mayor and City Council of the City of Houston commended Ms. Carol Alvarado for her contributions the success in the Census 2000 project in Houston, Texas, that as a spirited leader in the community and a vital resource to the success of the Census 2000 project they extended best wishes for her continued success. Mayor Brown, Mayor Pro Tem Boney, Council Members Goldberg, Todd, Ellis, Keller, Quan, Sanchez and Robinson absent. Vice Mayor Pro Tem Castillo presiding.

Ms. Alvarado thanked Council Members Castillo, Boney, Quan and Vasquez and all the other Council Members who participated in the Census 2000. Mayor Brown, Mayor Pro Tem Boney, Council Members Goldberg, Todd, Ellis, Keller, Quan, Sanchez and Robinson absent. Vice Mayor Pro Tem Castillo presiding.

Vice Mayor Pro Tem Castillo presented a proclamation to Mr. Ross C. Allyn, a tireless worker who was the man on the ground who pulled all of the parties together, not only for the Mayor's complete count committee, but for the work that was done in the neighborhoods, that the Mayor and City Council were greatly in his debt for the work that he did in the Census 2000, that he was a great leader in the community and a vital resource to the Census 2000 project and extended best wishes for his continued success. Mayor Brown, Mayor Pro Tem Boney, Council Members Goldberg, Todd, Ellis, Keller, Quan, Sanchez and Robinson absent. Vice Mayor Pro Tem Castillo presiding.

Mr. Allyn thanked Mayor Brown and the Administration for getting behind the Census like no administration had done before and also thanked the staff that was to be recognized, that as with any campaign they could not do it without a hard working staff. Mayor Brown, Council Members Goldberg, Todd, Ellis, Keller, Quan and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Castillo recognized all the representatives and delegates from the various City departments who participated and gave beyond measure to the success of the Census, that many of them had done it before and many of them did it for the first time and acknowledged the staff and asked them to come forth and presented each with a proclamation. Mayor Brown, Council Members Tatro, Galloway, Todd, Keller, Quan and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Vasquez stated that they were present to honor the observance of Cinco de Mayo, that the Third Annual Festival del Taco provided an opportunity for area residents to participate in numerous family oriented activities and events designed to highlight the rich tradition of Mexican Culture, that this year celebration included the construction of Taco 2000 which was entered into the record by the Guinness World Records as the Worlds Largest Taco, that the effort was organized by Laura and Association in collaboration with Mama Ninfa's Original Mexican Restaurant, La Ranchera, Channel 45, The Hispanic Broadcasting Corporation, El Dia and Centro Hispano Educativo, and presented a proclamation that stated that Lee P. Brown, Mayor of the City of Houston proclaimed September 12, 2000 as Taco 2000 Day in the City of Houston. Council Members Tatro, Boney, Todd, Ellis, Keller and Robinson absent.

Ms. Laura Pena, Laura and Associates, stated through an interpreter that Houston was a City of champions and was proud to call it her home, that she was proud to announce that the taco they assembled during the Taco Festival 2000 was judged and accepted by the Guinness Book of World Records as the largest taco ever produced in the world, that using one single tortilla, that was 16 feet and 2 1/2 inches long and 31.5 inches wide and weighed 1,145 pounds, the taco was created in front of City Hall on May 5, 2000, that Mama Ninfa's Original Mexican Restaurant created the super taco on a tortilla supplied by La Ranchera and she wanted to thank all the sponsors and participants. Council Members Tatro, Boney, Todd, Ellis, Keller and Robinson absent.

Council Member Goldberg presented a proclamation to Lone Star Pony Express and the Autistic Treatment Center of Texas that stated that Lee P. Brown, Mayor of the City of Houston proclaimed Tuesday, September 12, 2000 as Autism Awareness Day in the City of Houston. Council Members Boney, Keller and Vasquez absent.

Mr. Lynn Thrower stated that on behalf of the Lone Star Pony Express he wanted to thank the Mayor and City Council for supporting the huge cause for Autism and the Autistic Treatment Center of Texas, that Autism was the third largest diagnosed disease in the world, that some 40 to 50 Houstonians, in the true spirit of Houston, would ride from Houston to Ft. Worth for the worthy cause, that they raised in the whole event in Ft. Worth, \$120,000, of which the Lone Star Pony Express was the single largest contributor. Council Members Boney, Keller and Vasquez absent.

At 2:19 p.m. Mayor Brown called to order the meeting of the City Council and Council Member Bell led everyone in prayer and pledge of allegiance. Council Members Goldberg and Vasquez absent.

Mayor Brown requested the City Secretary to call the roll. Council Member Parker out of the city on city business. Council Members Goldberg and Vasquez absent.

Council Members Robinson and Ellis moved that the minutes of the preceding meeting be adopted. Council Member Parker out of the city on city business. Council Members Goldberg and Vasquez absent.

Mayor Brown stated there was a large list of speakers for the Public Session and that being the case it precipitated a Council rule in terms in the number of minutes that

each would take and requested that the City Secretary to read the Council Rule that would be invoked for the session.

The City Secretary stated that under Section 2-2 of the Code, if the total of the times requested by speakers at any Council Meeting was greater than 150 minutes, each speaker's time shall be 1 minute, and furthermore when the provisions of that section were invoked the question time for City Council Members would be limited to a total of 1 minute for each speaker, notwithstanding the provisions of Rule 10 on the contrary.

Council Member Castillo stated that given the gravity of the subject matter that was uppermost in the minds of the people present and the effort that it took for them to make arrangements to be present he would move to suspend the rules and allot the time requested, and was seconded by Council Member Boney. All voting aye. Nays none. Council Member Parker out of the city on city business. MOTION 2000-1105 ADOPTED.

Council Member Galloway moved to suspend the rules to move Reverend Andrew Burks, Jr., Mr. Ernest B. McGowen, Sr., Ms. Pat Lasher and Mr. Mike Reed out of order, seconded by Council Member Boney.

Council Member Bell stated that given the length of the list he thought it was really unfair to start moving around, that everyone had made the same sacrifice to be present and thought they would be wise just to go by the order that they called in and asked that they vote against the motion.

Council Member Tatro stated he echoed Council Member Bell's sentiments, that he had some constituents present also to speak on an issue and due to respect to all of the other people present he felt that it was important to take them in order, that once they started moving people around they would do a disservice to the entire list and asked that they abide by the list.

A roll call vote was called on the motion by Council Member Galloway to suspend the rules to hear Reverend Andrew Burks, Jr., Mr. Ernest B. McGowen, Sr., Ms. Pat Lasher and Mr. Mike Reed out of order.

ROLL CALL VOTE:

Mayor Brown voting aye.	Council Member Vasquez voting no.
Council Member Tatro voting no.	Council Member Castillo voting aye.
Council Member Galloway voting aye.	Council Member Parker out of city on city business.
Council Member Goldberg voting no.	Council Member Quan voting aye.
Council Member Boney voting aye.	Council Member Sanchez voting no.
Council Member Todd voting aye.	Council Member Bell voting no.
Council Member Ellis voting aye.	Council Member Robinson voting no.
Council Member Keller voting no.	MOTION 2000-1106 FAILED.

Mayor Brown stated that they would follow the order listed on the list of speakers.

Council Member Castillo stated there was a lady in the audience who wished to speak but could only speak Spanish, that they were looking for somebody who could translate for her and moved to add her to the speakers list, seconded by Council Member Boney. All voting aye. Nays none. Council Member Parker out of the city on city business. MOTION ADOPTED.

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

Pastor J. Wesley Williams, P.O. Box 3334, Houston, Texas 77034 (713-742-6634) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Boney, Keller and Vasquez absent.

Pastor Howard W. Bell 7225 Homestead, Houston, Texas 77028 (713-633-6849) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Boney, Keller and Vasquez absent.

Mr. Hunt L. Harris, Sr., 5505 Milart, Houston, Texas 77021 (713-747-2903) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Boney, Keller and Vasquez absent.

Pastor Reginald DeVaughn, 5517 W. Broadway, Houston, Texas 77581 (281-997-6006) appeared and stated that he was present on behalf of the tax reduction program, that he was a native Houstonian and had been in Houston all his life and enjoyed quite a few of the benefits as related to the City programs, that today he was somewhat concerned about the tax reduction, that he was concerned that if they did the tax reduction a lot of the City programs would not be able to take place, that was his grave concern and his question was if the budget was okay in June 2000, he was trying to understand why it was that they were talking about a reduction at this time. Council Members Tatro, Boney, Keller and Vasquez absent.

Council Member Sanchez asked what programs Pastor DeVaughn was referring to and he stated that when they began talking about tax reduction he knew that it would take money away from the different departments, the different Public Works programs, the after school type programs, that the after school programs were mainly the ones he was concerned about, and Council Member Sanchez stated that Pastor DeVaughn had made

a comment about the budget being okay at the end of June and there was some difficulty now and asked if he understood that the City expected more revenue as compared to previous years in terms of property taxes and Pastor DeVaughn stated yes. Council Members Boney and Vasquez absent.

Pastor Thomas E. Wallace, 15543 Weldon Dr., Houston, Texas 281-587-2058 appeared and stated that he was a native Houstonian and was born 51 years ago and was the son of Minnie B. Wallace who worked for a long time as Precinct Judge of Precinct 259, that politics was in her blood as it was in his, that he had been lying dormant for a while but was present to speak against the tax rate reduction, that he represented a large constituency in northwest Houston, that he was pastor there and in fact according to demographic studies in the 3 mile area where he served there was going to be an approximately 30% growth pattern by the year 2004, that his concern was that they were in northwest Houston at the edge of civic service and if the tax rate reduction would enhance or deter City services in that particular area, that many in northwest Houston were waiting with high expectations of City service and keeping pace with City growth in that area, that reductions would create a civic euphoria that simply did not exist, that the people that were waiting now would still be waiting if it passed tomorrow, that his concern for them was would tomorrow ever come and his question to the Council, would the rationale behind the tax rate reduction at this time in lieu of the fact that they had just passed the budget, what was the need right now. Council Members Boney and Vasquez absent.

Council Member Galloway stated she was not in favor of the rollback because there might be some services lost, that if it was foreseen revenue, until they had it in hand, then they would know what they had, but until that time she did not think there was need to rollback the taxes. Council Members Boney and Vasquez absent.

Council Member Robinson stated that Council was called to vote on the budget in June and under State law they did not set the tax rate until after they voted, that they could change when they vote on the budget so that the both dates corresponded and they had discussions in prior years about cutting the tax rate and because they had two different dates was the reason why they were now in a position to vote for or against the rate as opposed to June was just a matter of how the two dates fell so it should not be viewed that they should have voted for a rate cut in June and not now, and he asked Pastor Wallace that if not now when would they be willing to say they had reached the appropriate time and were willing to cut taxes to give back some to the homeowners. Council Members Boney, Vasquez and Castillo absent.

Council Member Tatro stated that he too would have the same concern if he felt that the City services would be retracted not only to his district but the entire City, that to follow up on Council Member Robinson's timing issue, if he believed that the budget that Council passed, with the revenues and expenditures, was sufficient to handle those then he had total confidence that the proposal before them to reduce the tax rate by two cents from the time period when they passed the budget and their better estimates would not impact the City's revenue at all. Council Members Boney, Vasquez and Castillo absent.

Council Member Bell stated that he believed it was the 5 minute bell that rang on the issue and would ask that they observe the 5 minute time limit, the 5 minutes per issue, that there were going to be an ample number of speakers to ask the questions and

if they were allotting them their full time, he would ask that they abide by the 5 minute rule. Council Members Boney, Vasquez and Castillo absent.

Mayor Brown stated that he was going to invoke the 5 minute rule, that meant that the speakers would have their full time that was allotted on the agenda and Council Members collectively would have 5 minutes to pose questions to the speakers. Council Members Boney, Vasquez and Castillo absent.

Mr. Edward Buford, 5641 Apgar, Houston, Texas 77032 (281-442-9975) appeared and stated that he was also a pastor in northwest Houston and was also concerned and opposed to the tax rollback, that he dealt with a lot of children in the community and with a lot of single mothers and their children and a lot of the programs that could possibly be sent back, that the cutback would not be good for his neighborhood, that he had listened and was a simple spoken man and the way he saw it was that the value of whatever each home was going to get from the rollback going to be sufficient enough to ask him to go and see children without some of the programs they had or see services stop in his community, and his question was how much was the rollback per each household and was the value of that rollback worth doing what they were about to do to some of their children and communities. Council Members Boney and Vasquez absent.

Upon discussion by Council, Council Member Galloway stated that on a \$100,000 home it would be approximately \$16.00 that mostly in her community it would perhaps be about \$3 or \$4, which to her was not going to hurt her pocketbook if it was going to affect any program or service they had in the City, and Council Member Robinson stated it was going to vary depending on the value of the home, that he did not know what programs were to be cut, and he asked that they cap increases in valuation of homes, and if folks did not want what the savings was, then they could always write a check and send it back to the City. Council Members Boney and Vasquez absent.

Council Member Todd asked for a point of personal privilege and stated that last week they had a speaker present who was disabled and had indicated that his home was basically falling down around him and someone in the audience had seen the news coverage on it and owned a plumbing company and was present, his name was Mike Reed, that he wanted to donate his plumbing services to the speaker from last week but did not know how to get a hold of him, and Council Member Todd hoped that the Mayor's Office could help him get in touch with Mr. Reed. Council Members Boney and Vasquez absent.

Mr. Mike Reed, 9702 Old Galveston Rd., Houston, Texas 77034 (713-943-1483) appeared and stated that they had seen on the news about the Reed house and would like to offer his company's people and repair to help the Reed's get back into a house or whatever to live and raise their children, that the City of Houston had been very good to him, that he had wondered, since his stroke a few years ago, what the Lord would have them do an he had answered so they were present to help and appreciated all the people in Houston embracing them and would like to give some back. Council Members Boney and Vasquez absent.

Mayor Brown commended him for that and stated that it was a very good thing to do to help people who were in need of help and appreciated it, and Council Member Quan stated that Mr. Miller did the story for Channel 11 and could help him contact Mr. Reed,

and Council Member Galloway stated that her office had the address and would supply Mr. Reed with that information. Council Members Boney and Vasquez absent.

Ms. Christina Lindsay, 2020 N. Loop W., #240, Houston, Texas 77018 (713-819-9412) appeared and stated that she was the Executive Director for the Association of Consulting Municipal Engineers, that her organization had asked her to be present to speak on the issue of the proposed tax cut being proposed by Council Member Ellis, that their association had a history of strongly supporting the budgeting of adequate public funds, especially for infrastructure improvements that encouraged economic development in the City as well as those projects which would meet the needs of the City and the projected population growth, that there never seemed to be enough money to do those kinds of projects, therefore they were concerned that reducing the tax rate at this time may hamper the City's ability to provide for needed services and the improvement and expansion to the infrastructure needs of streets, bridges, waterline and drainage improvements, and suggested that perhaps it was not the correct time to initiate a tax reduction, they felt the City needed all of its revenues to continue to meet the challenges that the City faces at this time. Council Members Galloway, Boney and Vasquez absent.

Upon questions by Council Member Keller, Ms. Lindsay stated that they did work in the public sector, that at the level that she understood the tax rate rollback would occur would really be of a benefit of only approximately \$16 per individuals for a year and did not think they could do a lot with that, that it was her understanding that the potential tax rollback would in fact have a negative effect on the City's bonding capacity, which would increase the interest payments and therefore reduce the amount of funding available for capital projects. Council Members Galloway, Boney and Vasquez absent.

Mayor Brown stated that when they had their Capital Improvement Program they floated bonds to take care of it to cover the cost and in order to pay the bonds down they had to have the money to do so, that in came from the General Fund. Council Members Galloway, Boney and Vasquez absent.

Council Member Robinson stated they had \$150 million dollars plus in delinquent traffic tickets and accumulated at the range of about \$30 million dollars per year in delinquent uncollected traffic tickets, that he wanted to make the comparison because everyone was throwing around the \$16, that the property tax rate did not affect the debt, that they could refinance the debt, they could do it through derivatives and interest rate swaps, that they could point to those things and show that the premises underlying the basis for the opposition were not necessarily correct and asked Ms. Lindsay if ACME would still be in the position and she stated that they would have to take that under additional consideration, but again, it was their understanding that the general obligation bond election that was being considered for next year and if they rolled back the tax rate now how would that affect that issue in the coming years, and Council Member Robinson stated that a bond election only gave them authorization and then they spend down against that authorization based on the revenue that was coming in, so if the revenues were not coming in as high they would just draw down less. Council Members Galloway, Boney and Vasquez absent.

Mr. Cledthus Montgomery, 32302 Bomar, Houston, Texas 77028 (713-695-2278) appeared and stated that he was Pastor of Northside Baptist Church and President of Houston Christian Ministers Fellowship in the northeast section, that he was present to

express their concern about the tax reduction, that if it was a tax reduction it was not enough to really help anybody, that they stated it was 1.34 of the average home, and where he was pastor it would be less than the average home and would be about \$7 per year, that why tell a man you were going to feed him and then throw him a crumb, that if they had that much money in excess than why did they not cut taxes enough to help the poor, that it seemed to be a deception and that was why they were against the tax reduction. Council Members Tatro, Galloway, Boney, Vasquez, Castillo and Robinson absent.

Council Member Ellis stated they were not cutting taxes, they were cutting what the tax rate was, which essentially meant that his property was still going to be taxed at 2.5% higher, that they were not really cutting taxes, they were giving tax relief, that it was a compromise, that the property taxes were still going to generate 2.5% more in tax revenue to the City so it was not a tax cut, that they were trying to curtail taxes, they had been increasing the property taxes at the rate of 31% over the past 5 years at a rate of 6%, that there were some people who believed they should curtail taxes, that he did not think the terminology was deceptive. Council Members Galloway, Boney, Vasquez, Castillo and Robinson absent.

Council Member Todd stated that he had advocated having a much more dramatic tax cut than Council Member Ellis, that it was inaccurate to state that there would be less money coming in, but it would be accurate to state that the actual rate would be dropping slightly. Council Members Boney, Vasquez, Castillo and Robinson absent.

Mr. Hans Marticiuc, 1602 State Street, Houston, Texas 77007 (713-237-0287) appeared and stated that he was the President of the Houston Police Officers Union, that there was much talk generated between what appeared to be two opposing factions on Council regarding the never ending budget crisis and proposed tax roll back, that what concerned him and 5,400 Houston Police officers was the negative impact that the tax rollback would have on public safety and law enforcement personnel, that the rollback could affect late call overtime, court pay, police vehicle purchases, repair, operating expenses, some of the buildings that they were decentralized that and over course overtime units that were out there basically taking the place of one man units, that they were already having difficulty in recruiting in the tight job market, and then compound that with the additional burden of recruiting those that were interested in law enforcement careers by competing with agencies such as Dallas, San Antonio and Austin that had a better salary structure, that even with the good contract that they obtained at the end of 1998 they were still 8% to 10% behind, and in addition those agencies had received increased pay raises of 12% the past year, that they were preparing to go to meet and confer negotiations in November, but were they also getting ready to put public safety back on the back burner, that the employee health care cost was still an unknown, but what they did know was that the City and each employee would have a greater burden to carry and with those unknowns and the other issues together, then they had a problem, that the ever changing income flow and projections ought to be a warning bell that all was not correct, that in a time of never seen before nationwide economic prosperity Houston appeared to be the only major City that seemed to be consistently close to operating in the red, and maybe that was because Houston was the largest major City in the Country with the lowest property tax rate and statewide the tax rate was lower than Dallas and Fort Worth, that how in good conscious could they even contemplate a tax rollback that would have a potential of such negative impact on services to the citizens of Houston,

that he would venture to say that the citizens would prefer that the \$16 savings remain in the City coffers and keep public safety a priority. Council Members Vasquez, Castillo and Robinson absent.

Council Member Ellis stated that he understood Mr. Marticiuc's concerns and thought that everyone around the table would agree that they wanted to fund the Police Department as best they could, that they had over \$150 million dollars in delinquent tickets, parking and traffic, that was growing at a rate close to \$4 million dollars per month and that Administration saw fit not to go out or find somebody who could go out and get those dollars, that he would like to see the Mayor work with the Police and Fire Departments and earmark those dollars for significant raises and to help both the Police and Fire Departments, and Mr. Marticiuc stated he appreciated that, but those were one time funds and they had millions of dollars in outstanding traffic tickets and parking tickets for the twenty years he had been a police officer and they had never been able to collect those. Council Members Vasquez, Castillo and Robinson absent.

Council Member Boney stated that Mr. Marticiuc had made an important point when he responded to Council Member Ellis about the funds which had accumulated with regards to delinquent parking and traffic tickets, that they were one time funds, that employee costs were recurring costs that occurred every year and thought there was a likelihood of a percentage of available collections that was probably standard across cities and thought the opportunity to collect 100% of those funds was unlikely as it was in every other city, that the fundamental point that they needed to make was did they put the City in the position where they would decrease revenue and basically preclude the opportunity to raise compensation for police, fire and civilian employees or did they make sure they had the revenue first and then determine whether it should be applied to debt service, tax relief or employee compensation.

Council Member Ellis stated that if they looked at what happened last year the Administration had revenue projections that were \$38 million off, it was extremely aggressive, and they operated on a \$20 million deficit, that they needed to figure a way in the Administration's eyes to generate more revenues, that they needed to start looking at expenditures, such as FTE's and so forth, and Council Member Boney stated that the fundamental policy question was that what Council Member Ellis's proposal sought to do was to spend a surplus that had not yet been realized when in fact they had an \$11 million dollar deficit before they got started. Council Members Vasquez and Quan absent.

Reverend Donald Burgs, Jr., 7602 S. Kirkwood, Houston, Texas 77072 (281-530-6893) appeared and stated that he was Pastor of the Alief Baptist Church and was president of the Minister Advisory Board to the Mayor of the City of Houston, that he had shared with some of the people in his office and around the church the purpose of the meeting and their question to him was why would they propose a tax rollback, a tax decrease when there was a possibility of City services being handicapped or cutback, that he had heard on the radio that Houston was now the fifth safest City in the United States, so why would they put in jeopardy and in harms way the citizenry of the community and decrease their level of peace and serenity, that each Council Member came by their churches and reassured them that every move or decision they made would be in the best interest of their people, that they were present to hold their feet to the fire, that they were only doing what the scripture said to them, that "render unto

Cesar, that, that be Cesar's", that was all they were saying and they were putting into place what they taught, preached and illustrated. Council Members Boney and Quan absent.

Council Member Galloway stated that she did hear their plea while she visited the churches and was doing as accordingly, that the district that she represented had more weeded lots and trash than any district in the City of Houston and thought if they were to get a handle on the problems they needed to keep the tax rate as it was. Council Members Boney and Quan absent.

Council Member Robinson stated there were people in the City who paid taxes but did not get solid waste service from the City and he would like to have a serious discussion on how all the pieces fit together as opposed to people coming and making arguments in the abstract, that everybody was saying that now was not the time, but nobody had laid out a predicate as to when would be the time, and he would love to engage in that conversation if they were serious that at some point taxpayers were entitled to some of their money, and Reverend Burgs stated that if Council Member Robinson really knew his constituency as he should, they would say to him, that if it was going to cost them piece of mind, serenity, solace or if they were going to have to worry that they would have proper police care or if their children could cross the street unimpeded by traffic, \$3, \$5, \$20 a month was not too much to pay for. Council Members Boney and Quan absent.

Ms. Candyce Rylander, 2001 Kirby No. 814, Houston, Texas 77019 (713-942-8500) appeared and stated that she was Executive Director of the Houston Parks Board, that the Parks Board wanted her to be present to speak to the tax rollback issue, that as they were well aware off the Parks Board worked very closely with the Parks Department day in and day out because they brought millions of private charitable contributions to the City every year to expand the park system, that they were concerned that a tax rollback would mean that they would turn to each of the City departments and ask for an across the board cut, as had happened last year when they had a shortfall because of sales tax projections, that it could be a presupposition but generally that was the natural place to go, that in terms of the Parks Department they had streamlined their operations and there were no crumbs left on the table and the department was seriously under funded to manage the City parks property and their inventory of property that needed to be developed, that they were having a hard time understanding the projected lack of need for \$17 million dollars when they had already seen departmental cuts across the board two years in a row, that they were seriously concerned because they knew that all to often parks were looked at as a nonessential service. Council Members Boney and Quan absent.

Council Member Keller stated that the largest donors to the Park Board was the private section which he was hopeful would be able to donate even more with the savings they would have with the property they owned, and if it was only \$7 and \$16 then why was everybody making such a big deal about it, that the financial arguments that were being used were equivalent to one yelling fire in a banquet hall or an office building when there was not a fire, that it was misrepresentation as far as he was concerned, that it was similar to him as a family maybe going a year without a ski trip, that it was not the same as a family having to not clothe their children, that since he had been on Council they had \$12.6 million dollars in studies and thought that should be more affected than public

safety, than infrastructure, than taxes, than education, but yet always those were the arguments that were used in these situations, and Ms. Rylander stated there were surveys that demonstrated that the public was willing to take a tax increase in order to properly fund the park and library system, and Council Member Keller stated that he would like to talk to her about the funding of their Board versus private and public sector and whatever they got hurt he would work and pledge to her to get from the private sector to makeup that differential.

Council Member Castillo stated he could appreciate Council Member Keller's offer but they had to be cognoscente that one thing was to talk about the Parks Board and the land and all the acquisitions they did with the Board and Corporate Community and it was another thing to talk about parks maintenance and operation which runs the rest of the Parks Department that all of the Council districts depended on and when they started making corporate contributions to El Grando Park, Zavala Park, Hidalgo Park or Moody Park, then he might talk to them in private, but hoped that all their discussion were out on the table where everybody could hear, and Ms. Rylander stated that the majority of those parks had received private sector contributions. Council Members Boney and Quan absent.

Mayor Brown stated that as to Council Member Keller's analogy about going skiing, there were many people who did not go skiing because they could not afford it, they were looking for the day to day activities of life, that was eating and paying their rent, that his metaphor related only to a small segment of society not everyone they were trying to help. Council Members Boney and Quan absent.

Mr. Dwayne Wilkins, P.O. Box 962, Houston, Texas 77001 (832-654-6465) appeared and stated that he was against the tax proposal, and asked if they had ever seen kids hanging on the streets trying to raise money to provide for their sports equipment or afford a team, that if they made a cut it would get worse than it was, that it was very dangerous running around cars trying to raise money to support their team, that he did not know where they all lived, but knew that if he had driven down on the other side of Kingwood and other areas he would not see kids out there running through cars trying to raise money for their teams, that he agreed with the officer who spoke previously about the tickets, that if they had not done it in 20 years what made them think they were going to do it now for the money that was uncollected, that also cutting back on City services, that he had a leak and it took the City 48 hours to do anything, and he thought that if they had a problem now and if they took a cut now what was going to happen down the line. Council Member Vasquez absent.

Council Member Keller asked Mr. Wilkins if he thought that having \$12.6 million dollars in studies was the same as a family having the luxury or lavishness to afford a ski trip, and Mr. Wilkins stated it depended on who was doing the studies, actually going out the area that needed help versus just sitting behind the desk. Council Members Boney and Vasquez absent.

Mayor Brown stated that sometimes it was necessary to do the studies to determine how they fixed the problem, that it was standard in every government in the Country. Council Members Boney and Vasquez absent.

Ms. Vickie Bell, 1309 Bomar, Houston, Texas 77006 (713-523-0752) appeared and stated that she was present to speak in support of Item 35, the special building line requirement for Bomar Street, that when she first moved to Bomar in 1985 the widow the man who built the homes lived across the street and his son lived next door to them, and she spent many hours listening to the son tell stories about how the neighborhood was built and she repeated those stories to new neighbors as they moved in, that it was a great street and in the two blocks they all knew each other and were friends and the houses all had big porches and they all sat on the porches in the morning and afternoon and visited with each other, that she liked the neighborhood and so did the neighbors and if they were to lose that old time feeling of knowing each other it would be sad. Council Members Boney, Vasquez and Robinson absent.

Mayor Brown stated he agreed with her and thanked her for being present. Council Members Boney, Vasquez and Robinson absent.

Mr. Mike O'Brien, 12800 Briar Forest House No. 154, Houston, Texas 77077 (281-496-0752) appeared and stated that he was President of the Houston Homeowners Association and was present for several reasons, that one was to support the special building line requirement area on Bomar and would urge the Mayor and Council to vote for it, that it was the most powerful tool that the neighborhoods got in the rewrite of Chapter 42 and that was the ability to save the front setbacks in the neighborhoods, and in addition he was present to speak about a situation out in Candlelight Estates where there was a proposed bridge being built across a drainage ditch to allow a developer to have his new development people exit out to a very quiet neighborhood if the bridge was built and Rosslyn Road was extended through, and he would urge that Council stay and listen to speakers on the subject later on, that they had some things that they needed to listen to, that it was a very quiet neighborhood and it would be additional traffic emptying into it, that it was not on the major thoroughfare plan, it was taken off in 1992 by Council Member Helen Huey and was not on the CIP, and asked again that they give consideration to their statements and hoped that the bridge would not be built. Council Members Vasquez, Sanchez and Robinson absent.

Ms. Ruby Murphy, 22230 Rustic Bridge, Houston, Texas 77339 (281-358-9074) had reserved time to speak, but was not present when her name was called. Council Members Vasquez, Sanchez and Robinson absent.

The City Secretary reminded the audience of Rules of Council which prohibited applause, boos, claps or otherwise approval or disapproval of actions being taken at the City Council table or the speakers podium and if they would observe those rules by not applauding or booing it would allow the meeting to go a little faster and was sure that Council would appreciate them observing those rules. Council Members Vasquez, Sanchez and Robinson absent.

Mr. Griff Griffin, 3218 Suffock Dr., Houston, Texas 77027 (713-850-8859) appeared and stated that he was present for the family section for the new arena and the football stadium, that as the pro arena forces get ready to spend \$2 or \$3 million dollars to tell them what a great deal it would be for the community he was asking why did they not put money into a family section in the new arena where the average Houston family could afford to bring their children to a game without taking out a loan, that if Mr. Les Alexander could not commit 500 tickets for every game and Mr. Bob McNair could not commit 1,000

for every NFL game for a family section where the cost of the tickets would be \$20 or less in an appropriate area, not the last three or four row, than the elected officials and their Sports Authority Members should be ashamed of themselves for not encouraging the owners to provide an area where Houston families could enjoy a game at least once or twice a year, that Mr. Les Alexander and Mr. Bob McNair had been good for Houston sports, but Houston had been very good to them, that if 7 out of 10 Houston families could not afford to buy an NBA or NFL ticket why should they be excited, lets make everybody a winner in the City, how much money did the owners need, that it was something that he was very serious about, they were right on the threshold, that they were talking about money for City services and they were talking about giving almost \$600 million dollars to two individuals for two arenas they would be building for them and they could not tell him that they could not give 500 tickets for the families of the City, that the family section was a definite need for the City, that 50% of the tickets had already been bought for football and were all corporate and left very little for the families of the City, that why should they vote for an arena or stadium when 7 out of 10 families could not afford to go to the game, that he was asking for their help and encouragement to the sports owners, and how about 500 tickets for basketball and 1,000 for football, that the families in Houston and the County deserved it. Council Members Boney, Castillo and Sanchez absent.

Reverend Andrew Burks, Jr., 5606 Beldart, Houston, Texas 77033 (713-738-4117) appeared and stated that he respected them tremendously but needed eight votes, that he wanted them to reconsider their stand on the tax rollback that it was not good for the City, that they all campaigned together and heard everything they said about delivering City services to the people, that they were going to do a very good job of doing that and very mindful of how they spend their money, but what they were about to do was a political move, a total political move, that same as what Judas did sitting at the table, that it was a political move for some personal gain, that the man in Bellaire did not run the City, the Mayor did, and the citizens of Houston voted for Lee P. Brown to be Mayor of the City, that when they brought partisan politics into the City it had no place, that next year they would have to decide to raise the tax rate, that as they lowered it today they would have to find the money to do it, that they were talking about police and fire and health insurance contracts for the City employees, that he had heard them say "this administration", that it was their administration, that they had been sworn to work with the administration, and they the people were their boss, that he wanted 8 votes, he was their boss and represented a lot of people, that if they voted their consciences and did not listen to their boss then in November 2001 their boss would let them have a pink slip, that they were seriously talking about the districts that had ditches and needed the streets repaired, that they were talking about areas in town where the CIP programs would be gutted and they had not been told where the money would be cut from, that he wanted them to work with him and go to Commissioners Court, that they paid City and County taxes and got no County revenues back into the City to help the City, that they needed to pressure the Commissioners to give back some of their tax dollars to the City. Council Members Boney and Sanchez absent.

Council Member Tatro stated he did not believe it was political, that it was financial and fiscal, that they were not adjusting the revenues at all and had yet to see the cuts in material form because they were not adjust the revenues just updating them, that his district had a lot of ditches, that it was a General Fund operating issue not a CIP issue, that if they believed that the budget they passed in June was sufficient they were not

looking to alter that at all, and Reverend Burks stated if they voted it down they would go to Commissioners Court and get back some of their money and bring it back to the City to help repair the sewers in District A. Council Members Boney and Sanchez absent.

Council Member Todd asked Reverend Burks for the record and for all of his constituents in Kingwood and Clear Lake would he like for Council to vote yes or no for the proposed tax cut, and Reverend Burks answered that he would like for them to vote no, and Council Member Todd asked if Reverend Burks believed that party politics should not be involved in City politics at all and Reverend Burks answered that it was still his opinion. Council Members Boney, Vasquez and Sanchez absent.

Mayor Brown stated that the administration presented the budget, but the City Council passed the budget. Council Members Boney, Vasquez and Sanchez absent.

Mr. Ernest B. McGowen, Sr., 9010 Parkette, Houston, Texas 77078 (713-635-3191) appeared and stated that they voted on everything in the City of Houston, whether they were a single member district or not, that he was present to ask them for representation that he did not feel he had, that he had not seen a position paper on the proposed rollback on taxes, that he had been present in the glory days of the 70's with Mayor Hofheinz, on the school board, was present with Mayor McConn in the early 80's, and with Mayor Whitmire when the bottom fell out of the oil industry, that they had to manage the City and were still paying the debt service on the bonds that they used out in Southwest Houston to have sidewalks, curbs, gutters and beautiful homes, and he was on Hirsch road when there was a ditch in front of his home, but when they were on the City Council they did not have the luxury of the economy being as it was now with this Council, that it was his time now that they would take into consideration one of the districts that was most under represented as having projects that they needed, that what Council Member Galloway said about the ditches, they did all they could about the open ditches, trash and all of the other things, that there was another part of District B that had never seen a Council Member until he got there, out in Huffman and Porter, that they had been annexed but did not have City facilities now, so if they were going to have a rollback let them know what they were going to do with the rollback or where it was going to come from, that they had to expand the programs they had now, that they had some young people who really needed to know where they should be going right now, and he suggested that they cut the Mayor's and Council's staff, selecting cutting in the departments, that they would have a bond rating and it would probably go down, that no more new programs would be able to come in and there would be a freeze in employment, and reducing the operating hours of the libraries and recreation centers, that they did not have enough greenspace for the children in his area. Council Members Boney and Vasquez.

Council Member Castillo stated that he knew Council Member McGowen still represented a lot of the people in District B in his heart and asked how many people he had come up to him and say they needed to have their taxes cut and their services cut, and Mr. McGowen stated that none, that they knew where it was coming from, that they were the forgotten area out where they lived, that they were talking about \$1.34 per month for the average home, where they lived they had HUD giveaways and that had lowered the property value. Mayor Brown and Council Member Vasquez absent. Mayor Pro Tem Boney presiding.

Council Member Galloway stated that she appreciated Mr. McGowen statements as she represented the district that he once represented and could attest that no one in District B had come to her to rollback taxes, that the school district raised taxes for more improvement for education and to give employees a raise. Council Members Vasquez and Castillo absent.

Reverend R. N. Williams, II, 1114 Wilburforce Street, Houston, Texas 77091 appeared and stated that he was also present to discuss the proposed rollback of taxes as it related to funding of perhaps possible City services, that in the Fourth Ward they were in the process of a conscious redevelopment effort and were constantly working with City Planning as it related to necessary new infrastructure that needed to go in for those new homes to be completed, that any cut in services or funding had an impact and concern on what they were trying to see in providing that aspect of affordable homes, that it appeared to him that there still needed to be a great deal of homework done on the whole issue before they would take a hard and fast position and asked that they do that and include not just a matter of the Council area but also the citizenry involved in it, that if they had some bullet points of what was to be impacted or not then it would help some of them in their position, that as one of the pastors in the City he was very concerned about any impact that it would have, not only in the Fourth Ward, but across the City, that they needed the City services and did not think this was the time, that as to the question of when would be the best time, he fundamentally believed that if they did their homework it would tell them to look at where they were because there was still a lot of question marks and things up in the air, and he asked that they take that into consideration. Council Members Boney and Galloway.

Council Member Sanchez stated that he had heard the overriding theme that if there was a modest rollback in the tax rate that somehow calamity would strike the City and among those events would be the diminution of the bond rating for bond purposes, that no one had appeared to collaborate the statements that had been made that the City's bond rate would experience the calamitous event and wondered where all the financial experts were and how come they had not appeared and given City Council Members the opportunity to engage in some sort of discourse. Council Member Galloway absent.

Council Member Castillo stated that in the letter that was forwarded by their financial advisor from First Southwest Company which stated exactly what the public had stated, that they were being blind to the issue because they were looking at things in single packets and in fact had to consider that next year they were going to have to pay additional health benefits for City employees, that there were tremendous increases coming down the road.

Mayor Brown stated they went through a bond rating presentation a couple of weeks ago and both he and the Controller made a presentation, that they were relatively pleased with the state of affairs in the City, that they read the newspapers and as a result they had postponed one of the lettings of some of the bonds, they had contacted the bond rating agencies and they had made it very clear that they viewed the tax rate proposal as a negative factor and certainly one could conclude from that, that it would have an impact on the bond rating which would cost them more money. Council Member Galloway.

Upon questions by Council Member Todd, Mr. Williams stated that while in a ministerial group setting they were made aware that there was an issue that they should be aware of, that their president, Reverend F. N. Williams Sr., asked them to convene.

Reverend Joe P. Hubbard, 3521 Dennis Avenue, Houston, Texas 77004 appeared and stated that he lived in District B and was a pastor in District I, that he was president of the Central Missionary Baptist General Convention in the State of Texas and was a member of the National Baptist Convention of America Inc., that he was very concerned about the area he lived in, District B, that he was pastor in the Third Ward area in the shadows of downtown and the area where they proposed to build the new stadiums, that they had a library on Scott Street that had been under renovation for three years, they did not have a multi purpose community in that area, that they had a number of after school programs that were in jeopardy if the tax rollback should come to fruition, that he was present to ask Council not to interfere with the tax bill that had been okayed in June, that for the next two years the National Baptist Convention of America Inc. planned to bring their convention to the Houston area, that he represented with a number of people and was in conjunction with the previous and following speakers to leave the tax proposal alone and make Houston the City that it ought to be, and he asked what happened to Houston Proud. Council Members Galloway, Ellis, Keller, Vasquez and Bell absent.

Council Member Robinson stated that the last time they went through the issues of cutting back on expenditures Council was not necessarily involved in that process in any substantive way, and stated that he could produce a list of where they could make the cuts, that they would all have to work together on the cuts, that Council had not produced a list of cuts, but if there was a list, then it should be shared. Council Members Todd, Ellis, Vasquez and Bell absent.

Reverend Hubbard stated they had eluded to the Bible quite a bit, but recommended that those who did not have time to go to Bible service should go, that Cesar never gave anything to the people and the same thing of the Pharos in Egypt, that if Council desired a Bible lesson they could deal with it because they were the Houston Ministers against crime. Council Members Ellis, Vasquez and Bell absent.

Council Member Castillo stated they were on Council to represent people and not only did they have to know what the people needed, but they had to be sensitive when people told them they would rather have the services than \$1.34 back every month. Council Members Ellis, Vasquez and Bell absent.

Mayor Brown asked Reverend Hubbard how many people would come to his convention and he stated about 6 million people, that they had a two year contract. Council Members Ellis, Vasquez, Bell and Robinson absent.

Mr. Jerry Hall, 10 Warrenton, Houston, Texas 77024 (713-467-4255) appeared and asked if a child's life was worth \$15, that he lived in District G of which they had a huge storm drainage problem, that last year a young child had to be saved from a floating bus because of the problems, and they were talking about a tax rollback, that they had been promised the restitution of the drainage system but yet it was still on hold, and their fear was that the money was budgeted for the drainage system would be redirected if the rollback happened, that he was not willing to give up his child for \$15, that the goals should be redirected as to servicing the communities in the proper way that Council was

appointed to, to make sure that the neighborhoods were safe from possible disasters. Council Members Ellis, Vasquez, Bell and Robinson absent.

Mayor Brown stated that last year people from District G came to his office with video tapes of their homes flooding and asked Mr. Hall if the people who were living in the area would support keeping the budget as it was so they could help deal with the flooding problem or would they like to see their dollar something a month, and Mr. Hall stated that he had been called by so many people to save the children because the flooding was so bad. Council Members Ellis, Vasquez, Bell and Robinson absent.

Council Member Keller stated that he appreciated Mr. Hall's passion on the issue but did not see it as that simple as a child's life or the vote, and asked if someone had told him that their project would be killed if the vote went by, and Mr. Hall stated no, that he had some serious discussion with people because favoritism of Council Member Keller in the eyes of the Mayor was not real positive, that the fear came into play that if the budget was not there and the money was withdrawn than they had the chance to lose the funding for the project, that it was an assumption, and asked if Council Member Keller could assure him that the project was going to be completed and that the sewer drainage system was going to be fixed, could he promise him that, and Council Member Keller stated that he could promise him that it had no relationship to the Capital projects, and Mr. Hall stated that they had heard all day about the problems that everyone was fearing was that City services would be reduced and Council Member Keller stated that there should not be any City services reduced and Mr. Hall stated that should not be or will not be were two different words and which one was it. Council Members Ellis, Vasquez, Bell and Robinson absent.

Council Member Tatro stated that his concern was that they had been led to believe there would be cuts in services and was not sure why that was, but was also led to believe that the Mayor would retaliate upon Council Member Keller's district if the tax decrease did go through and thought that his beef was not with Council Member Keller that it should be with the Administration, if the Administration in a strong Mayor form of government tended to retaliate on an approved CIP and he would stand behind Council Member Keller in his capital improvements that had been set out in that CIP. Council Members Ellis, Vasquez, Bell and Robinson absent.

Council Member Galloway moved to suspend the rules to add Reverend Johnny Jeremiah to the speakers list, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Parker out of the city on city business. Council Members Ellis, Vasquez, Bell and Robinson absent. MOTION 2000-1106a ADOPTED.

Mayor Brown stated that he wanted to remind Council Member Tatro that as he talked about Capital Improvement Projects and General Fund monies that they paid the debt service from the General Fund so clearly there was a relationship between the two and how did he think they paid down the debt service, that it was from the General Fund. Council Members Ellis, Vasquez, Bell and Robinson absent.

Mr. Miguel Espinosa, 12223 Taylor Crest, Houston, Texas 77024 (281-293-2047) appeared and stated that he was confused because he was present to talk about cutting taxes and one of the Council Members referred that there was going to be more revenues and maybe he was present to talk about not cutting the budget, that he was asking them

to carefully consider how they vote and not forgot the Houston Public Library System when they did, that he had served on the Library Board under two different administrations, that his goal was and continued to be to work toward the City of Houston having one of the best libraries in the Country, that he was concerned that if there was a tax cut and subsequent budget cut that the library would be negated from some of the advances they had in recent years, that he would hate to see the library's budget cut, they had some libraries that were built 30 to 40 years ago that were in need of many things to bring them up to standards. Council Members Todd, Vasquez, Bell and Robinson absent.

Upon further discussion by Council, Council Member Galloway stated she had attended a Greater Houston Partnership luncheon and stated that it seemed that the majority of the citizens of Houston did concur with what Mr. Espinosa was saying, that 62% concurred that they would rather see taxes raised to improve service. Council Members Ellis, Vasquez, Bell and Robinson absent.

Council Member Sanchez asked if Mr. Espinosa had a budget for his household and prioritized his spending based on his income and Mr. Espinosa stated that was correct, and Council Member Sanchez stated that the City operated similarly, that they had a limited amount of income and ought to have a budget that focused on the ABC's of municipal services. Council Members Boney, Ellis, Vasquez, Bell and Robinson absent.

Council Member Quan moved to suspend the rules move Ms. Pat Lasher out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Parker out of the city on city business. Council Members Boney, Todd, Vasquez, Castillo, Bell and Robinson absent. MOTION 2000-1106b ADOPTED.

Mr. Bill Hopkins, 14722 Quail Grove, Houston, Texas 77079 (713-497-7934) appeared and stated that he was against the tax cut as it was proposed, that it was absurd because the City did not have enough money to operate last year, that it was fiscally irresponsible to ask for a tax rollback if they did not have enough money last year, that he lived in District G and for two years they had tried to get some drainage work done, that it had been approved as a maintenance item and not a CIP item, and had not been done because of lack of City funds, that he did a lot of volunteer work in District A and they had a lot of open ditches and had drainage problems there, and stated that the property valuation would be thus justifying tax cuts had never been true before so reliance on that to bail them out was not a good assumption and suggest that they look at the long term and not just in terms of their term, and asked Council Member Keller to tag the item. Council Members Vasquez, Castillo and Robinson.

Upon questions by Mayor Brown and Council Members Tatro and Quan, Mr. Hopkins stated he wished they would all vote against changing the tax rate, that they needed the monies to be used in a lot of different services, that he did not have a problem with the water rates but with the sewer rates, that the customer relations in the Water Department had improved 100,000%, that they were doing a good job as far as the water service was concerned, that he did not like the water line breaks, so if they had those expenses then do not cut the budget, that he was a petroleum engineer, that he had been self employed for the last 9 years, that he was employed as a substitute teacher and did consulting work on the side, that the tax cut would pay about 20% of one months water bill for him. Council Member Goldberg absent.

Mayor Brown stated that anyone who ever managed more than a couple of people would know that they did not staff up for the water leaks that they had based on the heat and no rain, that it would be totally irresponsible that they staff up anticipating that they had the type of weather they had. Council Member Goldberg absent.

Mr. Freddy Blanco, 1839 Alta Vista, Houston, Texas 77023 (713-923-4700) appeared and stated that he was board member of the Local 968 Teamsters and represented over 300 people in his area, the Precinct Judge of 72 Mason Park, president of the civic club association and was present to speak against the tax cut proposal, that he had never seen such greatly educated people and what they proposed to the City, that he was present to ask them to put their politics aside, that they had elected them and he had helped some of them to get elected maybe once, twice or three times, that he had invited them to their civic club, that they should not be debating on whether or not to cut the taxes, that they should be debating how they could serve the communities and City that they had been elected for. Council Members Goldberg and Vasquez.

Council Member Robinson stated he had been to a lot of different civic clubs and was sorry that he had not made it to Mr. Blanco's yet, that he had been to every corner of the City and continually tried to work with everybody, that Council did work together on a lot of issues and there would be times when they would disagree but that did not mean they did not like each other, they just disagreed. Council Member Goldberg and Vasquez.

Mr. Chris Seger, 4522 Ivanhoe, Houston, Texas 77027 (713-850-7892) appeared and stated that he lived in District G and asked that in the event of a tax rollback could they assure them that the items now on the Capital Improvement Project list would not be altered or cut. Council Members Goldberg, Vasquez, Quan and Robinson absent.

Council Member Keller stated he could assure him that the item before them did not affect the financing and the strength that supported them to follow through on, what he could not assure him was the political retaliation, that the Capital Improvements and the debt service was completely different than the item they were voting on, that he could assure him that the numbers were already there to support what had already been approved in their district's CIP. Council Members Goldberg, Vasquez, Quan and Robinson absent.

Mayor Brown stated they paid their debt service from the General Fund and they had postponed the issuance of a bond issue on the advice of their financial advisors because of the discussion they were having today, that what they said was that they would look at everything that was on the table. Council Members Goldberg, Vasquez, Quan and Robinson absent.

Council Member Boney stated that the major projects were Capital Improvement Projects which were funded by bonds, because future taxpayers benefited from the concrete streets, library, so why would just the taxpayers of today pay 100% of the cost, that the CIP bonds they were operating under now were obligated until 2002, that after 2002 there was not money and no CIP Program, that they then would go to the voters and ask them to authorize another \$400 to \$700 million dollars to do those types of projects and when they went to borrow that money the people who would buy the bonds

ask how they would be paid back, they looked primarily at their property tax revenue stream to see if they could support the debt that had to be paid back. Council Members Goldberg, Vasquez, Quan and Robinson absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that he was present to represent the unions of the AFL-CIO and was also representing ASFME Local 1550, that many of them were not in Council in the mid 1980's and early 1990's when the times were really rough, that they had layoffs and cut services, and only in the last three or four years the City had been able to climb back out of where they were at that time, that there were many places where they could put \$16 million dollars and employee pay raises was one of them, that they did not need to be jeopardizing the future, that many of the Council Members who would possibly take the action tomorrow would not be in Council in a few years, they would be gone leaving the City strapped again, that they could also put it in contract compliance. Council Members Goldberg, Vasquez and Robinson absent.

Reverend Samuel Smith, 118 W. Gray, Houston, Texas 77019 (713-529-4907) appeared and stated that he was pastor of the Mount Horeb Missionary Baptist Church, that he had a flight that he missed because his name was on the speakers list, but he felt that his voice concerning Item 40 was most important, that he would love to see the Council and Mayor tag Item 40 and go back and study it, and then use their minds to vote rightfully and their vote would be no. Council Member Vasquez and Robinson absent.

Mayor Brown stated that he had taken a tour of Reverend Smith's church and there were still many things that needed to be done in his area, and would not be done if they cutback on the budget. Council Member Vasquez absent.

Council Member Galloway asked Reverend Smith if he still had a ditch in front of his home and he stated yes, but ditches were not the issue, that he would like for them to think seriously about what they were doing, that the new ones on the block wanted to make a name for themselves. Council Member Vasquez absent.

Reverend Bill Lawson, 3826 Wheeler, Houston, Texas 77004 (713-748-5240) appeared and stated that obviously all of the speakers present were against the tax rollback and just as obviously they had no speakers present from Kingwood, Memorial or River Oaks, that all present were people who had black skins, Hispanic names or who had working class backgrounds, and were present largely because they were concerned about the larger constituency of Houston, but he thought that one of the most important things that he could say was that they were blessed to watch the City representation that they had, that he had been in the same room and podium when there was nobody his color at the Council table and when there was nobody except Ms. Russell who looked like her, so he thought that it meant a lot that they had a much more representative Council, and it was for that reason that he would hope that they would seriously consider something that had been implied several times and that was that there was not enough information out on what was happening, that 62% of the Houston citizens stated that they would rather have better City services even if it meant adding to the taxes. Council Members Keller, Vasquez and Robinson absent.

Mr. Howard Jefferson, 4402 Nenana, Houston, Texas 77035 (713-729-5110) appeared and asked what was it about, what was the agenda, what was it about a \$1.34,

saving money, political maneuvering, what was it about, that the people in his community did not like what they thought it was about, that from the day that the last election ended there appeared to be a side against the administration, sometime when there was not good justifiable reason, that when the Mayor did wrong they had to correct him, but he could tell them that he did not see that kind of clicky stuff when Mayor Lanier was in office, that his people did not like it, that he represented a lot of people and there was a question in their mind if there was another issue that they had, that they were watching what was going on and who was voting on what things because they were concerned about what happened in their community and the City. Council Member Vasquez absent.

Council Member Todd stated that what Mr. Jefferson was seeing on Council was a growing tide of conservative thought in the City and as long as he was on Council he would work with the conservatives to make certain they were inclusive and that they would reach out to all communities, that they both agreed that tax money should be spent on areas where it reflects their priorities and in areas that need it the most, that even with lowering the tax rate they would be bringing in more money, and would like to work with him to make certain that the extra money they have come in would get spent on things that would reflect their priorities and not on programs that did not really fit into their priorities. Council Member Vasquez absent.

Council Member Galloway stated she was glad Mr. Jefferson was present to reiterate the feelings of the community about it being a diverse City. Council Member Vasquez absent.

Council Member Boney stated he was supportive of some of the calls for delay and appreciated Reverend Lawson wanting people to be clear, that on the issue, before it was decided, people were going to be clear because there were so many obvious and clear facts about it that were not in dispute and it was just a question of what they wanted to do after they cleared away all the clutter to get down to the basic facts. Council Member Vasquez absent.

Ms. Jacqueline Bostic, 4410 Roseneath Dr., Houston, Texas 77021 (713-747-1969) appeared and stated that the more she listened the more she became more perplexed because she kept hearing from her Council those questions about administration as if they were not part of the City's administration, so whatever was going on they all voted for, that she was present as a citizen who believed in her City and the people who had been elected around the Council table, that today she was ashamed by some of the things she had heard from the Council table, that she was concerned about the vision around the Council table and the integrity, because they were dependent on them, that a few months ago they were telling them they had a \$38 million dollar shortfall and simply because the tax evaluations had gone up they suddenly thought they now had money to throw away, they now wanted to give them \$17 million but anybody who lived in the City knew there were areas where they did not have sidewalks, streets, proper water and sewage capacity, but yet they wanted to give back a little dime, that she thought it was about time they decided they were elected to run the City and to work together, that they were all one administration, whether they liked it or not. Council Members Boney, Sanchez, Bell and Robinson absent.

Mr. Dwayne Lark, P.O. Box 3832, Houston, Texas 77230 (713-731-2230) appeared and stated that it would not be a bad idea for some further consideration of the matter,

but believed if they put it off for the next two or three weeks the end result would be the same based on the numbers he counted on Council there would be a rollback period; that no one had mentioned that the Council would vote on an Interlocal Agreement tomorrow that would again place them in an agreement to increase the debt service, that everybody was concerned about taxes but they should be concerned about the \$800 million dollar bonds they were floating for the three venues, the two that already existed and no one knew how much money the dome was going to cost, that no one was asking any questions about that, but they were arguing about \$16, but they had \$800 million dollars on the table floating around when all that money could be used for the very expressed things they were concerned about in their neighborhoods, that both sides should take some responsibility for the mess, when they agreed to give 2012 some of the tax base and agreeing to give that entity over there some sales tax, they were digging themselves a hole and if the conservatives wanted to dig the hole deeper what difference did it make, they had a hole, that it was the priorities that he had been talking about all those years. Mayor Brown, Council Members Todd, Quan, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney stated that there were two fact points and it had nothing to do with the arena, whether they were for or against it, that the funds were called enterprise funds, that any money that was generated by a department went back to the department, that it could not be used for housing, streets or sidewalks by law, that it was the same for Aviation, Convention and Entertainment and the same for sewer, that the HOT Tax could only be used for sports and convention facilities by law, so if every arena or stadium failed, that money could only be used for Convention and Entertainment and Sports Facilities, that if the people wanted that option, then it was going to be required that they go to the Legislature and change the law. Mayor Brown, Council Members Todd, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

Mr. Robert T. Muhammad, 4443 Old Spanish Trail, Houston, Texas 77021 (713-741-6657) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Todd, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

Pastor Elmo Johnson, 1107 Valentine, Houston, Texas 77019 (713-651-1215) appeared and stated that he opposed the rollback, that he was in District I and D, which Council Members Castillo and Boney represented them and they did it well, that he pleaded for them to use wisdom, that if they had extra revenue not to be so quick to get rid of them because in the years to come they would need them, that the question was asked when should they do it, well if the people were not asking for a rollback they should continue with business as usual and do good while they could with the revenue, that there was not a section in the City that did not need upgrading. Mayor Brown, Mayor Pro Tem Boney, Council Members Todd, Keller, Sanchez and Bell absent. Vice Mayor Pro Tem Castillo presiding.

Council Member Galloway stated that these were anticipated revenues, that they did not have them as of yet, so they should wait until they saw what they had and what services they needed to do for the people and then if there was a need for a rollback they could do it, but not at this time, and Pastor Johnson stated that he wanted to compliment the City of Houston and Ms. Bingham and her department had done a great job throughout the City in redeveloping and helping their poor communities to try to

redevelop. Mayor Brown, Mayor Pro Tem Boney, Council Members Todd, Keller, Quan, Sanchez and Bell absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

Mr. Andres Ortiz, 6909 Bonham, Houston, Texas 77020 (713-672-2931) appeared and stated that he was from Denver Harbor, the Gateway to the City of Houston, that he was present as a consumer, a citizen and a customer and not on a political party issue, that he was sure that each of them meant well, but let them in the barrios and wards inform them what was in the good interest of their City and neighborhoods, that first a strong accountable budget would do, that he assured him that a hooded figure was standing out the door ready to collect the \$16 relief taxes they had returned to him plus \$16 more and run, keep the money and give them the services they deserved, that they in the neighborhood feared for the losses of City services if the vote on relief taxes was a reality, that they needed and demanded the services, the police and fire protection, that their neighbors in District H and I stood to loose very much, what were the proponents and the rollback, where were the cuts going to come from, that if it passed they could face tax increases next year and there were many Council Members that were term limited who might not deal with the consequences of the voices heard today. Mayor Brown, Mayor Pro Tem Boney, Council Members Todd, Keller, Quan, Sanchez and Bell absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

Mr. Curtis Carden, 16350 Park Ten Place, Houston, Texas 77084 (281-829-5080) appeared and stated that he wanted to applaud the efforts of Council Member Ellis and the other brave Council Members present that were in support of lower property taxes, that it was his opinion that the City of Houston had violated Article 8, Section 21 of the Constitution by underreporting taxable value which had resulted in approximately \$100 million dollars of excess property taxes paid to the City in tax years 1995 through 1998, and he called for the City Council to authorize a refund of that money, which had already been collected, back to the taxpayers, that point number two was the effective tax rate calculation worksheet which according to the Attorney General's Letter Opinion 89-059 was not a mandatory form adopted pursuant to rule by the comptroller, that the use of the form was strictly voluntary, in other words the City could not blame the over taxation on the form, the computer or on the State Comptroller, and he asked Council Member Galloway if she would authorize refunding the \$100 million dollars that they had received in excess tax revenues that had already been realized, collected and spent, and he would ask for the Mayor and City Council to do the right thing. Council Members Boney, Todd, Keller, Sanchez and Bell absent.

Reverend E. R. Curvey, 3421 Wichita, Houston, Texas 77004 (713-523-1051) had reserved time to speak, but was not present when his name was called. Council Members Boney, Todd, Keller, Sanchez and Bell absent.

Mr. Steven Williams, 1907 Freeman, Houston, Texas 77009 (713-223-9166) appeared and stated that it seemed that everything that had already been said related to labor organization, nothing to do for wages or benefits, that they talked about relief and needs, but who were the needs for, that he would like to think the needs were for his members because they needed relief, that they heard today that police and fire were not going to suffer, but he was present to say that the firefighters were already suffering, because since 1984 there had been a cost of living increase of over 60% and they were 40% behind that, that they were not enjoying the benefits that other employee groups

were enjoying as it related to education and the need for a higher level of educated firefighters, or they were confronted with the thread of triple premiums being absorbed by City employees in the very near future, and it all came down to the word of financing or studies, that he was present to tell them that the Fire Department had been studied to death and each time it had shown that the members had done the job, that there were needs to the audience and citizens and those were the service that the members were committed to serving, and there were needs that the Council and Mayor needed to make to the members that they were not going to be sacrificed because they were making the ultimate sacrifice, that the Local was with the members and audience on the issue, because they had made the commitment to provide the service at whatever restriction they put on them, and he believed that the vote had already been taken and the decision was already made. Council Members Boney, Todd, Keller, Sanchez and Bell absent.

Ms. Patricia Lasher, 2317 Mimosa, Houston, Texas 77019 (713-523-1175) appeared and stated that she was Chairman of the Houston Public Library Board, that she was asking them as a citizen to vote against the tax relief, that it was Council's opportunity to help the library by voting against the rollback, that the library and most of the departments were operating under a budget cut already and that happened back in June, what was it worth it take books from children or take the elderly and tell them that their library services were going to be cut down. Council Members Boney, Todd, Keller, Sanchez and Bell absent.

Reverend Johnny Jeremiah, appeared and stated that he knew what was going on in the streets, that they had the facts, they did not have any guessing games or none of that, that now they were talking about taking away the recreation centers, and the programs, that they stated they were not, but could not guarantee it, that they were all supposed to be working together, that the paper he was reading from stated that it was \$1.34, what was that, that he did not know what was going on and maybe Council Member Ellis could tell him. Council Members Goldberg, Todd, Keller, Sanchez and Bell absent.

Council Member Galloway thanked Reverend Jeremiah for being present and bringing to their attention. Council Members Goldberg, Todd, Keller, Sanchez and Bell absent.

Council Member Robinson asked Reverend Jeremiah for a copy of the document he had with him, and stated that he did not know who had a list or who did not have a list, but he had not seen anything come to his office that stated they were cutting the library or recreation centers, that as far as he knew Council had not sat down and done anything. Council Members Goldberg, Todd, Keller, Sanchez and Bell absent.

Dr. Motapa, 5022 Cosby Street, Houston, Texas 77021 (713-741-5150) appeared and passed out a hand out to Council regarding discrimination against poor artists who did not have computer on-line technical skills and voiced his opinion until his time expired. Council Members Tatro, Galloway, Goldberg, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Council Member Tatro moved to suspend the rules to continue the meeting beyond 5:00 p.m., seconded by Council Member Ellis. Council Member Parker out of the city on city business. Council Members Tatro, Galloway, Goldberg, Todd, Keller, Quan,

Sanchez and Bell absent. A vote was not recorded inasmuch as a quorum was not present. (NO QUORUM PRESENT)

Mr./Coach R. J. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202FA34511) appeared and stated that he was present on behavior, male conspiracy, trashing goods, family truth and Ophra Winfrey sad, that not having the real and right perception of life, people, children, kids, babies, infants or a man, woman, boy or girl, behavior, over and over and over, Allen's, Connolly's and Hess, Custer Rinds, people conspiracy, all just like in Jesus Christ, Prince of Life, Born 330-363, and expressed his personal opinions until his time expired Council Members Galloway, Goldberg, Todd, Keller, Quan and Bell absent.

Ms. Patricia Irving, 4002 Corder, No. 100, Houston, Texas 77021 (713-440-6286) appeared and stated that she was present as a concerned parent, that on Labor Day a police officer decided to profile her son, that because he was a Black young male and dressed nice he considered him as a drug dealer. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

The City Secretary asked Ms. Irving if she was going to make a complaint against a Houston police officer, and Ms. Irving stated yes, and the City Secretary asked if she would swear to her compliant, and she stated yes, and the City Secretary administered the oath to Ms. Irving. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Ms. Irving stated that Officer J. C. Halt decided to put his bare hands in her sons mouth with no gloves, that she would like to see the officer take an AIDS test, that her son did not have AIDS but she did not know what he had now, that her son had to go to the doctor every 3 months for the next 2 years to know if he had AIDS or not because the officer thought he was more important than a doctor and did not put a glove on. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mayor Brown asked Ms. Irving if she had filed a compliant with Internal Affairs and Ms. Irving stated that yes she had, and Mayor Brown stated that they would contact her as soon as they completed the investigation to let her know the outcome, and Ms. Irving stated that she wanted the Mayor and Council to be more aware of what the police officers were doing to their kids, and Council Member Castillo offered an apology for the distress that she must be feeling on behalf of herself and her son and did not blame her for feeling that way. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

The City Secretary asked Ms. Georgette Dearman and Mr. Christopher Kelley if they were going to make a complaint against a Houston police officer, and they both stated yes, and the City Secretary asked if they both would swear to their compliant, and they both stated yes, and the City Secretary administered the oath to Ms. Dearman and Mr. Kelley. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Ms. Georgette Dearman, 4002 Corder, No. 128, Houston, Texas 77021 (713-741-7024) appeared and stated that she was present representing her son Marcel

Dearman who was also assaulted by an HPD officer, that he was also profiled and was asked if he was a drug dealer or if he drank, that he was put in the police car by Officer Fisher, that while getting information from her son the officer was using profanity towards her son, that the officer told her son that he would be watching, that she did not want her son to be in fear of the officer watching him. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mayor Brown asked Ms. Dearman if she had filed a complaint with Internal Affairs and did they explain to her the procedure that had been mentioned earlier and Ms. Dearman stated that yes she had filed the complaint and yes the procedure was explained to her. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mr. Christopher Kelly, 4422 Weaver, No. 605, Houston, Texas 77016 (713-633-5818) appeared and stated that he was guilty of being a law abiding citizen, that on August 10, 2000 there were several police officers in uniform that did not have name tags or badges and they jumped out of their vehicles and were on foot, that they began to grab people and used abusive language, that his complaint was that after the arrests the officer got on his PA system and sang aloud, "bad boy, bad boy, what are you going to do, what are you going to do when I come for you", and the officer asked why Mr. Kelley was even concerned, and Mr. Kelley stated he was concerned with their lack of professionalism, that after filing complaints he began experiencing police threats and over attention. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Mayor Brown asked that Mr. Kelley meet with Chief Stewart who was present in Council Chambers, that she would follow-up and report back to him answers to all the questions he posed to Council. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Ms. Ruby Dixon, 6463 Cambridge Glen, Houston, Texas 77035 (713-728-0741) appeared and stated that she was the Director of the Organization We Are People Too, that the organization responded to the social and economic needs of disabled people throughout the City of Houston, that they were a community of people that might be at least 100 years behind the rest of civilization, that through corporate practices and City, County and Federal Government there had been a lack of response to the needs of disabled people to obtain good jobs, a good education and the right to live a decent life in America, that she was present to ask the City of Houston to respond to the needs of disabled people of the City, through their plans in education, housing, transportation, health and accessibility, and she asked how could they hold America to their promises, that many thought there was nothing that could be done, however she was not one of those and believed that the City officials and other leaders had a responsibility to adhere to the needs of that community of people, they were not a lazy community of people, they had a choir that had performed throughout the City of Houston, that they had not gained access to many places, but with the help of people like Ms. Hines and others they had gotten through the doors that had held them out for so long, that they wanted to create jobs and were asking for their help. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mayor Brown stated that the Mayor's Office for People With Disabilities had been working with them and would continue to do so, that all members of Council shared their concern that they must do everything they could do for all people, including people with disabilities. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

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

Mr. John Ryan, 9900 Richmond Avenue, Houston, Texas 77042 (713-532-0487) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. Christopher Cato, 710 Vogges, Houston, Texas 77016 (713-633-3515) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. Kyle Harding, 2314 Carleen, Houston, Texas 77018 (713-629-9684) appeared and displayed a map and stated that he was present representing over 15 signed petitioners and several concerned neighborhoods, that the neighborhoods included Candlelight Woods Estates, Oak Forest and Acres Homes, that residents of those neighborhoods were concerned about the possibility of a bridge being built over the drainage ditch at the Rosslyn Road, that the Mayor administration was built on protecting neighborhoods so they respectfully requested that the administration and Council listen to the people, protect the neighborhood and stop the construction of any bridge at the end of Rosslyn Road for whatever reason, no compromise, no bridge, and requested that Council demand a flood impact study. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Mayor Brown requested that all the people from the neighborhood present in Council stand up and stated that they certainly sent a strong message. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. David Eng, 4423 Rosslyn, Houston, Texas 77018 (713-802-5729) appeared and stated that his professional credentials included being the Environmental Coordinator for the Right of Way Section for a major State transportation agency, that it provided him with 12 years of objective technical expertise in transportation and traffic right of way, real estate, civil infrastructure and cultural historical and environmental resources, that he had prepared a pictorial graphic report for each Council Member, that the report detailed the major negative economic, civil and sociological environmental impacts of both the currently proposed and so called compromise development, that the report dispels much of the propaganda being directed to the Council offices, that it also called for addressing the environmental issues which were often swept under the rug by that type of development and requested that they review his report and take a minimum of six months to allow for the regulatory agencies to respond and to conduct their own studies. Council

Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Council Member Tatro stated that a more Neighborhood Oriented Government issue or Neighborhood Protection issue he had not seen come before Council, and he thanked them for all their work in collecting the signatures and more expressly the desire that everybody that lived from Judiway all the way north well above Acres Homes, that it was a significant issue in protecting the neighborhoods. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Council Member Todd moved to suspend the rules to add Mr. Ken Yarbrough to the speakers list, seconded by Council Member Vasquez. Council Member Parker out of the city on city business. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. A vote was not recorded inasmuch as a quorum was not present. (NO QUORUM PRESENT)

Mr. Fred Lazare, 1015 Grovewood, Houston, Texas 77008 (713-880-9376) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. William B. Gandin, 1927 Wiking Dr., Houston, Texas 77018 (713-682-0110) appeared and stated that he contested the opening up of Rosslyn Road to the north, that he moved to Oak Forest 50 years ago, that it had been a great place to live, that they could not open up a door and know what would happen and the same thing applied to a bridge, that they wanted the young couples moving into the neighborhood to experience the same security and great experiences they had, that he hoped that Council would address it immediately to save a lot of folks a lot of time and put it to rest and leave it as it is, and submitted a petition for the record. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. Ken Yarbrough was added to the speakers list, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. Ronald Spruill, 401 S. Shaver, No. 4121, Pasadena, Texas 77504 (713-944-0425) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Ms. Joycelyn Marek, 801 Texas Avenue, Houston, Texas 77002 (713-220-6363) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Ms. Maria Guillory-Hall, 3213 Jackson, Houston, Texas 77004 (281-835-0078) appeared and stated that she had some photographs for Council concerning the matter, that she was concerned about a piece of property that she purchased in 1995, between Main Street and 288 which was located at 3212 Jackson, that on June 27, 2000 she received a written notification from Neighborhood Protection that the above property was

labeled dangerous, that at no prior time had the inspector or Director of Neighborhood Protection indicated that the property was dangerous, that on February 2, 2000 the Director had written to her and stated that the building did not meet minimum standards, that from February 21 to June 27, 2000 the property owner obtained permits for the work to be done, that her complaint was that the failure of inspectors to afford property owners due process in notifying them that he perceived the property as dangerous prior to the scheduled hearing of July 27, 2000, preferential treatment by inspector with respect to the missing dangerous building status on the property for another property owner once the permits were obtained under his project number, failure of the inspector to give property historical consideration since the property was built in 1890, failure of inspector and or director of Neighborhood Protection to remain neutral with respect to aiding adjacent property developer at 3200 Jackson who had encroached over the complainant's property line according to a survey. Council Members Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Upon questions by Council Member Sanchez, Ms. Guillory-Hall stated that the inspector came out and completed an inspection of the building on her property, that they wanted them to do work and set them up for a hearing, that they had some minimum standards that they requested they complete, that they had been to a hearing and the hearing examiner told them they had to make some repairs and level the building and also told them that once they obtained the permits the dangerous building status would be dismissed also, that they had an order of 90 days, that the problem was that they had attempted to obtain an equity loan and it was denied because of the fact that the building was labeled a dangerous building, and Council Member Sanchez stated that the private decision between the banking institution and their application had no bearing on the City. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Greg Simpson, Neighborhood Protection, was present and would do whatever could be done to be helpful. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

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

Ms. Isidra Mauricio, 5433 West Bellfort Dr., Houston, Texas 77035 (713-283-9274) appeared and stated through a translator that she was present to describe a problem at Miller Outdoor Theater with a City contractor, Deama Services, that the employer did not pay them overtime and also cut their workdays, that she was owed salary dating back to May 15, 2000 and was also dismissed from her job without any prior notification, that she had tried on various occasions to make contact with the former employer to try to get information, but the door had been shut and had not been able to make contact with any supervisor, that the employer took advantage of their being Hispanic immigrants and arbitrarily sent them home upon arrival for work, that she hoped that the City paid attention to her request for assistance in doing something about the employer. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Upon questions by Council Member Castillo, Ms. Mauricio stated that the company was Deama Services and they worked at Miller Outdoor Theater, and Council Member Castillo stated that if they had such a violation it belonged in Affirmative Action because they did Contract Compliance. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mayor Brown stated they would have someone follow-up with her from the Affirmative Action office and he wanted them to conduct an investigation, that they had Mr. Calvin Wells present, that he was in charge of purchasing and would meet with her to see what could be done. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Council Member Castillo pointed out that this was one of the factors that he had brought up before when they outsource contracts that the prices were so ridiculously low that they were usually based on taking advantage of people such as this fashion because they knew they could not or would not complain. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Ms. Yolanda Barraza, 3910 Sherwood Ln., No. 32, Houston, Texas 77092 (713-683-6353) appeared and stated through an interpreter that she was present on the same problem they had with the City contractor, Deama Services, that she was laid off on April 30, 2000 because she asked for her work order, that she had not been paid the last two weeks that she worked, that they had been to several City offices for help and nobody had paid any attention to them, that the last one was the Inspector General of the Police Department, that they stated they could not do anything for them, and she did not know who to go to for help, that when they were not paid the complete hours they worked, that when they complained he threatened them, yelled at them and insulted them, that he stated they should be grateful they had work because they came from another country. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Mayor Brown stated that since there were three with the same complaint he wanted them to meet with Mr. Wells at the same time. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Council Member Sanchez stated that the Labor Relations Board had sent her a letter dated June 2, 2000 requesting her to meet with them on June 9 and asked if she had attended the meeting and Ms. Barraza stated that she had and she was told that they too had trouble locating the employer and asked her to continue to wait for their help. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. Nelson Wilfredo Serrato, 4403 Schuller, Houston, Texas 77007 appeared and stated through an interpreter that he was present to address the same issue, that he was fired because he asked questions about what the employer was doing and because he was pursuing his rights, that he was putting workers down on the schedule that did not exist and never worked and charged the non existing employee to the City, that the employer retaliated against them for asking questions and seeking their rights, that he

also had taken out their taxes but not reported them to the government, that they had been trying to get help from various government agencies and was present hoping to get some help with the matter, that an investigation had to be done as to why the employer was putting all his family on the schedule to work, that he was fired because he asked questions and replaced with the employers mother-in-law. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Council Member Castillo stated it sounded like there may be some violations of tax laws and employee rights, that the problem was that the workers had not been able to articulate their case well enough in the proper forum for their complaint to be taken seriously. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated they would make sure that was corrected and wanted Mr. Wells and whoever was involved to make sure they got to the basis of the problem, because it seemed there were some illegal things as well. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Keller, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Luis Barahona, 3908 Koehler, Houston, Texas 77007 (713-284-8358) appeared and stated through an interpreter that he was present to talk about the same issue regarding the contractor, that all of the people that had spoken before him had been fired just because they had asked questions about their rights, that they had not received any assistance, that the Inspector General stated they could not help them, that they took out taxes and did not report them, that they cut their pay and if they asked questions they were told if they did not like their job they could go somewhere else. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated as before that they would conduct an investigation and would have them report back to them also the outcome of the investigation once it was completed, and Council Member Vasquez requested a copy of the report from Mr. Wells as well. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. D. L. Johnson, 7229 E. 40th, Houston, Texas 77022 (713-718-8016) appeared and stated that he was present regarding the Mayor's directive from about six weeks ago regarding an outstanding and unfortunate plumbing problem which had victimized his family for about two years, that the Mayor had appointed Mr. Wes Johnson to help him with this problem but it appeared that Mr. Johnson had gotten bogged down, and he was present because of a small claims court action which was what the City public utility recommended after their administrative hearing, that they did not feel they had the best hearing. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Wes Johnson was present to continue to help him with their problem and for Mr. Johnson to give him another chance. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Ms. Ishsalas Salas, 1701 Jacquelyn, Houston, Texas 77055 (713-957-0099) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mr. Joseph King O'Shea, 602 Sawyer No. 110, Houston, Texas 77007 (713-868-6073) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mr. W. R. Morris, 6536 Linden, Houston, Texas 77087 (713-921-4500) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mr. Ron Hanley, 3119 Maysel, Houston, Texas 77080 (713-467-9790) appeared and stated that his speech topic was NO, that federal flood prone area versus no, that no trespassing, no feds, no organized crime, no slug in the drain pan, no Dallas motorcade parade, no indian treaties, no six gun extermination, no Texas Rangers or KKK, no ethnic cleansing or burning or DPS, no suicide by cop, no suicide by lawyer, no drugs or drunks, no trial by jury joke, no federal deficit welfare greed, no Bush inbred birth defects, no war, hate, corrupt or racism, say no to drugs, say no to Texas, that he was putting that sign in his front yard. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mr. Augustine Castillo, 11003 Erin, Houston, Texas 77009 (713-697-4253) appeared and stated that everybody had a lot of great things about what they needed and what they did not need, that he sure would like to see what Council Members Vasquez and Castillo would like to have for their neighborhoods, and that was a stronger and more personnel with their Neighborhood Protection, that the same property taxes that some believe they had too much and there were other neighborhoods that needed some of that and those were their neighborhoods, I45 North, 59 North, I-10 East, I45 South, that there were probably quite a few others throughout the City that did need more help, that they needed their help so please do not reduce the \$17 million, that it was too much to makeup. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Council Member Castillo stated he agreed with Mr. Castillo, that they were kind of behind the curb and would take a long time to catch up. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that Tuesday, September 12, 2000, that his website address was

www.galvan.org and that he had a campaign button for Harry Brown, that he was going to vote for Harry Brown for president in November, that his campaign for Texas Representative 147 was going good, that he would not vote for a taxpayer subsidized basketball arena and like Mr. Castillo had just stated they were behind so why vote for a taxpayer funded arena, or a taxpayer basketball / hockey arena, that he supported a tax rate cut for all Houston homeowners, and he wanted to remind everyone that tonight was the full moon in Pieces, that Pieces was the water sign and the leader of the water signs, that he was speaking about \$17 million, that they could make up the \$17 million easily by Houston doing something really courageous and taxing marijuana or prostitution. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. Trent Winters, 7961 West Airport, Houston, Texas 77071 (713-729-1153) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

At 6:51 p.m. upon motion by Council Members Robinson and Vasquez the City Council recessed until Wednesday, September 13, 2000 at 9:00 a.m. Council Member Parker out of the city on city business. Council Members Galloway, Goldberg, Boney, Todd, Keller, Quan, Sanchez and Bell absent. (NO QUORUM PRESENT)

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, September 13, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Richard Lewis, Deputy Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Mr. Paul Bibler, Senior Counsel, City Attorney's Office; Ms. Martha Stein, Agenda Director and Ms. Linda Layton, Agenda Office, present.

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

At 9:34 a.m. Mayor Brown called the meeting to order. Council Member Parker absent.

MAYOR'S REPORT

Council Member Boney moved to suspend the rules to take Item 39 out of order, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Member Parker absent. MOTION 2000-1107 ADOPTED.

39. WRITTEN MOTION by Council Member Todd to Amend Item 9 as follows:
1. Taxpayers will not be legally obligated to make any long-term debt payments on any sports facility past the expiration date of any underlying lease contract whether for original debt or for any refinancing of the debt

2. No long-term debt of the Sports Authority will be refinanced if the tenant profits at the expense of the taxpayers - **TAGGED BY COUNCIL MEMBER CASTILLO** – was presented.

Council Member Tatro stated that he had requested last week information on the budget, the cost analysis, for land preparation, relocation of the fire station and offsite infrastructure work and still did not have the information; and would like those estimates; and upon questions, Mr. Tollett stated that he had sent the information and had a copy at the table which he read from stating it was \$3,000,000 with \$300,000 for the land; \$2.7 million for reconstruction of the fire station. Council Member Tatro stated that he still had no budget, no cost analysis, and he hoped to be receiving it during discussion.

Council Member Vasquez stated that he had a written amendment which he circulated and it would add language to eliminate a ticket and parking tax; and asked for Council's consideration.

Upon questions by Council Member Robinson, Mayor Brown stated that they would vote on amendments as they came up.

Council Member Keller stated that he would support most amendments; and upon questions, Mr. Tollett stated that this item was not an endorsement but to allow voters to vote it up or down on its own merit and no city money would be used to reimburse the Rockets if this fails.

Council Member Todd stated that he and Council Member Robinson spent time trying to work out language that would accomplish the intent of his amendments from last week and he would withdraw 39, one and two, and submit a written motion to amend Item 39 as follows: "Motion by Council Member Todd to add the following sentence at the end of paragraph number 12 of the proposed Interlocal Arena Development Agreement: "Unless the City's City Council otherwise agrees, the Sports Authority will not refinance the indebtedness incurred with respect to the Arena project if such refinancing would increase the annual debt service or extend the term of any bonds."

Council Member Robinson stated that he would urge support of the amendment and to the amendment he submitted at its proper time.

Upon questions by Council Member Sanchez, Council Member Todd stated that the City Sports Authority was doing their bond vote pursuant to an agreement with the city and they could only do what was agreed to with the city. Mr. Lewis stated that before they did their bond issuance it would go to Council for approval.

Council Member Quan stated that he met with the Rockets and reviewed ticket prices and he would remove WNBA from his amendment as they had been affordable and it would increase the number of seats for NBA games; and Mayor Brown stated that at this time they were on another item.

A vote was called on Council Member Todd's written motion to amend to Item 39c. All voting aye. Nays none. MOTION 2000-1108 ADOPTED.

Council Member Vasquez stated that one point of contention in the last referendum was ticket tax and it was important to send a clear message to the public there was no ticket or parking tax; that his motion was to amend H. (of the recitals) of Item 39c and presented a WRITTEN MOTION as follows: "H. Chapter 335 of the Texas Local Government Code provides that prior to calling the Referendum of the Sports Authority must first obtain a fiscal impact determination from the Comptroller of the State of Texas (the "State Comptroller") with respect to the proposed methods of financing the Area. The City and the Authority agree that neither a ticket tax nor a parking tax should be used to finance the Arena. The Authority has proposed using its existing hotel occupancy and car rental taxes as methods of financing and has not proposed using a ticket tax or parking tax. Moreover, the Authority has adopted three separate resolutions which prohibit assessing ticket taxes, parking taxes or other targeted taxes at the Arena, without voter approval, and the Authority has further avowed that no such approval will be requested at the Referendum." The State Comptroller has determined that the use of the Sports Authority's existing hotel occupancy and car rental taxes as methods of financing the Arena will not have a significant negative impact on state revenue. Accordingly, this statutory condition to calling the Referendum has been satisfied. All voting aye. Nays none. Council Member Boney absent. MOTION 2000-1109 ADOPTED.

39a. MOTION by Council Member Quan/Seconded by Council Member Keller to Amend Item 9 to provide funds for the City promotional Suite, as defined in Item 3(a)(i) of the Interlocal Arena Development Agreement, and as guaranteed at a minimum value of \$250,000.00 per year, will be redirected to provide discounted public seating or NBA and WNBA regular season games at a reduced price not to exceed \$20.00, and these tickets will be equally available for purchase by all people - **TAGGED BY COUNCIL MEMBER CASTILLO** – was presented.

Council Member Quan stated that he wanted to delete inclusion of the WNBA regular season tickets and include NBA only. Council Member Boney absent.

Upon questions by Council Member Vasquez, Council Member Quan stated that the affordable ticket program would be the responsibility of the Rockets to apply the funds; that he wanted to make sure the tickets provided a reasonable view of the arena as opposed to the very top rows; that his amendment would take away the suite the city has and allocate it and apply the funds to ticket prices instead. Council Member Boney absent.

Upon further questions by Council Members, Mr. Steve Lewis stated that a couple of concerns came to mind, first in structuring the deal the city would acquire the land and lease it long-term to the Sports Authority, obviously the city could not make gifts so they put together a number of items of consideration back to the city to arrive at the level of adequate consideration for the city to lease the property; that the \$250,000 plus the suite was a part of that consideration as it provided direct benefit to the city for them to use in promoting the city and he did not think substituting it for giving away tickets to citizens would provide the same direct benefit to the city and thereby would reduce consideration to the city for leasing the property and additionally he thought questions would arise as to whether a city program to buy subsidize seats for citizens might be an illegal gift and unconstitutional; that if there was an agreement to pay the city additional cash consideration for the lease instead of taking the suite then that would be substitute

consideration; that in doing the deal they were aware for the city to buy land and lease it with no consideration to the Sports Authority to build the arena in itself could be an illegal public gift and they needed to get adequate consideration for it and thought the deal currently structured could be defended as adequate consideration to the city as they would receive 20 dates and would own the entire facility at the end of the lease term and own the garage at the end of the lease term and get the suite valued at \$250,000 plus a year as a direct benefit for use by the city. Council Member Boney absent.

Council Member Vasquez stated that it was the responsibility of the Rockets to develop an affordable ticket program and did not think it should come out of the city's agreement and he would be voting against the amendment. Council Member Boney absent.

Mayor Brown stated that they could certainly work with the Rockets organization to see what could be done to accomplish Council Member Quan's objection which he felt was a noble one; that he would be glad to ask Mr. Tollett to work with the Rockets Organization in support of his recommendation. Council Member Quan stated that he appreciated the support, but wanted to make sure it would not be lost in the shuffle; and Mayor Brown stated that he would make sure it would not be lost. Council Member Quan stated that he was on record then as to making sure there were affordable tickets for the public. Mr. Tollett stated that they were better off allowing him to have the suite and him being able to sell it every year, especially at playoffs where he could get five or six times the money than giving it back to the Rockets for tickets they would jack up over the course of time; that they would be better off selling half a suite to a corporation at \$250,000 and buying plenty of tickets at \$10.00 and then let those be given away; that it was worth \$250,000 or \$500,000 a day and in five to 10 years it would be worth a million or million and a half; and Mayor Brown stated that he believed all agreed with the intent and wanted to work to see that it happened.

Council Member Todd stated that if there was a policy such as to use tickets to encourage youth to get good grades in school would that be considered a public purpose; and Mr. Lewis stated that all would have to be looked at individually, but if they were targeting a particular group he believed they would have a good argument for a public purpose. Mr. Tollett stated that if Council Members would send him suggestions he would begin coordinating it through the Mayor and Council offices. Council Members Vasquez, Castillo and Parker absent.

Council Member Quan stated that with the proviso they would work for affordable tickets, the equivalent number which would be provided by the box, he would withdraw his motion, Item 39a.

39b. MOTION by Council Member Robinson/Seconded by Council Member Todd to Amend Item 9 to: (1) Expressly prohibit the use of City of Houston General Revenue Funds for any purpose related to the proposed site of the Arena. Recitals F and I: Section 3 in general and Section 3(b)(i), (ii) and (iii) in particular; and Section 12, pages 2, 3, 4, 5, 6 and 9 - **TAGGED BY COUNCIL MEMBER CASTILLO** – was presented.

Council Member Robinson stated that he had distributed to Council Members substitute language to his amendment and withdrew Item 39 and presented a WRITTEM MOTION as follows: "Motion by Council Member Robinson to add the following clause to the first sentence of paragraph number 3 (b)(l) of the proposed Interlocal Arena Development Agreement: , and shall not include any general fund revenue for the development of the Arena." All voting aye. Nays none. MOTION 2000-1110 ADOPTED.

39c. ORDINANCE approving and authorizing Interlocal Arena Development Agreement between the City of Houston and the **HARRIS COUNTY HOUSTON SPORTS AUTHORITY** providing for the development and use of a new Multi-purpose Arena and associated Parking Garage in Downtown Houston, and including agreements regarding the Compaq Center - **DISTRICT I – CASTILLO – (This was Item 9 on Agenda of September 6, 2000, TAGGED BY COUNCIL MEMBERS CASTILLO, BONEY, TODD and GALLOWAY)** – was presented.

Council Member Tatro stated that this was approximately a \$20,000,000 to \$30,000,000 venture for the city to undertake and still there was no budget or cost analysis and since this was a significant issue he would think the Administration would be very forthcoming in what Council was about to vote on financially and he felt this was an endorsement of the agreement and he would not be supporting the item.

Council Member Bell stated that the debate regarding the public financing of sports facilities had been going on a number of years in the U. S. and the last six years in Houston; that it had been a dominant factor since he got involved in politics and his opinion had taken turns; that when the Oilers left he felt no void and life went on as he knew it, but when talking about the quality of life and fabric of a city you had to realize that sports were a part of that fabric and incredibly important to children and in seeing what the city had to go through to bring a new NFL franchise to Houston it should be a loud message to all; that last week when 16,000 people showed up on Texas Ave. to just find out the new name of the NFL team on a hot sweltering day it was strong evidence about how the city felt on professional sports; that if the arena deal did not go through it was a good chance the city would lose the Houston Rockets and that should be taken into strong consideration; that after the arena was defeated last time they were asked to work out a better agreement and last week Mr. Jackson said they now had a better deal because they would never have the best deal because the Rockets would always believe it should be entirely publicly financed and the public would believe the Rockets should finance entirely so there would never be a perfect deal; that the Sports Authority had done an admirable job in putting this together and it was a proposal he thought the public would be able to put its arms around and he did encourage a yes vote.

Council Member Goldberg stated that he too encouraged a yes vote on the item; that Council Member Tatro was wrong when he said it was an out and out endorsement; that the public came saying time after time when they could have a vote on a matter to allow it and he would like a better policy on the luxury suite and if they could provide cost to the general fund from the luxury suite he would like that; that he would like half the 20 dates to go to fund raising for organizations but none of it had to do with the interlocal agreement and he would vote yes to allow the public a vote. Council Member Castillo absent.

Council Member Robinson stated that he agreed this was not the best but the better deal, but it was a good deal and a good business deal; that he, like Tatro, would like to see all the numbers but did not want to spend money to see them so took a broad policy direction for the Administration to move as a legislative body capping the amount to be spent and using no general fund money; that he felt they and the public should vote for it because there was no general fund money; no ticket taxes; a \$20,000,000 cap on land; the city would get \$200,000 a year for naming rights; there was an early buy out provision; they had a suite at \$250,000 and a commitment from the Administration to work with Council Member Quan and other Council Members to combine the suite with the 20 charitable days; MWBE language and this investment even in the worst cast scenario would return 6% a year to taxpayers; and this was a good deal and taxpayers should cast a yes vote for the arena. Council Members Vasquez, and Castillo absent.

Council Member Boney stated that his point was in response to another Council Member, it was to present a structured vote to the voters of Harris County to decide whether they wanted to support it or not and it was not an endorsement of Council Members; that he felt the item should pass and did commend the Sports Authority and city staff; and he did hope it would pass as it was a benefit to all citizens in Houston. Council Members Todd, Vasquez, Castillo and Robinson absent.

Council Member Keller stated that this was not an endorsement of the business plan and the voters voted it down before and he believed if the holes were not filled they would see it. Council Members Tatro, Todd, Vasquez, Castillo and Robinson absent.

Council Member Quan stated that he voted against the arena proposal last time as he had concerns and felt they should be addressed, but the ticket tax issue was resolved and he would continue to work for affordable tickets; that Enron Field had replaced a blighted area with an opportunity now for economic growth in the area and he agreed with others that this should be passed and sent to the voters.

A roll call vote was called on Item 39c.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye.
Council Member Tatro voting no.	Council Member Castillo voting aye.
Council Member Galloway voting aye.	Council Member Parker voting aye.
Council Member Goldberg voting aye.	Council Member Quan voting aye.
Council Member Boney voting aye.	Council Member Sanchez voting no.
Council Member Todd voting aye.	Council Member Bell voting aye.
Council Member Ellis voting no.	Council Member Robinson voting aye.
Council Member Keller voting no.	ORDINANCE 2000-809 ADOPTED AS AMENDED.

Mayor Brown stated that he wanted to express thanks to the Sports Authority for all their hard work; that it was appreciated and now would be left up to the voters to make their decision. Mr. Tollett stated that he also wanted to thank Mr. Steve Lewis with Legal who also did much work; and Mayor Brown thanked him for his efforts also.

Consent Agenda (Items 1 through 31) were considered as follows:

MISCELLANEOUS - NUMBERS 1 through 6

1. REQUEST from Mayor for confirmation of the appointment of **MR. HUSSEIN ABDELLATIF** to Position 5 on the **AUTOMOTIVE BOARD**, for a term to expire January 2, 2001 – was presented, moved by Council Member Vasquez, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1111 ADOPTED.
5. RECOMMENDATION from Acting Director Department of Public Works & Engineering for approval of payment of membership renewal in the **AMERICAN WATER WORKS ASSOCIATION (AWWA)** for FY '00 - \$12,670.00 – Enterprise Fund – was presented, moved by Council Member Vasquez, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1112 ADOPTED.

PROPERTY – NUMBERS 7 and 8

8. RECOMMENDATION from Acting Director Department of Public Works & Engineering, for purchase of Parcel A97-326, located at 7332 Ley Road, owned by Daniel Henson and wife, Louginia Henson for the Ley Road Paving Project (from Homestead Road to North Wayside Drive); CIP N-0587A-00-1 - \$2,029.00 – Street and Bridge Consolidated Construction Fund **DISTRICT B – GALLOWAY** – was presented, moved by Council Member Quan, and seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sanchez absent. MOTION 2000-1113 ADOPTED.

PURCHASING AND TABULATION OF BIDS – NUMBERS 9 through 15

LOW BIDS

11. **CHUCK DAVIS CHEVROLET, INC dba DAVIS CHEVROLET** for Auto, GM Car/Truck OEM Replacement Parts and Repair Contract for Various Departments - \$3,697,109.00 – General Enterprise and Fleet Management Funds – was presented, moved by Council Member Quan, and seconded by Council Member Castillo. All voting aye. Nays none. Council Member Sanchez absent. MOTION 2000-1114 ADOPTED.

OTHER

13. **KUSTOM SIGNALS, INC** to Furnish and Install Patrol Car Video Systems for Houston Police Department – New and Replacement - \$78,370.00 – Police Special Services and Grant Funds – had been pulled from the Agenda by the Administration, and was not considered.
15. **ENTEX FUELS, INC** for Compressed Natural Gas (CNG) from the State of Texas General Services Commission's Contract for Various Departments - \$80,500.00 – Central Service Revolving Fund – was presented, moved by Council Member Vasquez, and seconded by Council Member Castillo. All voting aye. Nays none. Council Member Sanchez absent. MOTION 2000-1115 ADOPTED.

ORDINANCES – NUMBERS 16 through 31

16. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a portion of a 10-foot-wide storm sewer easement containing 3,383 square feet (0.078 acre) of land, more or less; being out of Reserves O and P, Section 11, Kings Crossing Subdivision, located in the John W. Asbury Survey, A-91, Harris County, Texas; vacating and abandoning said tract of land to **UNITED STATES POSTAL SERVICE**, abutting owner, in consideration of the owner's dedication of a 10-foot wide easement for storm sewer purposes containing 12,590 square feet (0.289 acre) of land, more or less, and payment of \$300.00 and other consideration to the City – Revenue – **DISTRICT E – TODD** – was presented. All voting aye. Nays none. Council Member Sanchez absent. ORDINANCE 2000-810 ADOPTED.
17. ORDINANCE consenting to the addition of 179.0987 acres of land to **HARRIS-FORT BEND COUNTIES MUNICIPAL UTILITY DISTRICT NO. 3** for inclusion in its district – was presented. All voting aye. Nays none. Council Member Sanchez absent. ORDINANCE 2000-811 ADOPTED.
19. ORDINANCE consenting to the addition of 48.8849 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 368** for inclusion in its district – was presented. All voting aye. Nays none. Council Member Sanchez absent. ORDINANCE 2000-812 ADOPTED.

24. ORDINANCE appropriating \$5,900,000.00 out of the Accumulated Unexpended Fund; approving and authorizing an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for construction of a Joint Library in Clear Lake – had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting.

Council Member Vasquez moved to suspend the rules to take Item 28 out of order, and was seconded by Council Member Quan. All voting aye. Nays none. Council Members Boney and Sanchez absent. MOTION 2000-1116 ADOPTED.

28. ORDINANCE approving and authorizing agreement between the City and **GREAT-WEST LIFE & ANNUITY INSURANCE COMPANY** for Deferred Compensation Plan Administration Services; approving and authorizing an agreement with **WELLS FARGO BANK WEST, N.A.** for Section 457 Custodial Account Services; approving and authorizing second amended restated Deferred Compensation Plan – was presented, and was tagged by Council Members Robinson, Quan, Tatro and Vasquez. Council Members Boney and Sanchez absent.

Council Member Ellis moved to suspend the rules to take Items 40 and 40a out of order, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Members Boney and Sanchez absent. MOTION 2000-1117 ADOPTED.

40. WRITTEN MOTION by Council Member Ellis to Amend Item 29: Change the proposed property tax rate for tax year 2000 from \$.665/\$100 to \$.64505/\$100 of assessed value. The Interest and Sinking Fund (I & S) rate will remain at \$.18818/\$100 of assessed value, reducing the Maintenance and Operation (M & O) rate to \$.45687/\$100 of assessed value for a total rate of \$.64505/\$100 of assessed value. The net effect is a 3% reduction from last year's tax rate. - **TAGGED BY COUNCIL MEMBER CASTILLO** – was presented.

Council Member Vasquez stated that he had circulated an amendment to Item 40 to the Council Members; that it was a written amendment; and Council Member Todd had a friendly amendment to add. Council Members Boney and Sanchez absent.

Council Member Todd stated that he would like to submit a friendly amendment, on the salaries of employees he would like to add after the word employees “, including salary proposed as a part of any meet and confer agreement currently under negotiation.” Council Members Boney and Sanchez absent.

Council Member Castillo stated that he had a parliamentary inquiry; that he read Council Member Vasquez's motion and it seemed he was amending the main item which was Item 40a and that had not been called as yet. Mayor Brown stated that was correct and he would rule the amendment was out of order at this time; and Council Member Vasquez stated that he would ask to be placed first to speak when the item came up. Council Members Boney and Sanchez absent.

Council Member Ellis stated that he had passed out the assessed values of where they could increase revenue with a revenue summary; that the Mayor's proposal was \$.665/\$100 assessed value per property rates and equivalent to \$573,467,469; that his proposal was \$.64505/\$100 assessed value producing a revenue stream of

\$556,893,445 and both included \$21,000,000 for delinquent taxes; that the revenue summary showed no expenses had to be cut if they did not want nor did any services have to be cut; and reviewed the rest of his handout regarding cable franchise fee, electrical franchise fee, etc., and urged Council Members to vote for his amendment. Council Member Sanchez absent.

Council Member Tatro stated that after reviewing the numbers with him he was confident that they were conservative revenue estimates and he felt comfortable with them; that the other side of the equation was expenses and he had presented a spread sheet of FTE analysis and they were F & A's numbers; that in FY2001 they were adding 521 full-time equivalents and if you ignored the additions to the full-time safety positions they were funding an additional 226 employees they did not have last year from the general fund and that was not a hold the line budget, but a growth in Administrative personnel; that his analysis of savings at average salary of \$35,000 if they were not to increase total FTEs by 100 it would save \$3.5 million. Council Member Tatro's time expired.

Council Member Castillo stated that in Council Member Tatro's computations he used FY99 actual budget FY00 actual budget and compared it to the FY01 budget so it was an actual, actual and budget and the budget had a vacancy factor built in, economist called it aggregate unemployment, and if he was going to make a valid comparison it needed to be budget, budget and budget and secondly, as Council Member Tatro safeguarded the public safety personnel of fire and police they needed to look at the value of those in Parks and Recreation community centers who provided care to youth; that another point was those 10 people who were now counted against the Mayor's budget in response to Council Member Tatro's truth in budgeting motion last year which put those in the Mayor's Office on his payroll and you could not be damned if you do and damned if you don't comply with his request and it was a good argument but a specious argument because it did not make the distinctions; and upon questions, Mr. Haines stated first, on Council Member Ellis' recommendation he would say that they consider offsetting revenues which he believed was his proposal that by reducing the tax rate he could offset the loss of revenue from the tax rate by about \$16,000,000 through other revenues; that he would concur with some of the substance he submitted for instance in August two franchise agreements were submitted and approved and it would probably generate an additional \$2,000,000 in revenue in franchise and again in August there was approved by the Public Utilities Commission an electric franchise fuel factor and based on their estimates it would generate a little more than Council Member Ellis suggested, however, there was an offsetting increase to the fuel factor because it would be a passed along rate to the departments which consumed power and they estimated it to be about \$3.4 million so while they may be an improvement in revenue in franchise the equivalent expenditure offset net was about \$2,000,000; that they had the uncertified tax roll of \$1.68 billion from the Harris County Appraisal District and it was a potential revenue source in addition to the amount certified and in their opinion they could generate approximately the amount he suggested, however, there were concerns because there was uncertainty in being able to realize that amount so while there may be a potential for revenue enhancement in the area they were concerned that at this point they could count on the full amount; that the Controller had estimated sales tax receipts would be five and a half million less than budgeted for and fines and forfeiture revenues was uncertain and finally the fund balance showed a little over 6 1/2% or short over \$11,000,000 so regarding the question of revenue they were concerned to do

isolated revenue enhancements without recognizing there was volatility and pressure on the other side; and he would recommend to Council to not just consider the potential of one or two revenue categories that could come in higher but also those where there was still pressure; that as to expenditures and Council Member Tatro's suggestion there was a significant amount of opportunity for reduction in expenditures by simply taking the FTEs back they did an analysis of actual to actual and he presented an analysis to Council Members showing what reductions would mean by department and there was a direct relationship between the FTEs and impact of the departments to be able to deliver services.

Council Member Boney stated that Council Members Ellis and Tatro made proposals; and upon questions, Council Member Ellis stated that he was confident about the uncertified property tax because they always got it, all he had to do was look at the historical and the analysis said they were getting it and the tax assessor said they would receive the money, it was new property on the tax roll. Council Member Boney stated that the money would not be collected by June of this year because of collection time and he wanted to point out there was a cash flow element not factored in. Upon questions to Council Member Tatro, Council Member Tatro stated that he was not suggesting to cut anywhere, but saying there was a significant cushion built into the budget for FTEs; that they obviously did not need the extra employees the last two years.

Council Member Boney moved to suspend the rules to hear from affected department heads, and was seconded by Council Member Castillo.

Council Member Sanchez stated that while he did not object he would urge a time limit. Council Member Castillo suggested the five minute time limit. Council Member Boney stated that five minutes was fine, but felt those on the list should be heard from.

Mayor Brown stated that before they moved on he would ask that Council take Items two through four as a number of people were present for appointments.

Council Member Todd moved to suspend the rules to take Items 2 through 4 at this time, and was seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-1118 ADOPTED.

2. REQUEST from Mayor for confirmation of the appointment of the following to the **GARDEN CENTER ADVISORY BOARD** with terms to expire June 30, 2003:

- Position One - **MS. STELENA EVANS**
- Position Two - **MS. LILLIAN RODRIGUEZ**
- Position Three - **MS. PAULINE BROWN**
- Position Four - **MR. OTMAR KOLBER**
- Position Five - **MR. JOSHUA KORNEGAY**
- Position Six - **MS. ROBBIE P. deVRIES**
- Position Seven - **MS. AKIKO WATANABE**
- Position Eight - **MS. SUSAN KEETON**
- Position Nine - **MS. JANICE STANTON HINES**
- Position Ten - **MR. SVEN BORS-KOEFOERD**

Position Eleven - **MR. MARVIN YAROTSKY**
Position Twelve - **MR. WILLIAM D. ADAMS**
- was presented, moved by Council Member Robinson, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-1119 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of the following to the **HOUSTON READ COMMISSION:**

Position 9 - **MS. VIRGINIA MAMPRE**, to complete an unexpired term ending January 1, 2001
Position 14 - **MS. SANDRA WILLIAMS**, to complete an unexpired term ending January 1, 2001
Position 16 - **MS. MARIA CAMPOS**, for a term to expire January 1, 2003
- was presented, moved by Council Member Robinson, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-1120 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD:**

Position 1 - **MR. MURDOCK SMITH, JR.**, reappointment, to complete an unexpired term ending March 1, 2001
Position 2 - **MS. CYNTHIA L. KELSCH**, appointment, to complete a term ending March 1, 2002
Position 3 - **MR. RICHARD RICE**, reappointment, to complete an unexpired term ending March 1, 2001
- was presented, moved by Council Member Robinson, and seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2000-1121 ADOPTED.

Mayor Brown congratulated all those appointed and stated that Council would now continue with Item 40.

Council Member Keller stated that he saw this as a wash and not a cut or decrease and personally he did not think cuts were needed to achieve this, but thought it would send a message of good faith to the voters; that he thought some of the \$12,000,000 worth of studies done in certain instances should be more at jeopardy than public safety and capital and he did support Council Member Ellis' and Vasquez's motions; and what they accomplished with Building Services was to bring with the Mayor's help a net savings of \$2,000,000 annually to taxpayers and this was an efficiency equation. Council Member Galloway absent.

Mayor Brown stated that on more than one equation he had mentioned \$12,000,000 in studies and wondered if he had a list of those studies; and Council Member Keller stated at this time he would request every expense since January 4 out of the general fund and then they could meet and work on an efficiency equation. Mayor Brown stated that he would like a list of the studies he referred to; and Council Member Keller stated that he would give him that at the same time he got every expense listed out of the general fund since January 4 and then they could do both together. Mayor Brown stated that a financial statement was issued each month, did he need something in addition to that; and Council Member Keller stated that he had not kept every financial statement; and Mayor Brown asked if he would like a stack real quick; and Council Member Keller stated that if it itemized every withdrawal of the general fund since

January 4. Mayor Brown stated that he kept saying \$12,000,000 was spent on studies and he would like to know exactly what he was talking about and if he had a list he should share it, there may be a legitimate reason; and Council Member Keller stated that he would get the list if he could get his. Mayor Brown stated that they were getting no where on this and he either had a list or he did not and if he did not he should quit saying \$12,000,000 a year was being wasted on studies. Council Members Galloway and Castillo absent.

Council Member Bell stated that he thought this was a chance to change the direction for the City of Houston and the way they went about their fiscal affairs; that cities truly succeeding and moving forward were finding ways to do things in a faster and smarter fashion and taking advantage of new technology and efficiency; that they were not talking about sweeping change but simple restraint. Council Members Galloway and Castillo absent.

Mayor Brown stated that to respond and would like to remind those listening that by City Charter there was a process in which the budget was put together and it ran a number of months; that the Administration presented the budget to Council and this year under the outstanding leadership of Council Member Castillo all Council Members were able to have input into the budget and amendments in most cases were adopted presented to Council and then June 21 the Council passed the budget and that was the process Council Member Bell should have used to address issues he discussed today. Council Member Galloway absent.

Mayor Brown stated that State Rep. Sylvester Turner was present in the Council Chamber and asked that he stand to be recognized. Council Member Galloway absent.

Council Member Quan stated that he applauded Council Member Ellis on his efforts to apply tax relief; and upon questions, Mr. Haines stated that there was an expectation there would be a slight modification or increase in revenue but uncertified values typically were not put in the budget and the concern was that in the past uncertified values had been overstated; that last year they still fell short because the sales tax revenues and fines and forfeiture money came in substantially less than forecast, they had hoped there would be a slight offset by the increased property tax revenue but it did not materialize as much as thought; that his calculations suggested based on Council Member Ellis' identified revenue sources \$10.3 million in increased revenue. Council Member Quan stated that he could see the benefit on a short-term basis but wondered if they would need a tax increase next year; and Council Member Ellis stated that with increased property values he did not see that.

Mayor Brown stated that he felt Council Member Quan was on target; that they had to deal with debt service; \$50,000,000 going back to METRO; police and fire meet and confer; compensation for all city employees; an increasing health plan; unfunded category for legal judgments and budget reserve; and he felt what was being proposed would come back to haunt them in a form of a tax increase. Council Member Vasquez absent.

Council Member Robinson stated that if this was a one time May/June discussion he did not know why they issued monthly reports or had monthly Finance Committee Meetings; that the budget was the most important thing, the money was the policy and

they should be engaged in an honest, open, forthright and continuous discussion about city finances; that Mayor Brown just ran through a list of things and most were not in this years budget based on revenue projections and that meant they needed an honest discussion on how they would finance such; that he understood the points of Council Members Quan and Bell and they, including himself, were trying to force innovation on the city because they had not seen it during the time they had been on Council. Upon questions by Mayor Brown, Council Member Robinson stated that some played politics and that he could not be responsible for some people's motivation, but because he agreed it did not mean he gave up his principal.

Upon questions by Council Member Todd, Mayor Brown stated he would support tax relief if there were times where the city had money and they could deliver services required and have excess funds, there was nothing wrong with giving them back if it was there; that when all was said and done he was the one responsible for delivering services and he would do what he could to fight for the people in this city in lieu of the fact that he knew this was politics. Council Members Quan and Robinson absent.

Council Member Parker stated that she wanted to be clear, she did not support the item; that at this time she supported no rollback; that Council spent weeks crafting a budget including Council forcing through a \$15,000,000 cut from the Administration's plan; that Council also pushed through a fee study to determine whether user fees were sufficient and the revenue was adequate; they pushed through a debt management audit; pushed through a cash management audit; and pushed through a pilot zero based budgeting item and all were Council initiatives and efforts to get a handle on the budget and take more control of the process and she could not understand how her colleagues could say they had been cut out of the process or that this was the only way they were able to control city expenditures; that they spent weeks crafting the budget; that if all her colleagues had shown at the budget hearings they would have noted every miscellaneous item was questioned extensively and every one was an identified expenditure, they were not unidentified pockets of cash sitting around in the budget, she was hearing that there would be enough other revenue to offset what was cut at the table today and they had a really rocky budget year last year and it was starting rocky this year with sales taxes, the only thing that saved them last year was the fact the property taxes came in over estimated to offset and she thought it was truly fiscally irresponsible to propose a tax cut when they knew they were facing unfunded mandates in the budget; that they passed the budget knowing there was not enough money in it for employee health care, \$20,000,000/\$25,000,000, with meet and confer they were effectively taking themselves out of negotiations with police and fire if this passed; employee compensation; and it would preclude using any surplus, because they would have no surplus, to fund the debt retirement they said they wanted in the budget; and she would tag Item 40. Council Members Tatro and Sanchez absent.

Mayor Brown stated that if anyone wanted to know the true history of what occurred they should replay her statement as it was an accurate replay of the budget process. Council Members Tatro and Sanchez absent.

Council Member Galloway stated that regarding her colleague who said there was fat in the budget she would say there would never be fat in the budget as long as they had open ditches, no sidewalks, weeded lots and many abandoned houses; that she was sure property owners who would get back \$2.00 to \$16.00 on their taxes would

rather use the money to correct inefficiencies in older neighborhoods; that she felt it was unfair to neighborhoods to rollback taxes and she wanted her colleagues to take a ride in her district; and urged all Council Members to take the money they wanted to give to upgrade the city so they could have a proud Houston. Council Members Tatro, Boney, Sanchez and Robinson absent.

Council Member Vasquez stated that he did not believe citizens of Houston were well served with excessive partisan gamesmanship and maneuvering for political advantage; that he did not support the tax cut and viewed it as irresponsible because of reasons similar to comments made by Council Member Parker which were important but did not bear repeating at this time; that it was also equally irresponsible to continue with business as usual given the fact the previous budget had \$30,000,000 in departmental cuts and there was still a \$38,000,000 deficit and given the current fiscal year with a \$5,000,000 deficit to begin with in the very first month; that he believed commonsense must prevail and that was why he would be submitting his proposal at the proper time. Council Members Boney, Sanchez and Robinson.

After further discussion Council Member Castillo moved to remain in session beyond the noon recess to complete the Agenda, and was seconded by Council Member Todd. All voting aye. Nays none. Council Member Galloway, Vasquez and Sanchez absent. MOTION 2000-1122 ADOPTED.

After further discussion on Item 40 Council Member Boney moved to suspend the rules to ask Mr. Bass, Dr. Kendrick, Mr. Rolen, Mr. Spellman, Ms. Gubbin and Chief Bradford questions, limiting questions to five minutes, and was seconded by Council Member Castillo.

Upon questions by Council Member Tatro, Council Member Boney stated that this was following what he believed was a courtesy to have department heads talk about budget impact issues as they saw it. Council Member Tatro stated that since they were not impacting their departmental budgets he thought their discussion was unnecessary and urged Council Members to vote against the motion. Council Member Castillo absent.

Council Member Bell stated that in the interest of time and because they had a good idea of what the directors would say and because the item was tagged and there was ample time for anyone to meet with departments if they would like to do so in the coming week he would also urge a vote against the motion. Council Members Castillo and Robinson absent.

A roll call vote was called on the motion to hear from department directors.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye.
Council Member Tatro voting no.	Council Member Castillo voting aye.
Council Member Galloway voting aye.	Council Member Parker voting aye.
Council Member Goldberg voting aye.	Council Member Quan voting no.
Council Member Boney voting aye.	Council Member Sanchez voting no.
Council Member Todd voting no.	Council Member Bell voting no.

Council Member Ellis voting no.
Council Member Keller voting no.

Council Member Robinson absent..
MOTION 2000-1123 FAILED

Mayor Brown stated that the matter failed with a tie vote; that an observation from the chair was when the budget hearings were held every department had a chance to go before the Finance Committee and there were 22 meetings, but apparently some Council Members did not want to hear from them; that Council Member Bell attended five meetings and left early on one; Council Member Todd attended two meetings and came late; Council Member Sanchez attended only one. Council Member Bell stated that Mayor Brown attended zero meetings and he should point that out. Mayor Brown stated that he was not scheduled to attend the meetings; and Council Member Bell stated that Mayor Lanier attended all the meetings. Mayor Brown stated that he was not Mayor Lanier, he was Mayor Brown. Council Member Robinson absent.

Council Member Boney stated that he had a presentation to make on some of the matters discussed and thought it was more complete and factual; that he decided to do it because of Council Member Tatro's comments last week about low financial IQ and now was not the time to do a tax rollback and this was why; and presented his slides over the television showing the city's annual revenues as \$2.4 billion; discussed Council Member Ellis's proposal being 1% of the budget this year when there was a 3% variance in the budget last year; stated when the property tax rate was reduced the area the city received most of its money from for city services was reduced; that enterprise money could not be transferred into any other department to carry out any other service; that almost 70% of the general fund was taken in payroll and that any cut in expenditure was basically coming out of 30% of the General Fund budget with 58% in operations and maintenance, 16% debt service and less than 1% capital equipment for a total of \$1.26 billion; that before rollbacks were considered they should reflect on the crisis last year; that this was an irresponsible proposal and several Council Members who were upholding it had now walked out because it could not be justified when looking at the total budget and actual fact figures; discussed judgements, Municipal Courts, unbudgeted fuel cost, funds being returned to METRO, debt service, etc. until his time expired. Council Members Sanchez and Robinson absent.

Council Member Castillo stated that there was no compelling outcry for a rollback, but there was support for no rollback from the Partnership, unions, TMO, municipal engineers, advisors, Central Houston, Parks, Controller, ministers, community leaders and he could go on and on; that most would leave taxes as they were and continue with city services; that secondly, Council Member Ellis made his argument on keeping the level of taxation to taxpayers at the same level of the Consumer Price Index and that for the period of July 1999 through June 2000 went up by 3.8% and the level of new revenues went up around 6.7% and his point was new construction was 3.7% points of the 6.7 and 3% points of the increase was due to new or additional properties on the tax roll last year and they should take advantage of any new revenue to restore the fund balance and make the city's balance sheet healthier.

Council Member Parker stated that if there was no item before them she would suggest calling one.

Council Member Bell stated that Item 40 was before them because it was the last item called and he would move to delay Item 40.....Council Member Parker stated that

she had tagged Item 40 and Item 40a had not been called; and Council Member Bell stated that was right and he was moving to delay Item 40 two weeks and would then delay Item 40a two weeks. Council Member Boney stated did he not want to work something out today on Item 40a; and Council Member Bell stated that he wanted to delay both items so they could vote on both at the same time. Council Member Boney suggested a recess to work on a consensus; and Council Member Bell stated that if he wanted a five minute recess he would go for it.

At 12:26 Mayor Brown stated that Council would recess for 10 minutes.

At 12:32 p.m. Mayor Brown called the meeting to order. Council Members Boney, Todd and Robinson absent.

Council Member Castillo stated that the 10 minute recess was not long enough to get parties together and moved to recess until 1:30 p.m., and was seconded by Council Member Bell. All voting aye. Nays none. Council Members Boney, Todd and Robinson absent. MOTION ADOPTED

At 2:04 p.m. the City Council reconvened to complete the meeting.

Council Member Sanchez moved to suspend the rules to take Item 34 at this time, and was seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-1124 ADOPTED.

34. RECEIVE nominations for Position 4 of the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD** for two year terms expiring March 1, 2002 – was before Council. Council Member Sanchez nominated Mr. John McLean. Council Member Quan moved to close nominations, and was seconded by Council Member Parker. All voting aye. Nays none. MOTION 2000-1125 ADOPTED.

Mayor Brown stated that Item 40 was tagged and asked the City Secretary to call the next item.

40a. 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 – **(This was Item 29 on Agenda of September 6, 2000, POSTPONED BY MOTION NO. 2000-1099)** – was presented.

Council Member Todd stated that there had been ample discussion on the item already and moved to call the question, and was seconded by Council Member Tatro.

Council Member Vasquez stated that he had an amendment he would like to place on the table and would ask Council Member ToddCouncil Member Tatro stated the question was called and seconded and amendments he did not believe were appropriate. Mayor Brown stated the question was called and it was not debatable.

A vote was called on the motion to call the question. Council Members Vasquez and Parker voting no. Balance voting aye. MOTION 2000-1126 ADOPTED.

A roll call vote was called on Item 40a.

ROLL CALL VOTE:

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

Council Member Vasquez voting aye.
Council Member Castillo voting aye.
Council Member Parker voting aye.
Council Member Quan voting aye.
Council Member Sanchez voting no.
Council Member Bell voting no.
Council Member Robinson no.
ORDINANCE 2000-813 FAILED

Items removed from the Consent Agenda were considered as follows:

MISCELLANEOUS

6. RECOMMENDATION from Director Department of Aviation for payment to **SAMUEL STEWART** in the amount of \$3,500.00 and **TRAVIS COOPER & ASSOCIATES** in the amount of \$2,250.00 for market appraisal reports of approximately 151,273 square feet (+/-3.473 acres) of land located at 17630 Chanute Road, George Bush Intercontinental Airport/Houston (IAH) - \$5,750.00 Enterprise Fund – **DISTRICT B – GALLOWAY** – was presented, moved by Council Member Quan, and seconded by Council Member Vasquez.

Council Member Parker stated that since Item 40a was defeated she would assume that meant they were defaulting to the effective tax rate which meant while they would not be slashing the budget as Council Member Ellis requested they would be required to adjust the budget and she would like to know what that process would be.

Council Member Sanchez stated there was an item on the floor; and Council Member Parker stated that she wanted a timing issue for this and did not realize there was another item on the floor.

A vote was called on Item 6. All voting aye. Nays none. MOTION 2000-1127 ADOPTED.

Mayor Brown called on Council Member Parker who stated that she would like to know when the process would begin on identifying what was in the budget or would there be a process. Upon questions by Mayor Brown, Mr. Hall stated that he was advised if in fact Council did not adopt a tax levy within the 60 day required period it was correct that it would default to the effective tax rate, but there had to be a confirmation of that rate and he believed the way it was scheduled now was they would be called back during the vacation week for a Council vote confirming the effective tax rate and when that was done they would adjust the rates down.

PROPERTY

7. RECOMMENDATION from Acting Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request of Karen Riddle of Able Permits, on behalf of Westpoint Partners, Ltd. (William T. Doogan, general Partner), for abandonment and sale of a 10-foot-wide utility easement and a 5-foot-wide aerial easement within Tract A and a 10-foot-wide utility easement and a 5-foot-wide aerial easement within Tract B, all located within Western Oaks Subdivision, Section 1, Parcels SY1-009A-D – **STAFF APPRAISERS** – **DISTRICT A – TATRO** – was presented, moved by Council Member Castillo, and seconded by Council Member Tatros. All voting aye. Nays none. MOTION 2000-1128 ADOPTED.

PURCHASING AND TABULATION OF BIDS

LOW BIDS

9. **ICEMAKER'S, INC, dba SUPER COOL MECHANICAL** for Installation of Two HVAC Systems at Fire Station No. 40 for the Fire Department - \$23,500.00 and contingencies for an amount not to exceed \$24,675.00 – Fire Department Revolving Fund – was presented, moved by Council Member Sanchez, and seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2000-1129 ADOPTED.
10. **HARCROS CHEMICALS, INC** for Chemical Liquid Chlorine Contract Part II for Department of Public Works & Engineering - \$1,342,580.00 – Enterprise Fund – was presented, moved by Council Member Quan, and seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-1130 ADOPTED.

OTHER

12. **NATIONAL DENTEX dba STERN EMPIRE DENTAL LABORATORY** for Dental Laboratory Products Contract for the Health & Human Services Department - \$60,000.00 – General Fund – was presented, moved by Council Member Quan, and seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2000-1131 ADOPTED.
14. **AMEND MOTION #2000-1035, 8/23/00**, to increase the award amount to **TROY CONSTRUCTION, INC** by \$1,300,000.00 for additional Emergency Repairs of Water Lines/Leaks for the Department of Public Works & Engineering – Enterprise Fund – was presented, moved by Council Member Quan, and seconded by Council Member Tatro.

Council Member Bell stated that through July only about \$90,000 had been spent out of \$1,000,000 and he understood leaks were occurring at a rapid rate and he was curious as to why so little had been spent; and moved to suspend the rules to hear from Mr. Tom Rolen, and was seconded by Council Member Quan. All voting aye. Nays none. MOTION 2000-1132 ADOPTED.

Upon questions by Council Member Bell, Mr. Rolen stated that the first contract through a few days ago they had earned \$186,000 so they had significantly increased and the second contract which had been only a couple of weeks was \$20,000 and the emergency contract had spent a little over \$200,000; that the first contract was approximately \$1,000,000 and it was an annual contract and normal working hours; that they had requested on numerous occasions to add additional crews and they were not able to so they were going this way, the emergency contractor had found crews from other contractors and he would be using the resources; that with Troy they had expended about \$227,000 to date; that BRC said they could not get additional crews, but Troy got others to work on the weekends and committed 10 additional crews over the four originally committed to and that was what the extra money was for. Council Member Parker absent.

Upon questions by Council Member Quan, Mr. Rolen stated that whenever BRC bid their contract they understood they were bidding a normal contract with normal day

in and day out work, but when you work extended hours and weekends that caused problems and he was sure that entered into the equation, but when they bid the emergency contract they told them they would expect them to work extended hours during the day and possibly weekends and they took that into account when preparing their bids. Council Member Quan stated that he understood what was being done, but would like to work with BRC to find additional crews. Council Members Castillo and Parker absent.

Upon questions by Council Member Keller, Mr. Rolen stated that their work was more than what a normal plumber would handle, it was more of a construction effort. Council Member Robinson absent.

A vote was called on Item 14. All Voting aye. Nays none. Council Member Robinson absent. MOTION 2000-1133 ADOPTED.

ORDINANCES

18. ORDINANCE consenting to the creation of **FORT BEND COUNTY FRESH WATER SUPPLY DISTRICT NO. 1** for inclusion in its district – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-814 ADOPTED.
20. ORDINANCE approving and authorizing Amendment No. 2 to a lease agreement between **FRAYDUN ENTERPRISES**, as Landlord, and the City of Houston, Texas, as Tenant, for space at 3838 North Sam Houston Parkway East, Houston, Texas, for use by the Houston Airport System 11 Months - \$124,422.38 – Enterprise Fund – **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-815 ADOPTED.
21. ORDINANCE approving and authorizing a Timber Deed and Bill of Sale Granting **LOWERY TIMBER INVESTMENTS, LTD.** The right to Harvest Merchantable Timber on approximately 486.9051 acres at George Bush Intercontinental Airport/Houston - \$525,000.00 Revenue – **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-816 ADOPTED.
22. ORDINANCE awarding contract to **JOHNSON CONTROLS WORLD SERVICES, INC** for Inter-terminal Train System Operations and Maintenance Services at George Bush Intercontinental Airport/Houston; providing a maximum contract amount – 5 Years - \$9,228,526.25 – Enterprise Fund – **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-817 ADOPTED.
23. ORDINANCE appropriating \$250,000.00 out of Housing Special Revenue Fund for Immunization Efforts for the Houston Department of Health and Human Services– was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-818 ADOPTED.

25. ORDINANCE approving and authorizing a Texas Highway Traffic Safety Program Grant Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION**, to fund the Intersection Traffic Control-Selective Traffic Enforcement Program (**ITC STEP**) Grant; authorizing the Chief of the Police Department, or any designated assistance Chief, to accept such funds and to act as the City's representative in all matters pertaining to the program 3 Years – TXDOT \$600,000.00 – City Cash Match \$600,000.00 – General and Grant Funds – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-819 ADOPTED.
26. ORDINANCE approving and authorizing a Texas Highway Traffic Safety Program Grant Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION**, to fund the Holiday Driving While Intoxicated Selective Traffic Enforcement Program (**DWI STEP**) Grant; authorizing the Chief of the Police Department, or any designated assistance Chief, to accept such funds and to act as the City's representative in all matters pertaining to the program 3 Years – TXDOT \$225,000.00 – City Cash Match \$225,000.00 – General and Grant Funds – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-820 ADOPTED.
27. ORDINANCE approving and authorizing a Texas Highway Traffic Safety Program Grant Agreement between the City and the **TEXAS DEPARTMENT OF TRANSPORTATION**, to fund the Speed-Selective Traffic Enforcement Program (**SPEED STEP**) Grant; authorizing the Chief of the Police Department, or any designated assistance Chief, to accept such funds and to act as the City's representative in all matters pertaining to the program – 3 Years – TXDOT \$450,000.00 City Cash Match \$450,000.00 – General and Grant Funds – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-821 ADOPTED.
29. ORDINANCE approving and authorizing a compromise and settlement agreement and first contract amendment between the City of Houston and **MILLENNIUM SERVICE INDUSTRIES, LLC** to settle a dispute – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-822 ADOPTED.
30. ORDINANCE approving and authorizing first amendment to contract (approved by Ordinance No. 2000-717) between the City of Houston and **DANIEL TONG & ASSOCIATES** for Installation and Repair Services for Electrical Power Systems for the Fire Department – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-823 ADOPTED.
31. ORDINANCE approving and authorizing contract between the City and **BURK-KLEINPETER, INC** for Risk Assessment and Vulnerability Analysis for Houston Emergency Management \$100,000.00 – Grant Fund – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-824 ADOPTED.

The Non Consent Agenda Items 32 through 34) was considered as follows:

MISCELLANEOUS

32. MOTION to set a date not less than seven (7) days from September 13, 2000, to receive nominations for Positions Eight and Nine on the **CIVIC ART COMMISSION** for terms to expire two years from date of appointment – was presented and Council Member Castillo moved to set next Wednesday to receive nominations, and was seconded by Council Member Keller. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-1134 ADOPTED.
33. MOTION to set a date not less than seven (7) days from September 13, 2000, to receive nominations for Positions 1 through 4 of the **ANIMAL SHELTER ADVISORY PANEL OF THE ANIMAL SHELTER ADVISORY COMMITTEE** for two year terms to expire December 31, 2001 – was presented and Council Member Vasquez moved to set next Wednesday to receive nominations, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-1135 ADOPTED.

MATTERS HELD - NUMBERS 35 through 40A

35. ORDINANCE establishing the south side of the 1100 block and the north and south sides of the 1200 through 1300 blocks of Bomar Street within the City of Houston as a Special Building Line requirement area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas; making findings and containing other provisions related thereto; providing for severability - **DISTRICT D - BONEY - (This was Item 8 on Agenda of September 6, 2000, TAGGED BY COUNCIL MEMBERS TODD and GOLDBERG)** – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-825 ADOPTED.
36. ORDINANCE approving and authorizing application to the **U. S. DEPARTMENT OF JUSTICE, BUREAU OF JUSTICE ASSISTANCE (BJA)**, to fund the Cultural Awareness and Diversity Training Program for Law Enforcement Officers Grant; declaring the City's eligibility for such grant; authorizing the Chief of Police to act as the City's representative in the application process; authorizing the Chief of the Police Department, or any designated Assistant Chief of the Police Department, to accept such funds and to apply for and accept all subsequent awards, if any, pertaining to the application - **(This was Item 10 on Agenda of September 6, 2000, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-826 ADOPTED.
37. MOTION by Council Member Castillo/Seconded by Council Member Boney to **AMEND ITEM 13** to delete Engelhard Corporation in the amount of \$40,000.00 and Siemens Westinghouse Power Corporation in the amount of \$100,000.00 for a total reduction of \$140,000.00 – **(TAGGED BY COUNCIL MEMBER BELL)** – was presented.

Council Member Castillo stated that he had moved to amend the ordinance by taking out the Engelhard Corporation and Siemens Westinghouse Power and he was

advised that an additional contractor, Johnson Matthey, Inc., was also not ready to be voted on at this time; and would also remove Johnson Matthey, Inc. in the amount of \$120,000 which added to the other would be a total reduction of \$260,000 in the motion listed as Item 37a, and was again seconded by Council Member Boney. All voting aye. Nays none. Council Member Robinson absent. MOTION 2000-1136 ADOPTED.

37a. ORDINANCE approving and authorizing contracts between the City and **ENVIRONMENT CANADA, BP AMOCO, CERYX INCORPORATED, CLEANAIR SYSTEMS, INC, THE LUBRIZOL CORPORATION, and WANGTEC, INC** for Diesel Emissions Technology Field Demonstration Project - \$412,000.00 - Grant and CNG Vehicle Replacement Funds - **(This was Item 13 on Agenda of September 6, 2000, TAGGED BY COUNCIL MEMBERS BELL AND KELLER)** – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-827 ADOPTED AS AMENDED.

38. ORDINANCE approving and authorizing professional services contract between the City of Houston and **DELOITTE & TOUCHE L.L.P.** for a Strategic Information Technology Plan for the City of Houston Municipal Courts System; providing a maximum contract amount - \$200,000.00 General Fund - **(This was Item 15 on Agenda of September 6, 2000, TAGGED BY COUNCIL MEMBERS TATRO, VASQUEZ AND KELLER)** – was presented. All voting aye. Nays none. Council Member Robinson absent. ORDINANCE 2000-828 ADOPTED

Item Posted for the Agenda was considered as follows:

41. ORDINANCE amending Chapter 47 of the Code of Ordinances, Houston, Texas, relating to the computation of conservation surcharges for water used during a serious water shortage period or a critical water shortage period; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency. – was presented.

Council Member Vasquez stated that he submitted an amendment which provided for general amnesty for any Houston resident who may have been or would be cited for not reducing their water consumption by 20% during the required mandatory reduction period; that his effort was to deal with the ordinance from here, backwards over the last week or so; that he believed the ordinance should be sent to committee with necessary provisions made; and moved to declare general amnesty for the City of Houston, and was seconded by Council Member Todd.

Upon questions by Mayor Brown, Mr. Hall stated that they had been working at the request of the Mayor and several department representatives to deal with the issue attempted to be addressed; that there was a Texas Constitutional prohibition against gifts and there was not a way to declare amnesty or wave what the law had mandated was something due and owing; that they were trying to deal with it by declaring that the value of the three days surcharge did exceed the original cost of collection and thus it would not be reasonable to pursue and believed that was legitimate and truth. Council Member Robinson absent.

Upon further questions by Council Member Vasquez, Mr. Bibler stated that the equivalent of what he asked for in his motion was in the ordinance already in another form, it was a determination that the surcharge for the three days should not be charged because the cost of collection would exceed what would be received. Council Member Robinson absent.

Mayor Brown stated that they had asked this be introduced because he believed it would be inappropriate to collect the fees under the circumstances. Council Member Vasquez stated that the explanation was fine and as long as an effort was being made he would withdraw his motion. Council Member Robinson absent.

Council Member Tatro stated that it was good news the surcharges would be zero dollars effectively; and upon questions, Mr. Bibler stated that it did not remove the surcharge, the item on the table said it would not be imposed for the last three days, but if there was another period the surcharge would be prorated for the portion of the billing period and be based upon the summer months as opposed to the last 12 months; and on the assumption there would not be another water emergency in the next days the committee could meet and amend the ordinance further if they wanted. Council Member Tatro stated that until there could be a measurement starting at rationing and ending at rationing times he felt it improper to charge for something they could not measure; and his amendment was to delete Section 3 from the ordinance for the surcharge calculation; and upon questions, Mr. Bibler stated that was a policy issue for Council, but the reason for the ordinance was not something the city thought up but required by state law and by TNRCC and it might be better to work with the TNRCC. Council Members Boney and Robinson absent.

Upon further questions by Council Member Tatro, Mr. Hall stated that the ordinance did three things, it made findings that there would be no collection for the three days it was in effect; it changed the calculation; and it changed the period against what it would be calculated. Council Members Boney, Sanchez and Robinson absent.

Council Member Keller stated that he still had concerns; and Mr. Hall stated that it was their hope this would pass today and the committee could look at anything they wanted as it was a policy issue; that Mr. Bibler and others were working with the TNRCC and the ordinance and to comport with their requirements.

Council Member Bell stated that he would like to follow-up on questions he had at the emergency meeting and clarify what would happen in the future; that he would encourage it to go to Fiscal Affairs Committee sometime in the future. Council Members Boney and Vasquez absent.

Upon questions by Council Member Quan, Mr. Hall stated that their position was unless they adopted something of this nature there was no authority for not billing. Council Members Boney and Vasquez absent.

Council Member Quan moved to suspend the rules to hear from Mr. Rolen, and was seconded by Council Member Parker. All voting aye. Nays none. Council Members Boney and Vasquez absent. MOTION 2000-1137 ADOPTED.

Upon questions by Council Member Quan, Mr. Rolan stated that if the item was not passed today they were ready to compute the surcharge; that they had been holding bills since Friday to see if Council was going to take action. Council Members Boney, Vasquez and Castillo absent.

Upon questions by Council Member Keller, Mr. Rolan stated that they were keenly aware of a lot of vulnerabilities and the department had every intention to revisit the ordinance and the implementation and it would go back to committee. Council Members Boney and Vasquez absent.

Upon questions by Council Member Tatro, Mr. Hall stated that there was no way to deal with tickets issued, those ticket would need to go to the Municipal Courts and it was in the power of the courts to do what was just and right. Council Members Boney and Vasquez absent.

A vote was called on Item 41. All voting aye. Nays none. Council Members Boney and Vasquez absent. ORDINANCE 2000-829 ADOPTED.

Item received during the meeting was considered as follows:

24. ORDINANCE appropriating \$5,900,000.00 out of the Accumulated Unexpended Fund; approving and authorizing an Interlocal Agreement between the City of Houston and **HARRIS COUNTY** for construction of a Joint Library in Clear Lake – was presented, and was tagged by Council Members Tatro, Parker and Castillo. Council Members Boney and Vasquez absent.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Quan stated that while term limits were in place often times people tried to act more hastily with short-term solutions because there was not a great deal of time in office; that over the past few weeks they had passed the Northeast Water Plant; Arena agreement; and airport expansion and it seemed they were gambling with the city's future; that there was mounting debt service and he was concerned that for a short-term gain they were looking at a long-term loss. Council Members Boney and Vasquez absent.

Council Member Quan stated that this week Council Member Galloway and Council Member Vasquez were celebrating their birthdays and he wished them a happy birthday. Council Member Galloway stated that she wanted to add Council Member Goldberg as he was having a birthday also. Council Members Boney and Vasquez absent.

Council Member Parker stated that she was glad to be back, she had spent a week in Australia and wanted to point out she had met with their sister city committee and was teased the entire time about the state of Australia being 2 1/2 times the size of the state of Texas. Council Members Boney and Vasquez absent.

Council Member Castillo stated that the police store front at Chavez High School had not moved in as yet as HISD had not yet approved it, but next week there would be a vote and he hoped it would be approved. Council Members Boney and Vasquez absent.

Council Member Castillo stated that he wanted to acknowledge Ms. Ellen Chang on the front row. Council Members Boney and Vasquez absent.

There being no further business before Council, the City Council adjourned at 2:49 p.m. upon MOTION by Council Member Robinson, seconded by Council Member Castillo. Council Members Boney and Vasquez absent. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary