

City Council Chamber, City Hall, Tuesday, December 19, 2000

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, December 19, 2000, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Rob Todd, Mark A. Ellis, Bert Keller, John E. Castillo, Annise D. Parker Gordon Quan, Chris Bell and Carroll G. Robinson; Mr. Paul Bibler, Senior Counsel, City Attorney's Office; Mr. Richard Cantu, Director Mayor's Citizens Assistance Office; Ms. Debra Dillard, Citizens Assistance Office; Ms. Stella Ortega, Agenda Office present. Council Member Jew Don Boney, Jr., absent due to being ill. Council Member Gabriel Vasquez out of the city on personal business. Council Member Orlando Sanchez absent on personal business.

At 2:03 p.m. Mayor Brown called the meeting to order and called on Council Member Castillo who led all in prayer and in the pledge of allegiance.

At 2:04 the City Secretary called the roll. Council Member Boney absent due to being ill. Council Member Vasquez out of city on personal business. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent.

Council Members Keller and Quan moved that the minutes of the preceding meeting be adopted. Council Member Boney absent due to being ill. Council Member Vasquez out of city on personal business. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. MOTION ADOPTED.

At 2:19 p.m. Mayor Brown stated that Council would hear from the public and requested the City Secretary to call the speakers. Council Members Todd and Robinson absent.

Council Member Castillo moved to suspend the rules to take Mr. Kirk Tate out of order, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Member Boney absent due to being ill. Council Member Vasquez out of the city on personal business. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. MOTION 2000-1530 ADOPTED.

Council Member Galloway moved to suspend the rules to hear Mr. Roy Malonson, George Scott, Rev. James Dixon, Ms. Beulah Shephard and Mr. Willie Baker out of order, and was seconded by Council Member Parker. All voting aye. Nays none. Council Member Boney absent due to being ill. Council Member Vasquez out of the city on personal business. Council Member Sanchez absent on personal business. Council Members Toss and Robinson absent. MOTION 2000-1531 ADOPTED.

Council Member Castillo moved to amend his motion by hearing all speakers on fire extinguishers after Mr. Kirk Tate, and was seconded by Council Member Tatro. All voting aye. Nays none. Council Member Boney absent due to being ill. Council Member Vasquez out of the city on personal business. Council Member Sanchez absent on personal business. Council Members Toss and Robinson absent. MOTION 2000-1532 ADOPTED.

Mr. Kirk Tate, 12855 Rich Court, Houston, Texas (713-840-9292) appeared, presented information and stated that he was president of the Houston Apartment Association, a non-profit trade association representing owners and managers of over 400,000 apartment units in the Houston area; that he was present today with officials from the Houston Fire Department to announce a new fire safety program for Houston apartment residents; that for many years apartments were governed by a Fire Code provision that required large fire extinguishers to be mounted outdoors in breezeways and along sidewalks which presented two significant problems, first, outdoor extinguishers were frequently stolen and second, they promoted a dangerous theory that having escaped a burning apartment you should try to hunt down a fire extinguisher and go back in; that they approached HFD officials last fall with the idea of letting them get rid of the outside-mounted fire extinguishers and instead simply provide one in every apartment unit; that the Fire Code adopted earlier in the year allowed HFD to adopt and enforce standards such and the one described and last month HFD approved language that would take effect soon and over the next 12 months as apartment residents move in and as new leases were executed apartment owners would begin providing each unit with a UL Rated 1A, 10-B:C fire extinguisher designed to be effective against oil, gasoline, grease, flammable liquid, electrical, wood, paper, cloth and other fires; that in addition, HAA members would provide information to each resident on how to maintain and use the extinguisher and as a result of this Houston apartment owners would spend over \$2,000,000 next year on fire extinguishers; that larger extinguishers would continue to be required in offices, laundry rooms, clubhouses and other indoor common areas; and wanted to express thanks to the Houston Fire Department, especially Assistant Chief Dan Pruitt and Senior Inspector Stan McCoy, for their hard work. Council Members Todd and Robinson absent.

Council Member Castillo thanked the Houston Apartment Association and stated that he knew residents and members of the association would be well served. Council Members Todd and Robinson absent.

Council Member Galloway stated that she wanted to change her motion that she was thinking Mr. Tate was Mr. Harris and moved to hear Mr. Malonson first on the speakers list relative to the appointment of Mr. Malonson to the Land Assemblage Redevelopment Authority Board, and was seconded by Council Member Tatro. Council Member Boney absent due to being ill. Council Member Vasquez out of the city on personal business. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. MOTION 2000-1533 ADOPTED.

Upon questions by Council Member Tatro, Mr. Tate stated that at this time there was no mounting place established for the apartment, the first goal was to get one in the hands of the residents. Council Members Todd and Robinson absent.

Upon questions by Council Member Ellis, Mr. Tate stated that extinguishers would be phased in over a one year period, that all new leases would receive one, but that was an option, if the apartment owner wanted to purchase all extinguishers at once they could elect to do so, but the code gave one year and they were between \$8.00 and \$10.00. Council Members Todd and Robinson absent.

Council Member Bell thanked the Apartment Association for taking the lead roll in this and stated that during Fire Prevention Week each year the Fire Department stressed

that next to a fire alarm the extinguisher was the next most important apparatus someone could have in terms of keeping safe in their homes. Council Member Todd absent.

Upon questions by Council Member Quan, Mr. Tate stated that there was one year to get an extinguisher in every apartment; that the exterior extinguishers could stay where they were, but that did not override having one placed in each apartment; and depending on the extinguisher the life varied, but as apartments were inspected that would be one of the things inspected. Council Member Robinson absent.

Council Member Parker stated that this was not an ordinance but a regulation that would be applied citywide; and Mr. Tate stated that it would be in the Fire Code and you could purchase extinguishers at Wal-Mart and many other places around the city. Council Member Robinson absent.

Mayor Brown stated that he wanted to personally thank Mr. Tate for what he was doing; that a great priority of his and of Council's was public safety and he was making a major contribution. Council Member Robinson absent.

Mr. Roy Malonson, 6130 Wheatley, Houston, Texas 77091 (713-692-1100) appeared and stated that he appreciated being nominated to Position 4 of the Land Assemblage Redevelopment Authority Board, but at this time he would like to pull his name and wish all the best of luck and support in what they were trying to do and the sensitivity of their neighborhood. Council Member Robinson absent.

Mayor Brown stated that everyone knew he had a newspaper and upon questions, Mr. Malonson stated that he had three newspapers in Texas and all three were in the top three within the United States. Mayor Brown stated that everyone should know what he was doing within the community in terms of development and also in terms of communicating the messages to the people and congratulated him. Council Member Robinson absent.

Council Member Galloway stated that she placed his name for nomination and she understood him pulling out, but he was thought of very highly in the community. Council Member Robinson absent.

Mr. George Scott, 518 Earls Court, Houston, Texas 77450 (281-392-2163) had reserved time to speak, but was not present when his name was called. Council Member Robinson absent.

Rev. James Dixon, 1023 Pinemont, Houston, Texas 77018 (713-688-2900) had reserved time to speak, but was not present when his name was called. Council Member Robinson absent.

Ms. Beulah Shephard, 8402 Knox, Houston, Texas 77088 (281-447-2221) appeared and stated that she had not been before Council for awhile, but was present with a request for her neighborhood; that she looked at the map and it looked like the land in Acres Homes was really going to be discussed and she would appreciate seeing the makeup of the people and ask them whenever they would be doing something in Acres Homes to be sure that some of them were included; and what the Mayor said

about Roy Malonson was correct, he was great and did a lot for that neighborhood. Council Member Robinson absent.

Mayor Brown thanked Ms. Shephard for coming to Council and stated that when he first came here in 1982 one of the first to take him to the community of Acres Homes was Ms. Shepherd and he appreciated it. Council Member Robinson absent.

Council Member Quan thanked Ms. Shephard for coming to Council and stated that he knew of her great work with the Acres Homes Chamber of Commerce and so many organizations in that area and he agreed with what she said, Mr. Malonson was a great candidate for the position and he hoped Council would get a lot of feedback from him and her and others in the neighborhood as they looked to redevelop that area. Council Member Robinson absent.

Council Member Galloway thanked Ms. Shephard for coming and stated that they were all in support of Mr. Malonson and they would be looking to the Acres Homes Community to see how they could network with them. Council Member Robinson absent.

Mr. Willie Baker, 2819 Erica, Houston, Texas 77088 (281-447-3847) appeared and stated that he was from Acres Homes and was very concerned about the land and the way it was being redeveloped, he worked and lived in the community and felt that residents in Acres Homes should be considered and informed of anything coming before it came into the community, whatever it took for direct communication; that the land was donated to have a building built and named for Ms. Beulah Shephard by Mr. Roy Malonson and it should go on record in the city that Mr. Malonson did that and he came today to reiterate the respect he had for the Mayor and Council and to let them know they needed to be informed and work together. Council Member Robinson absent.

Mayor Brown stated that he agreed and would make sure they were kept informed; that he would work with Council Member Galloway to see that they were informed and involved. Council Member Robinson absent.

Mr. Hosea Harris, 7217 Wheatley, Houston, Texas 77088 (281-847-0767) appeared and stated that he was president of the Acres Homes Community Development Corporation and he and the others were present to support Council Member Galloway in the Land Assemblage Program and they were asking that in the process of making decisions Council be sensitive to their needs in the community; and he was also present to support Mr. Malonson and the Chamber who worked hand in hand on projects, they had other big things coming in the future and they expected Council to work with Council Member Galloway to get them taken care of. Council Member Robinson absent.

Mayor Brown thanked Mr. Harris for what he did in the community and stated he made a big difference. Council Member Robinson absent.

Mr. Glenn Rex. 10301 Northwest Freeway, Houston, Texas 77092 (713-686-7893) appeared and stated that he was the executive director of the Mechanical Contractors Association in Houston and they supported adoption of the prevailing wage rate ordinance as proposed by the Administration and before them as Agenda Item 18; that union employing contractors have not competed for City of Houston work for many years; that the prevailing wages for 1985 precluded virtually every conscientious contractor in

2000 from seeking city work, particularly union employing contractors; that they certainly accepted that the ordinance was a compromise with all interested parties having been allowed to participate and they felt the final product reflected the honest influences and best efforts of all interested parties; and urged Council's support. Council Members Galloway and Robinson absent.

Mr. Richard Shaw, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that he was present representing the Harris County AFL-CIO and speaking in favor of the prevailing wage ordinance, Item 18, and would urge its adoption; that they thanked the Mayor and all who worked on it, there were compromises and it would benefit all. Council Members Galloway, Castillo and Robinson absent.

Mayor Brown stated that there were many present who were not speaking and he asked all those supporting Item 18 and not speaking to stand and be recognized; and thanked them for coming. Council Members Galloway, Castillo and Robinson absent.

Mr. Dale Wortham, 2506 Sutherland, Houston, Texas 77023 (713-923-9473) appeared and stated that he wanted to echo the remarks of his colleague, he was present on Item 18 and it had been a lot of work and would not have been possible without a lot of help from the Mayor's Office; that he felt the Council Members questions were answered and hoped they had; and urged support of the item. Council Members Galloway, Castillo and Robinson absent.

Mr. Dan Lord, 1475 N. Loop W., Houston, Texas 77008 (713-869-8900) appeared and stated that he was present representing one of the largest locals in the Houston Gulf Coast Building Trades and their organization was in support of Item 18; that it was longtime overdue, the last time it was adopted was in 1985; that Houston was experiencing tremendous growth and they felt the preparation was done fairly; that Houston was the fourth largest city in the United States and they would not keep their skilled workforce at 1985 wages; and urged adoption of the ordinance. Council Members Galloway and Robinson absent.

Mr. Richard Benitez, 2600 Hamilton, Houston, Texas 77004 (713-752-0727) appeared and stated that he was with the Carpenters Union and was present in support of Item 18; that they believed it was necessary for all the workers in Houston regardless of whether they were union or not; and urged its passage. Council Members Galloway, Parker and Robinson absent.

Mr. Chris Sylvester, 8441 Gulf Freeway #306, Houston, Texas 77017 (713-645-9094) appeared and stated that he was with the International Union of Painters, representing painters, glaziers and floor layers, and he was present in support of Item 18; that he thanked Mayor Brown and the Council Members who worked with them; and urged support on the vote tomorrow. Council Members Galloway, Parker and Robinson absent.

Mr. Kent Harris, 18333 Egret Bay #270, Houston, Texas 77058 (713-977-2550) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Parker and Robinson absent.

Mr. Joe Araba, 3219 Pasadena Blvd., Pasadena, Texas 77503 (713-473-6228) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Pakrer and Robinson absent.

Mr. Allen Graine, 7500 Pinemont #1404, Houston, Texas 77040 (713-977-2522) appeared and stated that he represented the local chapter of the National Electrical Contractors Association and in partnership with the International Brotherhood of Electrical Workers (NECA) they were firmly committed to training, safety and benefits of their employed workers which was their greatest asset; and urged adoption of the prevailing wage survey which represented the market under its current conditions. Council Members Galloway, Parker and Robinson absent.

Mr. Michael Cunningham, 2704 Sutherland, Houston, Texas 77023 (713-926-4433) appeared and stated that he was representing the asbestos workers in Houston and was present asking for Council's support in the prevailing wage survey; that since 1985 they had no changes and this was an example of going out and placing contractors on an even playing level; and he thanked all those who helped in the negotiations and urged adoption of Item 18. Council Members Galloway, Keller and Robinson absent.

Upon questions by Council Member Bell, Mr. Cunningham stated that in looking at the state prevailing wage law it mentioned the wage should be looked at about every three years and he would urge consideration of that in the future. Council Members Galloway, Keller and Robinson absent.

Mr. Pat Kiley, 3825 Dacoma, Houston, Texas 77092 (713-843-3700) appeared and stated that he was with the Houston Chapter of the Associated of General Contractors, a trade association which represented the commercial building industry, and his purpose in appearing today was to say they did not oppose any provisions of the revised ordinance before Council and urged its passage providing there were no amendments to any provisions, they changed their position and were supporting it based on excellent negotiations which occurred with the instigation of Council Members Bell and Robinson and mediated at key points by Council Member Vasquez; that he commended and thanked others involved in the negotiations and believed this conformed with the statutes and practices of those doing city work and was workable for both open shop and union contractors. Council Member Robinson absent.

Mayor Brown thanked Mr. Kiley for coming to the negotiation table in good faith; that he appreciated what he had done also. Council Member Robinson absent.

Upon questions by Council Member Bell, Mr. Kiley stated that they had not heard from the minority contractors or specifically from ABC, but ABC had been apart of any coalition meetings and separately been involved and they had corresponded with them on any proposal. Council Member Bell thanked both sides for going to the table; and upon questions Mr. Kiley stated that he too thought three to four years to negotiate wages would solve problems. Council Member Robinson absent.

Mayor Brown stated that Mr. Kiley said something very significant which was urging Council to not try and amend the ordinance at the table and he felt that it should be stressed they had gone through a lot of work and they should not try and amend it at the table. Council Members Keller and Robinson absent.

Upon questions by Council Member Todd, Mr. Kiley stated that today he was present specifically on behalf of his own group, the Houston Chapter of Associated General Contractors, who read their position and they had phone or E-Mail support; that they had not received affirmative support from ABC and the minority contractors and they took that as trying to get a lot of people together at a very busy time of year, but he did not interpret it as opposition. Council Members Keller and Robinson absent.

Mr. Archie Heugatter, 8441 Gulf Freeway, Houston, Texas 77017 (713-645-9094) appeared and stated that he was representing painters, glaziers and floor layers and urged Council to please pass Item 18. Council Member Todd absent.

Mr. Ronnie Raspberry, 2704 Sutherland, Houston, Texas 77015 (713-926-4433) appeared and stated that he was with the Houston Gulf Coast Building Trades Council and he did not think there was much he could add to what had already been said today, but he did join with Mr. Kiley with the AGC in support of the Item before them; that he wanted to thank Mayor Brown for bringing Item 18 before Council, thanked Council Members Robinson and Vasquez for their input and all other Council Members for their support and interest, and thanked everyone who worked on negotiations. Council Member Galloway absent.

Mayor Brown stated that Mr. Raspberry thanked many people and they would thank him also for his leadership on the issue and his patience in allowing them to get to where they now were. Council Member Galloway absent.

Council Member Robinson thanked Mr. Raspberry and the others for allowing him and the other Council Members to work with them. Council Member Galloway absent.

Ms. Angela Valdez, 6401 Skyline, Houston, Texas (713-782-4416) appeared with an interpreter who stated that she was embarrassed to have to come to Council but had been all over Houston and was not able to get help; that her daughter died, she was an attorney, and her son-in-law was also an attorney but he did not want to pay her money he owned to her, \$5,000 for his bail bond license; that he signed a document showing all his loans and she had with her copies of welfare documents and documents showing all that Corrigan and Corrigan, the attorneys, owed her; that the office was located at 611 Houston Avenue and they were talking about buying a house in the Heights; and Ms. Valdez's time expired. Council Members Ellis, Castillo and Robinson absent.

Mayor Brown asked that the interpreter sum up what Ms. Valdez was trying to say; and she stated that Ms. Valdez needed an attorney. Mayor Brown stated that she could meet with Mr. Cantu, Citizen's Assistance personal, and referrals could be made on her behalf. Council Members Ellis, Castillo, Bell and Robinson absent.

Council Member Galloway stated that she had given Mayor Brown the card and picture for Ms. Valdez; and she thanked her. Mayor Brown then thanked Ms. Valdez for the card and picture. Council Members Ellis, Bell and Robinson absent.

Mr. Christopher Cato, 7710 Boggess, Houston, Texas 77016 (713-635-4604) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Bell and Robinson absent.

Ms. Holly Figueroa, 6310 Wallisville, Houston, Texas 77020 (713-615-9545) appeared and stated that she was present trying to get the itinerant vendor permit changed; that she had people who sold roses on corners and there was a sentence in the ordinance which said there would be no selling on public streets, sidewalks or right of ways and it was stopping them from selling; that most officers had no problem with their selling because they knew it was a positive thing but some officers did have a problem with it; that newspapers could sell and she did not see why they could and she could not; that she paid \$50.00 per person for the permit and it was wasted money. Council Members Goldberg, Ellis and Robinson absent.

Mayor Brown asked Council Member Todd to take that up in his committee; and Council Member Todd stated that it was actually already being looked at and it was a very detailed issue; that to accommodate what she was after he thought would require a change at the state law level; that newspapers were governed separately and it was a first amendment protected activity; that he would encourage her to leave her information with his Aid but it was complicated; that his personal opinion was newspapers should not be treated any differently than other vendors in the right of way. Council Members Goldberg, Ellis and Robinson absent.

Upon questions by Council Member Todd, Mr. Bibler stated that the only exception he could think of to that ordinance would be the good humor man; that a city ordinance, Section 40-8, prohibited people selling in street right of way and there was no exception to charities; that city ordinance prohibited selling on public property and the state law prohibited people from standing in the right of way for the purpose of soliciting a ride, charitable contributions or selling things and it defined roadway as being the traveled part of the street so you were not involved in violation of state law if you stood on the curb whereas with city ordinance you were in violation just for being in the road right of way so his distinction would be that because of the court order people selling newspapers were allowed to be in street right of way, however, no one including them were allowed to stand in the traveled part of the roadway. Council Members Goldberg, Ellis and Robinson absent.

Council Member Keller stated that she may want to get with her state representative and possible get her people to stand at the same location as those selling the Houston Chronicle. Council Members Goldberg, Ellis and Robinson absent.

Mr. William Beal, 2711 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak, but was not present when his name was called. Council Members Goldberg, Ellis and Robinson absent.

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

Ms. Prentice Robinson, 8100 Stone Street, Houston, Texas 77061 (713-847-6488) appeared and stated that she was present on behalf of her daughter today; that until December 14 she was a city employee and was terminated due to the fact she was trying to get help on a house her dad had purchased, it had bad plumbing problems and she called the realtor a number of times with no help; that when the bathroom was used the

plumbing came out to the outside and it was a health hazard for her dad and others in the area; that the realtor had hung up on her and they found someone to do the plumbing for \$1,200.00 but she did not want to do that so she wrote a letter on City of Houston stationary and the lady said she was harassing her and on the 14th she must have filed a complaint because on that day her daughter was terminated; that a city inspector had been coming out for the past four or five days taking pictures and writing citations to the realtor and nothing was done yet; that her daughter was a good employee and only trying to get help; that she may have done wrong, but the plumbing was bad and still they could get no help and if she was to be terminated she should have been able to explain why. Council Members Ellis, Keller and Robinson absent.

Mayor Brown stated that Ms. Robinson should meet with Mr. Robert D. Young that he may be of some help to her. Council Members Ellis, Keller and Robinson absent.

Ms. Gladys Yvonne Carter, 5034 Pershing, Houston, Texas 77034 had reserved time to speak, but was not present when her name was called. Council Members Ellis, Keller and Robinson absent.

Mr. Woodrow Johnson, 2409 Sam Wilson, Houston, Texas 77020 (713-674-0836) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Keller and Robinson absent.

Ms. Vanessa Edward-Foster, 13130 Creekside Park, Houston, Texas 77082 (281-584-9901) appeared, presented Council Members with fudge and stated that the fudge was a thank you and to wish them Merry Christmas, but while present wanted to address some traffic issues with one being the intersection of Croker and Westheimer; that she had made an illegal turn and received a ticket and there was signage there but where it was located it could not be seen by individuals and she wondered if they could place a visual impediment there to keep people from making a left turn; that secondly, she wanted to mention the intersection of Highway 6 and Richmond Avenue, it was in the city limits but also dealt with highway right of way and she did not know how to go about addressing it, however, since the repaving there was an increase in the angle of the incline/decline from the egress off of Highway 6 onto Richmond Avenue and she bottomed out a couple of times and the second time she was doing 22 miles per hour and it seemed if you were bottoming out on a major intersection it might need reconfiguration; and her last item was opinion oriented and was regarding the bicycle lanes and signage, there were signs indicating the new lanes were for bicycles only, but recently she noted signs popping up behind those signs indicating it was a bicycle route and to her it was a bit redundant in the usage of signage and expenditures and almost a bit of overkill. Mayor Brown, Council Members Galloway, Ellis, Keller and Robinson absent. Vice Mayor Pro Tem Castillo presiding.

Council Member Parker stated that she appreciated Ms. Edward-Foster coming though much of what she said could have probably been dealt with through correspondence; and stated that she appreciated the fudge, it was excellent. Mayor Brown, Council Members Galloway, Ellis, Keller and Robinson absent. Vice Mayor Pro Tem Castillo presiding.

Vice Mayor Pro Tem Castillo stated that Mr. Wes Johnson was present and she could meet with him and get an update on what was being done. Mayor Brown, Council

Members Galloway, Ellis, Keller and Robinson absent. Vice Mayor Pro Tem Castillo presiding.

Mr. Ralph Burns, 7219 Yellow Pine, Houston, Texas 77040 (713-582-2599) appeared and stated that he was present to speak in opposition to the new limousine ordinance, specifically the part dealing with the stretch limousine additions; that he felt it unfair that he would have to buy a stretch limo to be able to expand his business; that his business used Town Cars; that Ms. Croy told him the ordinance was passed to limit people coming from taxicabs into the limousine business, but it made it hard on them, it was unfair and he wondered if it could be revised. Mayor Brown, Council Members Galloway and Keller absent. Vice Mayor Pro Tem Castillo presiding.

Mr. Wayne Alexander, 1319 Mimosa, Houston, Texas 77489 (281-499-1415) appeared and stated that he was a representative of the Independent Town Car Limousine Drivers Association and today they were present with a serious concern about the changes in the limousine ordinance, there was no consideration for their financial positions or for the new licensee applicants or operators; that it was unfair and unconstitutional to mandate that a new applicant buy a stretch limousine and it placed a financial burden on new applicants and present operators; that they adamantly rejected the change in the ordinance and respectfully asked that Council reconsider the detrimental effect, it must change immediately; and regarding the issue parking at IAH, it was chaos, the Independent Town Car Limousine Drivers Association operators were mandated to pay fees because there was not enough parking areas, particularly during peak hours of operation and it was inconsiderate and unfair and unlawful by city airport management to automatically bill operators and not guarantee parking spaces or areas to pickup their clients. Mayor Brown, Council Members Galloway and Keller absent. Vice Mayor Pro Tem Castillo presiding.

Council Member Quan stated that the ordinance was recently passed; and upon questions, Mr. Alexander stated that they did not participate in the discussions they had been left out of the loop; that they were not notified of it. Council Member Quan stated that they discussed it about a year before Council Member Todd's committee before it came to Council and then it was delayed to still get more opinions and he was somewhat sympathetic, but disappointed Council did not hear from him before they voted on it; and upon questions, Mr. Alexander stated that the Limousine Association was in opposition to where they were, they were the small operators and they were not informed properly. Mayor Brown, Council Members Galloway and Keller absent. Vice Mayor Pro Tem Castillo presiding.

Ms. Brenda Jackson, 13130 Eldridge Meadow, Houston, Texas 77041 (281-449-0002) appeared and stated that she was president of the Independent Sedan Operators and present regarding Ordinance 2000-960 revisions to the limousine ordinance; that they felt the new revisions were unconstitutional and that someone was trying to push them out of the business; that they were told there were too many one car owners in the business; that at the airport they used to pay \$4.00 to park and now paid \$8.00 to park and they had to get there thirty minutes before their pickup to find somewhere to park; that they understood Mayor Brown and some Council Members were not present when the revisions were made and that was why they were present today, they were asking for the Mayor's and Council's help. Council Members Galloway Goldberg, Keller and Quan absent.

Mr. Josef Khanoyan, 2016 Main #917, Houston, Texas 77002 (713-628-9755) appeared and stated that he was present regarding the limousine ordinance and specifically that stretch limousines be mandatory; that someone mentioned there were opportunities to discuss this, but it was mainly communicated to the limousine association who were mainly operators of five or more vehicles, independent operators had a lot of one and two car operations and they were not properly notified of the hearings; that some had just spent \$30,000 or \$40,000 on a sedan and wanted to add on and could not because first they must have a stretch limousine; that this was unfair, it seemed they were forcing the small guy out and he hoped it could be looked at again. Council Members Galloway, Goldberg, Keller, Quan and Robinson absent.

Council Member Parker stated that one reason they toughened the limousine ordinance was because essentially there were companies calling themselves limousine companies and they were operating as cab services in circumvention of the taxicab ordinance; and upon questions, Mr. Khanoyan stated that a one car taxicab company waited in line at hotels and airports to pickup clients, but a one or two car limousine company had accounts, they had to build clientele and they relied on repeat business. Council Member Parker stated that a lot of small cab companies also relied on repeat business; that the ordinance was instituted because of abuses by limousines at airports and there needed to be some mechanism as a regulatory body to differentiate what was being provided and she felt the ordinance needed to be given a chance to work and see what happened. Council Members Galloway, Goldberg, Keller, Quan and Robinson absent.

Council Member Todd stated that he chaired the committee which made the revisions to the ordinance; and upon questions, Mr. Khanoyan stated that some people got licenses in June and had paid fees on existing vehicles and they were going to permit them under their own permit; that he was aware of the hearings, had attended a couple and E-Mailed Council Member Todd, but as a whole a lot of independent drivers were not aware of it. Council Member Todd stated that they had nine meetings over the 14 months and it was in the media; that he was interested in his concerns and wanted to be sure it was being applied fairly, but he didn't think it was fair to say the limousine association or independent drivers were not on notice changes were being made and the stretch rules only applied to airport operations. Council Members Galloway, Keller, Parker, Quan and Robinson absent.

Mr. John Canalda, 119 Mill Stream, Houston, Texas 77060 (281-820-6511) appeared and stated that he had been in the transportation business for 22 years and at one time he owned 15 yellow cabs and he knew the difference between a cab rider, a town car and limousine rider; that her personally picked up at George Bush's house and others who did not want to get into a cab; that there were solicitors at the airport but they should not penalize him for something they could not control at the airport; that he did not have a stretch limo business; that five or six years ago when the Exxon executive was kidnapped and killed in New Jersey Exxon said none of their executives would go in stretch limos and his clientele would not ride in limos because of the image projected; that it was against his constitutional rights and the labor laws; that he felt the city was trying to protect the large companies; and he felt the law should be revised. Council Members Galloway, Keller, Quan and Robinson absent.

Mr. Howard Boutte, 19281 Main Street, Conroe, Texas 77385 (713-598-4052) appeared and stated that he lived in Montgomery County; that he heard the complaints by the city and did not agree with the solicitation at the airports; that he agreed with the city trying to issue licenses and permits to try and regulate what type of person regulated a limousine business, but here was an ordinance clearly unfair to small business operators such as himself; that he started in the business with a Yellow Cab Town Car and now he had three, but now was being told before he could get another town car he had to get a stretch limousine; that he had clients from Enron, Shell Oil, Arthur Anderson, Conoco, etc., and he had never had an opportunity for a stretch limousine but now would need to buy one and have it sit at his house; that it was illegal to solicit and drivers would be willing to be a witness. Council Members Galloway, Ellis, Keller, Quan and Robinson absent.

Upon questions by Mayor Brown, Mr. Boutte stated that he had a limousine business but strictly used town cars; that now his concern was that the ordinance prohibited him from growing unless he bought a stretch limousine, the ordinance said before he could add another vehicle he had to buy a stretch. Council Members Galloway, Ellis, Keller, Quan and Robinson absent.

Upon questions by Mayor Brown, Council Member Todd stated that it had been a month and a half since it was passed; that the comment most heard at the table was that now most people did not even want a town car but instead a suburban or SUV and under the ordinance they could go to SUVs, but it would probably be better to have someone from F & A interpret the ordinance as it had been awhile. Council Members Galloway, Keller, Quan and Robinson absent.

Upon questions by Mayor Brown, Mr. Bibler stated that the ordinance was recommended by F & A and passed out of committee and then passed by Council and it separated limousine companies that had airport service versus those that did not and it grandfathered the existing ones saying they could provide airport service, but if they did not already have an extended body vehicle they did need to add at least one before they could add other vehicles, but that did not keep them from replacing vehicles as they wore out; that Ms. Mosley could explain the logic behind that better, but it had to do with airport solicitation. Mayor Brown stated that he would look at the issues brought forward today. Council Members Galloway, Keller, Quan and Robinson absent.

Council Member Todd stated that he thought it was important for Mr. Boutte to work with F & A to see if they could make the ordinance work; that this was the first feedback he had received and he wanted to make sure it was fair to all concerned. Council Members Galloway, Keller, Quan and Robinson absent.

Council Member Parker stated that the ordinance was just passed in November and it was not unusual to get fallout from an ordinance and she would not be opposed to revisiting it, but would like it to operate a few months; and Council Member Todd stated that he too thought anytime you had a new ordinance you had to see how it would be applied by the Administration, a lot of the time how it was applied was more important than the way it read, but they made pretty strong efforts to build flexibility. Council Members Tatro, Galloway, Keller and Robinson absent.

Mr. Lenny Vitale, 3223 River Valley Dr., Kingwood, Texas 77339 (281-361-7468) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Keller and Robinson absent.

Ms. Mary Goodie, P. O. Box 300059, Houston, Texas 77230 had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Keller and Robinson absent.

Mr. Bobby Taylor, 3107 Sumpter, Houston, Texas 77027 appeared and stated that he had a follow-up from November 2, 2000, behavior, people, staffing, mental, physical growth, denial, citizenship, why, it's so unfair taking American citizenship, violation of a hate crime here in America, yes, cowards use children, check out the Allens on Prospect Street. Mr. Taylor continued to express his personal opinions until his time expired. Council Members Tatro, Galloway, Keller and Robinson absent.

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

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated December 19, 2000, www.galvan.org Happy Holidays 2000 and Happy New Year 21st century to all, with a special greeting to all 1,601 people who voted for him this year for Texas Representative and Best Wishes; and asked the Municipal Channel to zoom in on a Christmas card he was holding for all 1,601 people as he could not buy that many cards. Council Members Galloway, Keller and Robinson absent.

At 3:53 p.m. upon motion by Council Members Ellis and Quan the City Council recessed until Wednesday, December 20, 2000 at 9:00 a.m. Council Member Boney absent due to being ill. Council Member Vasquez out of the city on personal business. Council Member Sanchez absent on personal business. Council Members Galloway, Keller and Robinson absent.

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, December 20, 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. Anthony Hall, City Attorney, Mr. Paul Bibler, Senior Counsel, City Attorney's Office; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Ms. Stella Ortega, Agenda Director's Office.

At 8:25 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:10 a.m. Mayor Brown called to order the meeting of the City Council. Council Members Galloway, Todd and Castillo absent.

Council Member Sanchez moved to suspend the rules to take Item No. 44 and No. 59 out of order. All voting aye. Nays none. Council Members Galloway, Todd and Castillo absent. MOTION 2000-1534 ADOPTED.

Council Member Robinson moved to suspend the rules to take Item No. 18 out of order. All voting aye. Nays none. Council Members Galloway, Todd and Castillo absent. MOTION 2000-1535 ADOPTED.

MAYOR'S REPORT

44. SELECT and confirm the appointment of either **MR. ROY DOUGLAS MALONSON** or **MR. ED WOLFF** to Position 4 of the Land Assemblage Redevelopment Authority Board for a term to expire October 31, 2002 – was presented.

Mayor Brown stated that Mr. Malonson had appeared before Council yesterday to withdraw his name so all they needed was a motion to confirm Mr. Ed Wolff.

Council Member Keller moved to confirm the appointment of Mr. Ed Wolff to Position 4 of the Land Assemblage Redevelopment Authority Board, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Galloway, Todd and Castillo absent. MOTION 2000-1536 ADOPTED.

Mayor Brown recognized Mr. Wolff and congratulated him and stated that they appreciated his interest and time in working with the City. Council Members Galloway, Todd and Castillo absent

59. ORDINANCE approving and authorizing contract between the City and ELECTRONIC DATA SYSTEM CORPORATION, INC. for Alarm Tracking, Billing and Collections for the Houston Police Department; providing a maximum contract amount - 5 Years with two one-year options \$6,766,538.00 - General Fund - This was item 65 on Agenda of December 13, 2000, POSTPONED BY MOTION #2000-1528 – was presented.

Council Member Sanchez stated that he had a motion to offer, that last week he had talked about the \$3.00 fee and he had a motion that had been distributed to Council Members which had an attachment of Exhibit B, that essentially, from what he understood from the Legal Department, striking out the portion of the exhibit which eluded to the \$3.00 fee and so he would hope that Council would favorably consider that motion. Council Members Galloway, Todd and Castillo absent.

Council Member Sanchez moved to amend Item No. 59 by replacing Exhibit "B", which he distributed for the one in the ordinance, seconded by Council Member Robinson. Council Members Galloway, Todd and Castillo absent.

Council Member Robinson stated that even though they were striking the fee on Item No. 59 he had an opportunity to visit with Ms. Dotson and the technology person and knew they were going to have some discussions about user fees and hoped they would be supportive as they established the appropriate framework because he thought they all had an interest in moving to E government and there was going to have to be some kind of user fee, but he did not have a problem with Council Member Sanchez's amendment, that it was not a vote against the idea. Council Members Todd and Castillo absent.

Mayor Brown stated that the administration supported the amendment. Council Members Todd and Castillo absent.

A vote was called on the motion to amend Item No. 59. All voting aye. Nays none. Council Members Todd and Castillo absent. MOTION 2000-1537 ADOPTED.

A vote was called on Item No. 59 as amended. All voting aye. Nays none. Council Members Todd and Castillo absent. ORDINANCE 2000-1113 ADOPTED.

18. ORDINANCE amending Ordinance 85-2070 to abolish certain obsolete Trade Classifications, to reform and/or rename certain Trade Classifications, to establish certain new Trade Classifications; to establish current Minimum Prevailing Wage Rates for fourteen Trade Classifications, to establish minimum pay rates for Helper Classifications and adopting them all as the Minimum Wage Rates for specified construction Crafts and Trades for building construction performed under contract with the City of Houston, Texas; providing that these rates shall apply to certain City contracts on or after the effective date; establishing a Helper ratio; providing for a procedure for establishing new classifications and resurveying others; allowing Apprentices; providing a repealing clause – was presented. Council Member Tatro voting no, balance voting aye. Council Members Todd and Castillo absent. ORDINANCE 2000-1114 ADOPTED.

Council Member Vasquez thanked the unions and their contractor coalition for all of their involvement and Council Members Robinson and Bell, that it was a team effort in getting this together and doing what was best for Houston. Council Members Todd and Castillo absent.

Council Member Robinson stated that he wanted to echo the same sentiment and thank all of the participants and Council Member Vasquez for his work on this issue. Council Members Todd and Castillo absent.

Mayor Brown stated that he wanted to express his appreciation for everyone involved, the contractors and also the unions, who worked very hard to put together what was indeed a workable compromise. Council Member Todd absent.

Council Member Bell moved to suspend the rules to take Item No. 58, No. 58a, No. 58b and No. 22 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Todd absent. MOTION 2000-1538 ADOPTED.

58. Motion by Council Member Bell to amend Section 40.128 of Item 58b below be amended to read as follows:

The Rules and Regulations shall be consistent with applicable Federal and State Laws, City Ordinances and sound engineering practices and the City Council Committee on Transportation, Technology & Infrastructure shall conduct a public hearing on the proposed rules and regulations not less than 10 days following the publication of notice of intent in a newspaper of general circulation and the proposed rules and regulations shall be approved by a majority vote of the City Council Committee on Transportation, Technology & Infrastructure prior to implementation – was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2000-1539 ADOPTED.

- 58a. WRITTEN Motion by Council Member Bell to amend Item 58b below to delete Section 40-136(b)(17) in its entirety – was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2000-1540 ADOPTED.

58b. ORDINANCE amending **CHAPTER 40 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Excavating in the Public Way; containing findings and other provisions relating to the foregoing subject; providing for severability – **(This was Item 64 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS ROBINSON and VASQUEZ)** – was presented.

Council Member Bell presented the following written motion to amend Item No. 58b as follows: “Motion to postpone consideration for a time certain of 21 days during which a meeting of the whole of City Council shall conduct a public hearing on the proposed ordinance not less than 10 days following the publication of notice of intent to consider the Street Cut Permitting Ordinance in a newspaper of general circulation.” Council Members Galloway and Todd absent.

Council Member Sanchez asked for a point of order, and stated that if he understood the rules correctly he would call to bring Item 58 back for reconsideration. Council Member Todd absent.

Mayor Brown stated that they wanted to bring one of the items back for reconsideration because what had been done was illegal and could not be done. Council Member Todd absent.

Mr. Hall stated that as he understood the effect of one of the amendments, which was Item No. 58, was to delegate to a committee of City Council the authority to approve and authorize regulations that were promulgated by one of the City departments and that was an illegal delegation, that it could be brought back before Council, if Council wished to vote on every one of the rules, but that could not be delegated to a committee, and stated that Mr. Bibler had advised him that he did advise Council of that last week. Council Member Todd absent.

Mayor Brown stated that they did discuss it last week and he indicated at the time that it was inappropriate because they did not take their rules back to a committee, that the action they had taken was inappropriate. Council Member Todd absent.

Council Member Sanchez moved to reconsider Item No. 58, seconded by Council Member Boney. Council Member Todd absent.

Council Member Bell stated that his understanding of the rules was that 90 days had to pass before it could be brought back up, and Mr. Hall stated that Council Member Bell was correct to the extent that it would require 10 votes to do what Council Member Sanchez had moved, and secondly the issue and principal that actions that bind the City, for contracts or anything else, ordinances and regulatory provisions could only be passed by a vote of the Council, that a committee or nobody else was authorized to do that except the governing body of the City. Council Member Todd absent.

Upon questions by Council Member Tatro, Mr. Hall stated that reconsideration was generally an issue governed by Roberts Rules of Order, that they had refined that some as a City through the Council rules that provide that Roberts Rules of Order was amended to the extent that there was a prohibition against exercising the Roberts Rules of Order process in less than 90 days, that Roberts Rules of Order says that a person

who voted on the prevailing side of an issue could in fact move to reconsider the vote by which that issue was approved, that in this instance that would be prohibited by the Council Rules of less than 90 days, but as they were aware that rule could be suspended by 10 votes of Council, which was why he would then rule that if Council Member Sanchez would move to suspend the rules to reconsider the vote by which that was adopted and if it got 10 votes it would prevail, that was one issue, that he was not in the room last week or unfortunately was outside advising one of their colleagues on an issue when this was voted on, that Mr. Bibler had informed him that he had advised Council last week that this item was in fact illegal in its present form, that it was not something brought forth by the administration, it was brought by a Member of Council, that the practice and procedure of the administration, and all others that he knew of, had been in fact to make those advisory comments to Members of Council when they offer amendments at the table, but not to refuse to put them on, that it would be an acceptable change to the amendment to have the rules approved by Council before implemented as opposed to a Council committee, that would be legal, that Council could do that but a committee could not, anymore than a committee could pass an ordinance or anything else, that committee's could make recommendations to Council, but could not be the final decider of a regulatory provision. Council Members Todd and Robinson absent.

Upon questions by Council Member Keller, Mayor Brown stated that this was discussed last week, that Council Member Bell brought forth a number of amendments and these were postponed to this week; that he had spoken to Reliant Energy and they were not opposed to the ordinance and did not know who was opposed to it, so he was puzzled as to why they were going through all of these amendments when the two major, supposedly opponents, were saying that they were not opposed to it, that he did not know why Council Member Bell was doing this. Council Member Todd absent.

After further discussion by Council, Council Member Castillo moved to call the question, seconded by Council Member Boney. All voting aye. Nays none. Council Members Todd and Bell absent. MOTION 2000-1541 ADOPTED.

Upon questions by Council Member Boney, Mr. Hall stated that a motion to reconsider merely puts the issue back on the table, and if it was to be reconsidered it had to be re-voted on or disposed of, one way or the other again, it was just reconsidering the vote by which it passed. Council Members Todd, Ellis, Vasquez and Robinson absent.

A roll call vote was called on Council Member Sanchez's motion to suspend the rules to reconsider Item No. 58.

ROLL CALL VOTE:

Mayor Brown voting aye
Council Member Tatro voting no
Council Member Galloway aye
Council Member Goldberg voting aye
Council Member Boney voting aye
Council Member Todd absent
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 aye
Council Member Bell voting no
Council Member Robinson absent.
MOTION 2000-1542 FAILED

Mayor Brown stated that the vote was 9 to 4 and did not pass, that it would take 10 votes to pass it. Council Members Todd and Robinson absent.

Council Member Boney stated that he would like to at least begin a discussion of the substance of the issue, that he did not understand why Council Member Bell was making the motion, that the streets were being torn up constantly every day and they were not being brought up to standard and that was the only reason the matter was before them. Council Members Todd, Ellis and Robinson absent.

Council Member Bell stated that the object of the exercise was to pass the best ordinance possible, that there were a lot of things that had been brought to the forefront during the discussion over the last few weeks of the proposal, that there had been some concerns brought forth by the industry and they had voiced those and stated that they would like some more time, and Mayor Brown asked who in the industry had asked for more time, that he was speaking on behalf of someone in the industry, and Council Member Bell stated that he was not speaking on behalf of anyone in the industry, and Mayor Brown asked which one had asked him to delay it and Council Member Bell stated that they did not ask for him to delay, and Mayor Brown asked if he was doing this on his own, and Council Member Bell stated yes, and Mayor Brown stated that he did not believe him. Council Members Todd, Ellis and Robinson absent.

Council Member Boney moved to suspend the rules to hear from Mr. Tom Rolen, Director, Public Works and Engineering at this time, seconded by Council Member Galloway. All voting aye. Nays none. Council Members Todd, Ellis and Robinson absent. MOTION 2000-1543 ADOPTED.

Council Member Boney asked Mr. Rolen if Council Member Bell or anybody on his staff contacted him or his department to ask if this permitting process that was embodied in the ordinance would delay, slowdown or tie up his staff in paperwork so that they could not fix busted water mains and sewer lines, would it impact the timeliness of their being able to respond, and Mr. Rolen stated that not him personally and he was not aware of that being asked of his staff, and Council Member Boney asked Mr. Rolen if he had reviewed the ordinance thoroughly, and Mr. Rolen stated yes, that it would not hinder him or what the City wanted to do in terms of their obligations and responsibilities, that the ordinance would require them to do some additional staffing and take some measures, but it would not adversely impact their fixing water lines or filling potholes or anything like that, that they estimated adding 6 to 10 to the staff, that it would impact the budget by approximately \$300,000 to \$500,000, that this year they had positions that they had not been able to fill so there had been some salary savings there, that this year they could probably absorb the majority, that next year they may need to make some adjustments. Council Members Todd, Ellis, Quan and Robinson absent.

Council Member Sanchez asked if even if the ordinance passed they still had a 90 day implementation period, and Mr. Bibler stated that unfortunately it was 60 days and that did not really allow any time for the item to be carried back to Council or Council committee's before it was implemented so he did not know if that was workable in the ordinance, and Council Member Sanchez stated that they need not be an engineer or a contract estimator to know that everyday that went by there was substantial degradation to their streets costing the taxpayers of the City of Houston hundreds of thousands of dollars and 21 days and 60 days was going to cost the City perhaps several million

dollars, that there was ample room to achieve what Council Member Bell wanted to achieve, and that was that the rules be brought back before City Council, after they had been crafted by the department and Council would have the say, and stated that he would ask that the Council move as expeditiously as possible in approving the ordinance today without the delay. Council Member Todd absent.

Council Member Vasquez asked Mr. Hall or Mr. Bibler what was the impact of their having passed a motion that they deemed to be illegal, and Mr. Bibler stated that as he stated last week he thought it was an illegal infirmity in the ordinance that could cause the ordinance to be challenged, that hopefully in the course they could sever that section out, and Council Member Vasquez stated that his interest was in straightening out the legality component of this, that he personally did not like having passed an illegal motion, either by accident or by conscious intent, and asked if there was a motion that could be made that would supercede this motion such that would force any procedures or policies or practices to follow and adhere to City Council rules and regulations, and Mr. Bibler stated that they could modify the item to provide that it be presented to City Council, that if such a motion were to be made and given the fact that the ordinance had to be in effect in 60 days and on the 60th day people who start excavations had to have permits, they thought that if they did that the 60 day implementation date would probably not be realistic.

Council Member Vasquez asked if there was a motion that could be made such that the motion basically fixed the particular legal situation, and Mr. Hall stated no, that in the essence of order and consistency for Council itself to change an item that a majority of Council had adopted, in less than 90 days, would require a suspension of the Council rules and that required 10 votes. Council Member Goldberg, Boney and Todd absent.

Mayor Brown stated that he intended to fix the problem, that as soon as Mr. Rolen completes his set of rules he was going to bring it to the full Council for a Council debate, that he would not send them to committee. Council Member Goldberg, Boney and Todd absent.

Council Member Tatro stated that Mayor Brown incorrectly stated that Reliant and Southwestern Bell did not have a problem with this, that they would let it go but did not anticipate that it referred to them. Council Member Goldberg, Boney and Todd absent.

Council Member Tatro moved to suspend the rules to hear a representative from Southwestern Bell, seconded by Council Member Quan. Council Member Goldberg and Todd absent.

After discussion by Council, Council Member Castillo moved to call the question on Council Member Tatro's motion to hear from a representative of Southwestern Bell, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Goldberg and Todd absent. MOTION 2000-1544 ADOPTED.

A roll call vote was called on Council Member Tatro's motion to hear from a representative of Southwestern Bell. Council Members Goldberg and Todd absent.

ROLL CALL VOTE:

Mayor Brown voting no

Council Member Vasquez voting no

Council Member Tatro voting aye
Council Member Galloway voting no
Council Member Goldberg voting aye
Council Member Boney voting no
Council Member Todd absent
Council Member Ellis voting no
Council Member Keller voting aye

Council Member Castillo voting no
Council Member Parker voting aye
Council Member Quan voting aye
Council Member Sanchez voting no
Council Member Bell voting no
Council Member Robinson voting aye
MOTION 2000-1545 FAILED

Council Member Boney stated that he would just ask that during the interim, while the process was going on, that the dialog continue between the industry and the Legal Department and Public Works, that they had expressed an interest in continuing some dialog with the City Attorney and the Director of Public Works to try to develop some more consensus. Council Members Todd and Robinson absent.

After further discussion, Mayor Brown stated that so they would not lose sight of what they were trying to do he asked Mr. Rolan to tell them what was the intent of the ordinance, and Mr. Rolan stated that the intent of the ordinance was to maintain the integrity of their street infrastructure, that the activity that was going on now needed to be done in a much more orderly manner and needed to be done in greater conformity to the requirements and technical specifications to make sure that the integrity of the streets and the investment that the taxpayers had made would be maintained, that it was a very critical ordinance and one that they wholly supported, that the degradation of the streets was taking place every day, that no one was waiting for the ordinance to pass before they went and dug up the streets, and Mayor Brown asked if every day it was delayed did it cost the taxpayers money, and Mr. Rolan stated yes, that he would agree that they had a multi billion dollar investment in the streets, that when they delayed it for whatever reason the end result was that it was costing the taxpayers money. Council Members Galloway, Todd and Robinson absent.

Upon questions by Council Member Bell, Mr. Rolan stated that there were a lot of parties that worked in the streets, it was not just the City, that this started over a year ago, that part of the incentive was the fiber optic lines started being laid, that his estimate was an additional 6 to 10 people, they would be doing a combination of plan review and also inspections in the field as was necessary, that it would be an additional cost of somewhere between \$300,000 and \$500,000, that they would also be responsible of handling the permitting process and the paperwork associated with that, that it was a preliminary estimate because they did not know how many permits they were going to be asked to review. Mayor Brown, Council Members Galloway, Todd and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Bell stated that since they had the safeguard in place of having the Rules and Regulations come back and the Mayor had stated that he would bring those back to the Council for review he thought that did build in some checks and balances, that he understood some people were anxious to move forward and stated that at this time he would withdraw his motion to delay to allow the main item to be voted on. Mayor Brown, Council Members Galloway, Todd and Robinson absent. Mayor Pro Tem Boney presiding.

After further discussion by Council, Council Member Ellis moved to call the question on Item No. 58b, seconded by Council Member Quan. Council Members Galloway, Todd and Robinson absent. MOTION 2000-1546

Council Member Parker stated that some Council Members had declared a conflict of interest and asked who they were before they voted on Item No. 58b. Council Member Todd absent.

Mayor Brown stated that Council Member Galloway wanted to make a statement, that as he understood there really was no conflict. Council Member Todd absent.

Council Member Galloway stated that she was not employed at Southwestern Bell, that she had been on a union leave since 1980, that her pay came from the Houston Federation of Teachers, that now she was retired and the only pay she received was from the City of Houston. Council Member Todd absent.

A vote was called on Item No. 58b as amended. All voting aye. Nays none. Council Members Tatro and Todd absent. ORDINANCE 2000-1115 ADOPTED.

22. ORDINANCE approving and authorizing lease agreement between the City of Houston, as landlord, and the **HOUSTON HISPANIC FORUM**, as tenant, for the former Houston Light Guard Armory Building located at 3816 Caroline Street to be used as a public Cultural Arts and Education Center - **DISTRICT D – BONEY** – was presented. All voting aye. Nays none. Council Members Goldberg and Ellis absent. ORDINANCE 2000-1116 ADOPTED.

Council Member Sanchez recognized members of the Houston Hispanic Forum, who were in the audience, who worked so diligently for Item No. 22 and thanked them for their community involvement. Council Members Goldberg and Ellis absent.

CONSENT AGENDA NUMBERS 1 through 43

MISCELLANEOUS – NUMBER 1

1. RECOMMENDATION from Acting Director Finance & Administration for annual membership renewal in the **HOUSTON-GALVESTON AREA COUNCIL** - \$65,222.12 - General Fund – was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. Council Members Goldberg, Ellis and Keller absent. MOTION 2000-1547 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 4 and 5

LOW BIDS

4. **PARALLAX SERVICES, INC** for Installation of Seven A/C Units for Finance & Administration Department - \$58,000.00 and contingencies for an amount not to exceed \$60,900.00 - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. Council Members Goldberg and Keller absent. MOTION 2000-1548 ADOPTED.

5. **UNDERGROUND, INC** for Sewer Cleaning Trucks for Department of Public Works & Engineering Replacement - \$90,976.00 - Enterprise Fund – was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. Council Members Goldberg and Keller absent. MOTION 2000-1549 ADOPTED.

Council Member Robinson moved to suspend the rules to take Items No. 9 and No. 19 out of order, seconded by Council Member Tatro. Council Members Goldberg and Keller absent. MOTION 2000-1550 ADOPTED.

9. ORDINANCE appropriating \$12,000,000.00 out of Civic Center Facility Revenue Fund (Fund Number 601) and \$8,000,000.00 out of Convention and Entertainment Facilities Expansion Fund (Fund Number 620), and approving and authorizing an Interlocal Arena Development Agreement between the City of Houston and the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY**, in connection with the site acquisition and infrastructure work for a new Multi-purpose Arena to be constructed in Downtown Houston, Texas; decreeing public convenience and necessity for the new Multi-purpose Arena to be constructed on the site bounded on the north by Polk, on the south by Bell, on the east by Jackson and on the west by LaBranch; authorizing the acquisition of land for the new Multi-purpose Arena located within the street boundaries named above and comprising all of Blocks 289, 290, 311 and 312 S.S.B., Houston, Harris County, Texas; authorizing the Director of the Convention and Entertainment Facilities Department to declare the City's expectation to reimburse expenditures for the site acquisition and infrastructure work for the new Multi-purpose Arena with funds received from future bond proceeds; containing various findings and provisions related to the subject – was presented.

Council Member Quan stated that on this item it was obviously something that they needed to be doing, and stated that he had spoken with representatives of the China Petroleum Company, who owned several blocks of land in the area and they had indicated to him a great willingness to negotiate on the property, but had been advised that the City did not seem like they were in the mode to discuss this, but instead looking to condemnation, and he encouraged the City to try to work with them, that they were looking at a price below market as they saw it, and thought that it would build better relations with a corporate neighbor in downtown Houston who used the most land of any company in downtown Houston, and Mayor Brown stated to Mr. Tollett if he had gotten that message. Council Members Goldberg and Robinson absent.

A vote was called on Item No. 9 with Council Members Tatro and Keller voting no, balance voting aye. Council Members Goldberg and Robinson absent. ORDINANCE 2000-1117 ADOPTED.

19. ORDINANCE approving and authorizing contract between the City and a Joint Venture comprised of **JOHNSON AND JOHNSON, a partnership**, and **ROBERT KELLY, a sole proprietor**, to represent the City before the Texas Legislature and State Agencies; providing a maximum contract amount - \$800,000.00 - General Fund – was presented, and tagged by Council Member Vasquez. Council Members Goldberg and Robinson absent. (Note: Council Member Vasquez

released his tag later in the meeting, and the item was tagged by Council Member Sanchez.)

Council Member Boney stated that he was a little bit concerned, that this was the last Council meeting of the year and the Legislature would begin the 9th of January and asked Mr. Hall if he thought they would impair their interest representing the City by not having their legal team in place, and Mr. Hall stated that obviously they would like to have it put to bed, that one of the reasons was that once they got a contract they had to go and execute agreements with subcontractors, that they had been working those since the recommendation was made to the committee and Council, that they be retained, that they would be better off if it passed and the City would be better served, and Mayor Brown stated that they had been working at no cost, and Council Member Boney asked if it was something that could be worked out, maybe if they put it at the end of the agenda, and Council Member Vasquez stated that they put it at the end of the agenda and that he would remove his tag then. Council Member Goldberg absent.

RESOLUTIONS AND ORDINANCES - NUMBERS 8 through 43

8. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot-wide waterline easement, including a 10-foot by 20-foot water meter easement which is a part thereof, containing 10,373.54 square feet of land, more or less, being out of the Demas Elliott Survey, A-1071, Harris County, Texas; vacating and abandoning said tract of land to Liberty Baptist Church of Houston, the abutting owner, in consideration of owner's payment of \$4,150.00 and other consideration to the City - Revenue - **DISTRICT C – GOLDBERG** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1118 ADOPTED.
10. ORDINANCE consenting to the creation of **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 130** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1119 ADOPTED.
11. ORDINANCE consenting to the addition of 42.172 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 82**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1120 ADOPTED.
12. ORDINANCE consenting to the addition of 9.7571 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 275**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1121 ADOPTED.
13. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 374** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1122 ADOPTED.
14. ORDINANCE consenting to the addition of 1.284 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its

- district – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1123 ADOPTED.
15. ORDINANCE consenting to the addition of 13.0460 acres of land to **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 110**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1124 ADOPTED.
 16. ORDINANCE consenting to the addition of four tracts of land totaling 36.0896 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 6**, for inclusion in its district – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1125 ADOPTED.
 17. ORDINANCE releasing certain territory in Fort Bend County in the vicinity of the City of Sugar Land Texas, from the Extraterritorial Jurisdiction of the City of Houston; containing findings and other provisions relating to the foregoing subject; providing for severability – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1126 ADOPTED.
 21. ORDINANCE approving and authorizing an Occupancy Agreement between the **GREATER HOUSTON ATHLETIC ASSOCIATION** for the Physically Disabled, a Texas Non-profit Corporation, as occupant, and the City of Houston, Texas, as owner, for space in the Metropolitan Multi-Service Center - Revenue - **DISTRICT D - BONEY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1127 ADOPTED.
 28. ORDINANCE appropriating \$107,500.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of Lots 38 and 39, Lakeview Park, an unrecorded subdivision in the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving a Purchase and Sale Agreement with Darrell George and Belinda George to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1128 ADOPTED.
 29. ORDINANCE appropriating \$113,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of Lot 33, Lakeview Park, an unrecorded subdivision in the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving a Purchase and Sale Agreement with Rodney Earl Norris and Kristine Lea Norris to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1129 ADOPTED.
 30. ORDINANCE appropriating \$142,500.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of Lots 34, 35 and 36, Lakeview Park, an unrecorded subdivision in the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas, for the Expansion of Bush Intercontinental

Airport, CIP A-0024, and approving a Purchase and Sale Agreement with Scheley Waydel Manning, Jr. and Wanda Gail Manning to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1130 ADOPTED.

31. ORDINANCE appropriating \$235,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of 1.443 acres, more or less, out of the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas, and the improvements located thereon, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving a Purchase and Sale Agreement with Anna Margaret Meschwitz, a single woman, to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1131 ADOPTED.
32. ORDINANCE appropriating \$425,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of 0.9982 acre of land out of the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas, and the improvements located thereon, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving a Purchase and Sale Agreement with S-N-A, Inc, to acquire the land for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1132 ADOPTED.
37. ORDINANCE appropriating \$533,500.00 out of Street & Bridge Consolidated Construction Fund and approving professional services contract between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC d/b/a PBS&J** for Design of Neighborhood Street Reconstruction Project No. 441, CIP N-0374-01-2 (SB9042); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICTS D - BONEY; E - TODD and H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1133 ADOPTED.
38. ORDINANCE appropriating \$378,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **S&B INFRASTRUCTURE, LTD.**, for the Design of Improvements at various Wastewater Facilities, CIP R-0268-41-2 (WW4807); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS D - BONEY and I - CASTILLO** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1134 ADOPTED.
42. ORDINANCE appropriating \$1,625,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **C AND C SERVICES** on low

bid of \$1,427,515.00 and approving and authorizing professional services contract for engineering testing services with **QC LABORATORIES, INC** in the amount of \$40,000.00 for Water Main Replacement at various locations, GFS S-0700-06-3 (10504-1); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1135 ADOPTED.

43. ORDINANCE allocating \$550,000.00 for additional services under contract with **CAMP, DRESSER & MCKEE, INC** for the Southeast Water Purification Plant Contract Operator Procurement Assistance approved by Ordinance No. 99-0001, CIP S-0012-21-02 (10484-3) – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2000-1136 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

2. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,137,829.00 and acceptance of work on contract with **CAJUN CONSTRUCTORS, INC** for Construction of Wastewater Treatment Plant and Sludge Plant Improvements, GFS R-0265-02-3 (4268-2) - 03.68% over the original contract amount Enterprise Fund - **DISTRICTS A - TATRO; B - GALLOWAY; E - TODD and G – KELLER** – was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez and tagged by Council Member Quan. Council Member Goldberg absent.

Council Member Quan stated that his concern was that while it was within budget, the time it took to get the project done was 65% over what they expected and requested that someone visit with him on it, and Mayor Brown stated that they would have Public Works visit with him on that. Council Members Goldberg and Vasquez absent.

3. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,284,520.00 and acceptance of work on contract with **BOYER, INC** for Construction of Groundwater Production SCADA Phase II Additions for Public Utilities Group, GFS S-0522-00-3 (10445-4) - Enterprise Fund - was presented, moved by Council Member Sanchez, seconded by Council Member Boney. All voting aye. Nays none. Council Members Goldberg and Vasquez absent. MOTION 2000-1551 ADOPTED.

PURCHASING AND TABULATION OF BIDS

OTHER

6. **TELETRAC, INC** for Teletrac Vehicle Locator System for Various Departments - \$1,429,193.40 General, Enterprise, Asset Forfeiture, Fleet Management, Sign Administration and Building Inspection Funds - was presented, moved by Council

Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Goldberg and Vasquez absent. MOTION 2000-1552 ADOPTED.

RESOLUTIONS AND ORDINANCES

7. RESOLUTION recognizing **REVEREND LEON H. SULLIVAN** for his contributions on behalf of Universal Human Rights and for his development and implementation of the Global Sullivan Principles Of Corporate Social Responsibility; and encouraging the adoption of such principles by Domestic and International Companies – was presented, and tagged by Council Members Tatro, Sanchez and Todd. Council Members Goldberg and Vasquez absent.

Council Member Boney stated that he had worked with Reverend Sullivan and had attended the African – African American Summit, it was highly regarded and provided a great deal of positive activity around the world in terms of fostering economic development and trade and stated that he hoped that during the course of the week questions were responded to and that Council Members get their answers. Council Members Goldberg and Vasquez absent.

Council Member Castillo stated that there was additional information on Reverend Leon Sullivan's organization on the web, and stated that back in 1974 he had worked and operated a program funded by Reverend Leon Sullivan's national organization. Council Members Goldberg and Vasquez absent.

Mayor Brown stated that they would have someone visit with anyone who would have questions on this, that they had been asked to do this similar to Los Angeles, New York, Philadelphia and many other cities and many other big companies had been asked to do the same thing as well as the United Nations, that it had been approved by the U.S. House of Representatives. Council Members Goldberg and Vasquez absent.

20. ORDINANCE amending Ordinance No. 2000-288 to increase the maximum contract amount for contract between the City of Houston and **WICKLIFF & HALL, P. C.** for Legal Representation of the City in the Reliant Energy's Unbundled Cost Service Application and related matters before the Texas Public Utility Commission - \$475,000.00 - General Fund – was presented. All voting aye. Nays none. Council Members Goldberg and Vasquez absent. ORDINANCE 2000-1137 ADOPTED.
23. ORDINANCE approving and authorizing development agreement between **D. K. STRUCTURES, INC** and the City of Houston for the Extension of the Paving of Northcourt Road from its current termination point to Guhn Road - **DISTRICT A - TATRO** – was presented. All voting aye. Nays none. Council Members Goldberg and Vasquez absent. ORDINANCE 2000-1138 ADOPTED.
24. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **CH2M HILL, INC** for Design of Improvements at various Biosolids Facilities, CIP R-0265-01-2 (4289) - **DISTRICTS B - GALLOWAY; D - BONEY; F - ELLIS and I - CASTILLO** – was presented. All voting aye. Nays none. Council Members Goldberg and Vasquez absent. ORDINANCE 2000-1139 ADOPTED.

25. ORDINANCE approving and authorizing contract between the City of Houston and **ASKHARRIS.COM, INC** for Automated Bill Collection and Processing of Water Bills at various sites; providing a maximum contract amount - 5 Years - Total \$1,750,000.00 - (FY01 \$100,000.00) Enterprise Fund – was presented, and tagged by Council Member Tatro. Council Members Goldberg and Vasquez absent.
26. ORDINANCE approving and authorizing Engagement letter between the City of Houston and **ZUCKERT, SCOUTT & RASENBERGER, L.L.P.** for the provision of Specialized Legal Services for the Department of Aviation; providing a maximum contract amount - 3 Years - \$1,450,000.00 Enterprise Fund - **DISTRICTS B - GALLOWAY and E – TODD** – was presented, and tagged by Council Member Robinson. Council Members Goldberg and Vasquez absent.
27. ORDINANCE approving and authorizing contract between the City of Houston and **HARRIS COUNTY FLOOD CONTROL DISTRICT** for Drainage Improvements in the Lakeview Subdivision, GFS M-231-02-2 (M-231-02) - **DISTRICT G - KELLER** – was presented. All voting aye. Nays none. Council Members Goldberg and Vasquez absent. ORDINANCE 2000-1140 ADOPTED.
33. ORDINANCE appropriating and transferring \$420,000.00 out of Accumulated Unexpended Fund to the Storm Sewer Control Fund, appropriating \$420,000.00 out of Storm Sewer Control Fund, and approving and authorizing professional services contract between the City of Houston and **BROWN & GAY ENGINEERS, INC** for the Design of Knollwood Village Drainage Improvement, CIP M-0252-01-2 (SM5016); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Control Fund - **DISTRICT C - GOLDBERG** – was presented, and tagged by Council Member Tatro. Council Members Goldberg and Vasquez absent.
34. ORDINANCE appropriating \$525,850.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **CHIANG, PATEL & YERBY, INC** for Design of Fuqua Grade Separation at Mykawa, CIP N-0530-02-2 (SB9047); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E – TODD** – was presented.

Council Member Castillo asked what was the timeframe for the eventual design of the pavement section, that as he understood they were simply designing the overpass and when did they expect the roadways to be built from Mykawa to Telephone and going the other way from Mykawa to where ever the terminus was. Council Members Goldberg and Vasquez absent.

Council Member Castillo moved to suspend the rules to hear from a representative of Public Works at this time, seconded by Council Member Quan. All voting aye. Nays none. Council Members Goldberg and Vasquez absent. MOTION 2000-1553 ADOPTED.

Council Member Castillo asked when were the roadways going to be designed, when exactly was the timeframe, and Mr. Rolan stated that they had two pieces, the East and the West, that the West, as he recalled, was 2002 and 2003 and the East was 2005, that this item

did not involve engineering the roadways and those would be separate contracts. Council Members Goldberg, Boney, Vasquez and Robinson absent.

A vote was called on Item No. 34. All voting aye. Nays none. Council Members Goldberg, Boney, Vasquez and Robinson absent. ORDINANCE 2000-1141 ADOPTED.

35. ORDINANCE appropriating \$425,800.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **TSC ENGINEERING COMPANY** for the Design of Water Lines Grid Extension Package II at various locations, CIP S-0700-55-2 (WA10676); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT D – BONEY** – was presented, and tagged by Council Member Keller. Council Members Goldberg, Boney, Vasquez and Robinson absent. ORDINANCE 2000-1141 ADOPTED.

Council Member Keller stated that his concerns with Item 35 was that 64% of the project was in additional services, but only 40% of that 64% was defined. Council Members Boney, Todd, Vasquez and Robinson absent.

36. ORDINANCE appropriating \$814,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **SPARKS & BARLOW, INC** for Design of Neighborhood Street Reconstruction Project No. 439A, CIP N-0372-02-2 (SB9039); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Members Boney, Todd, Vasquez and Robinson absent. ORDINANCE 2000-1142 ADOPTED.
39. ORDINANCE appropriating \$473,960.00 out of Water & Sewer System Consolidated construction fund and approving and authorizing a professional services contract between the City of Houston and **URS CORPORATION** for Design of water lines replacement in Ashford Park subdivision; CIP S-0035-82-2 (WA10668); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G – KELLER** – was presented, and tagged by Council Member Keller.
40. ORDINANCE appropriating \$675,000.00 out of the Water & Sewer System Consolidated Construction Fund and approving and authorizing the First Amendment to a professional services contract between the City of Houston and **BLACK & VEATCH CORPORATION** for Design of Lake Houston Dam Investigation and Study; CIP S-0890-BV-2 (WA10567); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Members Boney, Todd, Vasquez and Robinson absent. ORDINANCE 2000-1143 ADOPTED.
41. ORDINANCE appropriating \$2,576,600.00 out of Water & Sewer System Consolidated Construction Fund; determining that the formal taking competitive bids is not required for the work described herein; approving and authorizing

contract between the City of Houston and **NELES AUTOMATION SCADA SOLUTIONS, INC** for an Upgrade of the Wastewater Supervisory Control & Data Acquisition System, GFS R-0512-04-3 (4749-1); providing funding for contract management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Members Boney, Todd, Vasquez and Robinson absent. ORDINANCE 2000-1144 ADOPTED.

NON CONSENT AGENDA - NUMBERS 44 through 46

MISCELLANEOUS

45. MOTION to suspend the Council Rules to approve rescheduling to January 10, 2001 of the presentation of the Monthly Financial and Operations Report for period ending November 30, 2000 – was presented, moved by Council Member Sanchez, seconded by Council Member Quan. All voting aye. Nays none. Council Members Boney, Vasquez and Robinson absent. MOTION 2000-1554 ADOPTED.

PROPERTY

46. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Kim Icenhower, Brown & Gay Engineers, Inc, on behalf of Metro National Corporation (William L. Peel, Jr., Chief Executive Officer) and Primary Properties Corporation (Jan R. Knissen, president) for abandonment and sale of Strey Lane, from IH 10 south ±595 feet to its terminus, two water line easements, two storm sewer easements, and a utility and drainage easement in exchange for the conveyance to the City of a 20-foot-wide water line easement, a water meter easement, and a fire hydrant easement, all located within the Isaac Bunker Survey, A-121, Parcels SY1-019A, SY1-019B, SY1-019C, SY1-025A, SY1-025B, SY1-025C, KY1-004A, KY1-004B and KY1-004C **APPRAISERS - DISTRICT G – KELLER** – was presented, Council Member Keller stated that he would propose Mr. William Kvinta and Scott P. Stephens and moved to approve the recommendation and appointment of appraisers, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Boney, Vasquez and Robinson absent. MOTION 2000-1555 ADOPTED.

MATTERS HELD - NUMBERS 47 through 59

47. MOTION by Council Member Castillo/Seconded by Council Member Vasquez to adopt recommendation from the Director Department of Public Works & Engineering for approval of the FY2001 Operations and Maintenance Budget for the **COASTAL WATER AUTHORITY (CWA) \$11,426,030.00 - Enterprise Fund – (This was Item 2 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS QUAN AND ROBINSON)** – was presented. All voting aye. Nays none. Council Members Vasquez and Robinson absent. MOTION 2000-1556 ADOPTED.
48. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from the Director Department of Public Works & Engineering for approval of the FY2001 Operations and Maintenance Budget for

the **LAKE HOUSTON FACILITY PROJECT** to be operated by the Coastal Water Authority - \$943,710.00 - Enterprise Fund – **(This was Item 3 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBER ROBINSON)** – was presented. All voting aye. Nays none. Council Members Vasquez and Robinson absent. MOTION 2000-1557 ADOPTED.

Council Member Todd stated that he supported the item and wanted to thank Mr. Rolen and Public Works for their work on all the Lake Houston projects that were on the agenda today. Council Members Vasquez and Robinson absent.

49. MOTION by Council Member Vasquez/Seconded by Council Member Quan to adopt recommendation from the Director Department of Public Works & Engineering for approval of the FY2001 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$2,147,510.00 - Enterprise Fund – **(This was Item 4 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBER ROBINSON)** – was presented. All voting aye. Nays none. Council Members Vasquez and Robinson absent. MOTION 2000-1558 ADOPTED.
50. MOTION by Council Member Vasquez/Seconded by Council Member Tatro to adopt recommendation from the Director Department of Public Works & Engineering for approval of the FY2001 Operations and Maintenance Budget for the **SAN JACINTO RIVER AUTHORITY** \$732,697.00 - Enterprise Fund – **(This was Item 5 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBER ROBINSON)** – was presented. All voting aye. Nays none. Council Members Vasquez and Robinson absent. MOTION 2000-1559 ADOPTED.
51. ORDINANCE appropriating \$277,300.00 out of Housing Special Revenue Fund for the purchase of Two Refuse Collection Trucks for the Department of Solid Waste Management – **(This was Item 14 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS PARKER AND ROBINSON)** – was presented. Council Member Parker voting no, balance voting aye. Council Members Vasquez and Robinson absent. ORDINANCE 2000-1145 ADOPTED.
- 51a. MOTION by Council Member Castillo/Seconded by Council Member Vasquez to adopt recommendation from Finance & Administration to award to **HOUSTON-GALVESTON AREA COUNCIL** for purchase of Fourteen Garbage Trucks and Twelve Cabs and Chassis through the Interlocal Agreement for Cooperative Purchasing for the Solid Waste Management Department \$2,761,489.92 - Equipment Acquisition Consolidated and Housing Special Revenue Funds – **(This was Item 14A on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS PARKER, ROBINSON AND KELLER)** – was presented. All voting aye. Nays none. Council Members Vasquez and Robinson absent. MOTION 2000-1560 ADOPTED.
52. ORDINANCE relating to the issuance and sale of City of Houston, Texas, Tax and Revenue Certificates of Obligation, Series 2001A; authorizing publication of notice of intent to issue such certificates; authorizing the Finance Working Group to proceed with the issuance of such certificates; making various findings and provisions relating thereto; and declaring an emergency (Cotswold Project) - **DISTRICT I – CASTILLO** – **(This was**

Item 21 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS QUAN, TATRO, KELLER, SANCHEZ AND ROBINSON) – was presented.

Council Member Tatro stated that there had been different numbers and estimates floating around about the revenues on the Cotswold Project and asked if there was someone from Municipal Courts who could answer questions on the measurement of the revenues over the fines, and Mayor Brown stated that Mr. Haines may be able to answer his questions. Council Members Vasquez and Robinson absent.

Council Member Tatro asked with respect to the revenue generated from parking meters was Municipal Courts able to capture, specifically in its system, the revenues generated from the meters that were in the Cotswold Project, and Mr. Haines stated yes and that he believed that the report was given to the Council Members, that they tracked it out of F&A, and Council Member Tatro asked if it was possible to identify the parking tickets that were specifically attributed to the Cotswold parking spots, and Mr. Haines stated that he was not sure he could answer that completely, but did know that the calculation that went into the original report that they had was a count related specifically to those citations, that they would notice the ratio of those citations against the coins themselves had gone down, that he did know that the capture on the test blocks was there and solid and again they had been running typically in that area about a three to one ratio and as he recalled it was a little over two to one citation revenue versus coin revenue, and Council Member Tatro asked if Municipal Courts was able to define or attribute citations that were issued with respect to Cotswold, and Mr. Hains stated that he would get back with him with the answer.

Upon questions by Council Member Keller, Mr. Hains stated that right now they were talking about Phase I extrapolated to Phase II, that a significant, perhaps even a majority of the percentage of citations issued were not attributable to the meters themselves, that they dealt with other parking related violations, that was probably reflected in the Phase I experience of Cotswold where they had not defined more clearly than the rest of the downtown area, the distinction between the meters, the technology surrounding those meters and since the completion of that area, the delineation of the those non meter citation zones, that they would be glad to get that information to him. Council Members Tatro, Vasquez and Robinson absent.

Council Member Quan stated that last week at the committee meeting Mr. Haines had explained to them that he felt that bonding was best to be accomplished at this time because of rates, and Mr. Haines stated yes, and Council Member Quan stated that he had also mentioned to him that he would like to investigate privatization of the parking meters to see if they could get a maximum return on those meters and asked if Mr. Haines had indicated a willingness to look into that, and Mr. Haines stated yes, that the issue of outsourcing or privatization was really more in the framework of the management of the system itself and that was going to take some time, but it would be their hope at least to get some tentative information or some boundaries identified on how that might be done as they enter into the budget process. Council Members Tatro, Vasquez and Robinson absent.

A vote was called on Item No. 52. All voting aye. Nays none. Council Members Tatro, Vasquez and Robinson absent. ORDINANCE 2000-1146 ADOPTED.

Council Member Todd stated that he had meant to walk out on Item No. 20 and inadvertently walked out on the wrong vote and had passed a note to Ms. Russell to that effect. Council Members Tatro, Vasquez and Robinson absent.

53. ORDINANCE approving and authorizing sublease agreement between **CAMPAIGN STRATEGIES, INC**, as sublessor, and the City of Houston, Texas, as sublessee, for space at 1220 Colorado, Austin, Texas, to be used as Office Space for the City's Legislative Affairs Group \$28,200.00 - General Fund – (This was Item 39 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS BELL AND KELLER) – was presented.

Council Member Sanchez stated that he would move for a delay on this item to be considered at the same time that the lobby team contract was being considered, and Mayor Brown stated that the item was delayed until the end of the agenda. Council Members Tatro, Vasquez and Robinson.

54. ORDINANCE approving and authorizing a Master Agreement between the City of Houston and **UNISYS CORPORATION** for purchase of Hardware, Licensing of Software, Professional Services and Training for Various Departments - \$4,618,319.00 - Equipment Acquisition Consolidated Fund – (This was Item 40 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBER GOLDBERG) – was presented, with Council Members Ellis and Goldberg voting no, balance voting aye. Council Members Vasquez and Robinson absent. ORDINANCE 2000-1147 ADOPTED.
55. ORDINANCE appropriating \$96,300.00 out of Street & Bridge Consolidated Construction Fund as an additional appropriation for Design of Lyons Avenue Paving from Waco Street to Southern Pacific Railroad, CIP N-0719-01-2 (SB9015), under professional engineering services contract with **WAYNE SMITH & ASSOCIATES, INC**, (approved by Ordinance No. 99-1393); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - DISTRICTS B - GALLOWAY and H – VASQUEZ – (This was Item 51 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBER VASQUEZ) – was presented. All voting aye. Nays none. Council Members Vasquez and Robinson absent. ORDINANCE 2000-1148 ADOPTED.
56. ORDINANCE appropriating \$2,860,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding construction contract to **RELIANCE CONSTRUCTION SERVICES, L.P.**, and approving and authorizing professional services contract for engineering testing services with **MURILLO SERVICES, INC** in the amount of \$85,000.00 for On-Call Water Main and Sanitary Sewer Extensions, GFS S-0700-OD-3 (WA10660); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – (This was Item 57 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBER TATRO) - was presented. All voting aye. Nays none. Council Members Vasquez and Robinson absent. ORDINANCE 2000-1149 ADOPTED.
57. ORDINANCE appropriating \$120,000.00 out of Housing Special Revenue Fund for the purchase of One Refuse Collection Truck with two Roll-Off Containers as ancillary

equipment for the Department of Solid Waste Management – **(This was Item 60 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS ROBINSON and PARKER)** - was presented, with Council Member Parker voting no, balance voting aye. Council Members Vasquez and Robinson absent. ORDINANCE 2000-1150 ADOPTED.

Mayor Brown stated that Council Member Vasquez removed his tag on Item No. 19. Council Member Robinson absent.

19. ORDINANCE approving and authorizing contract between the City and a Joint Venture comprised of **JOHNSON AND JOHNSON, a partnership**, and **ROBERT KELLY, a sole proprietor**, to represent the City before the Texas Legislature and State Agencies; providing a maximum contract amount - \$800,000.00 - General Fund – was again before Council.

Upon questions by Council Member Quan, Mr. Hall stated that they had not been directly a part of the discussions between the proposed prime contractor and the subcontractor team, that what they did get from his was assurances that those folks gave specific permission to be listed in the contract for a contract and when the contract was approved they would then negotiate the details, that he was unaware that anyone had withdrawn, that they would be asking for them to give them an alternative and would advise Council of it, that they would be happy to give Council a full background on all of them and if they got it done they could meet with them personally, that the contract had always had a contingent amount in it for the flexibility depending on how the issues developed in the Legislature in order for them to add people with the City Attorney's approval to deal with the specific issues that come up that they did not know about now. Council Member Robinson absent.

Council Member Bell asked if they were disappointed in the way they had conducted their business why did they not start this process sometime after the 1999 Legislative session and begin discussions and start the wheels turning instead of waiting until the eve of the next session, and Mr. Hall stated that as is the case in most professional procurements of this type it was not so much a question of dissatisfaction with a specific contractor as it was trying to make a judgement of who would best represent them under the circumstances as they exist today, that the contracts were for a two year period and if they approved this one that person would be retained until the later part of year after next so that it would have been useless to begin discussions with somebody when they had 18 months left on their contract and were obligated to provide services, that several members of the Council in open session suggested that they ought to go out for RFP since they had not done that in their procurement of the contract in the four previous occasions, that they did go out for some type of request for qualifications and they had 6 responses and the short list was reduced to 2 from those 6, that they would not be paying considerably more money for this team, that it was about 9% more than last time, that the market had increased. Council Member Robinson absent.

Council Member Sanchez stated that he would tag Item No. 19, that by remarks by a number of Council Members there were some questions about the lobby team, the amount of funding and the members of the team all of which in the past had been discussed through the Legislative Affairs Committee, that the contract was shared with the Members of City Council on Friday and in fact just parts of it were received this morning by a number of Members of Council and that was unfortunate, that he was extremely disappointed that this administration brought the item to City Council on the last day on the eve of the Legislature meeting and asked Council to make the very important decision with no time for due consideration, that

there were a number of issues that needed to be revised, that they had tried to read the contract and resumes through committee and unfortunately and sadly he could not report that the committee was allowed to participate in the process. Council Member Robinson absent.

Mayor Brown asked if he had missed something, that the media report with Council Member Sanchez saying don't bring it before his committee, were they inaccurate, and Council Member Sanchez stated it was absolutely correct, that the meeting was held and it was decided that it would not be beneficial to bring it up to the committee and would be unfair to the committee members to put their backs up against the wall, and Mayor Brown asked if it was correct that during the course of all of this that he had been briefed by the Legal Department and told everybody that everything was going okay with him, and Council Member Sanchez stated that it was incorrect. Council Member Robinson absent.

Council Member Castillo stated that he would have liked to have the item on the agenda for consideration a whole lot earlier and was disappointing that they did not, that he would be more disappointed that if they on their own volition further delayed it and did not think anybody had anything negative or would not speak well of the team that was selected and they certainly needed to have them on as soon as possible, and stated that he thought they were dealing more with the rightness or wrongness of the procedure as opposed to the substance of what was on the table, that it going to look very untoward for the largest city in the State to go to the Legislative session without having a lobbying contract in place. Council Member Robinson absent.

Mayor Brown asked Mr. Hall that compared with past years how were they in terms of the date by which they past the contract, how had they done in previous years, and Mr. Hall stated that if they went back 6 years they would be in the same time frame that it had been adopted then, that in fact it had been adopted, as late as January 7th; that since Council Member Sanchez had raised a question he wanted Council to know that the contract was essentially the same as the contract that the City had in place for the last 8 years, that the names were different than they had previously, that Council Members had suggested that it could have been adopted earlier and he could not quarrel with that, it could have been, but one of the difficulties was that they tried to consult with the leaders of the Legislature and to this day they did not know who was the presiding office in the Senate was going to be, that Mayor Brown had consulted with the leaders of the State because they appointed all the committee chairs and decided what the committee membership was and it was always wise to at least consult them, that they did spend a considerable amount of time with the Speaker on the issues that were important to them. Council Member Robinson absent.

Upon further discussion by Council, Council Member Boney moved to suspend the rules to override Council Member Sanchez's tag on Item No. 19, seconded by Council Member Castillo. Council Member Robinson absent.

A roll call vote was called on Council Member Boney motion to override the tag. Council Member Robinson absent.

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 aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting no

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

Council Member Sanchez voting no
Council Member Bell voting aye
Council Member Robinson absent
MOTION 2000-1561 FAILED

Mayor Brown stated the vote was 8 to 6 and did not pass, that it needed 10 to pass. Council Member Robinson absent.

Council Member Parker recognized her mother who was present in the audience today. Council Member Robinson absent.

53. ORDINANCE approving and authorizing sublease agreement between **CAMPAIGN STRATEGIES, INC**, as sublessor, and the City of Houston, Texas, as sublessee, for space at 1220 Colorado, Austin, Texas, to be used as Office Space for the City's Legislative Affairs Group \$28,200.00 - General Fund – **(This was Item 39 on Agenda of December 13, 2000, TAGGED BY COUNCIL MEMBERS BELL AND KELLER)** – was again before Council.

Council Member Sanchez moved to postpone Item No. 53 so that it could come back with the lobby team contract, seconded by Council Member Ellis. Council Member Robinson absent.

Upon further discussion by Council, Council Member Sanchez stated that the question was how close was it to the Capitol, did they want to be 100 yards away or did they want to be 150, that he thought the taxpayers would say 150.

Mayor Brown asked Mr. Hall what his response was to that, that it was his understanding that it was a reasonable price for the office space, and Mr. Hall stated that it was, that they had circulated to the Council an informal survey of people who were in a similar circumstance with them and what they were paying and why, and he thought it answered those questions, that it was not the most expensive office space in Austin, that their concern was that the office space would disappear and they would not have the convenience of being in close proximity to the Capitol so they could effectively do their work. Council Members Parker and Robinson absent.

Council Member Bell asked on the lease question would the person who was actually leasing the property go ahead and office there as well, and Mr. Hall stated no, not the same space, that Campaign Strategies would not office in the same space, that the Legislative Affairs Director, her assistant and two clerical people would office there, and Council Member Bell asked where did they have office space for the City staff before.

Ms. E. Cary Grace, the Director of Legislative Affairs, stated that it was 816 Congress which was 2 blocks south of the Capitol, that she had looked into it again and their rent had doubled, that last year it was a package deal which included all the infrastructure and the total package per month last session was about \$4,050 per month, that the actual rent was \$1,550 for 350 square feet, that this session 350 square feet alone was going to be \$2,900, excluding infrastructure, that their base rent doubled. Council Members Parker and Robinson absent.

Council Member Ellis stated that Council Member Bell had mentioned that Campaign Strategies, Inc., Mr. Dan McGlung, and Mr. Hall stated that it was his company and he had been a lobbyist, and Council Member Ellis stated that he knew that Mr. McGlung had worked for and probably would be working for some of the Council Members and possibly for the Mayor in the future and asked if there was a conflict of interest for their voting on the issue and Mr. Hall stated none that he knew about. Council Members Parker and Robinson absent.

A vote was called on Council Member Sanchez's motion to postpone Item No. 53.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting no
Council Member Tatro voting no	Council Member Castillo voting no
Council Member Galloway voting no	Council Member Parker absent
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Boney voting no	Council Member Sanchez voting aye
Council Member Todd no	Council Member Bell voting no
Council Member Ellis voting no	Council Member Robinson absent
Council Member Keller voting no	MOTION 2000-1562 FAILED

A vote was called on Item No. 53. All voting aye. Nays none. Council Members Parker and Robinson absent. ORDINANCE 2000-1151 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Mayor Brown stated that they had been searching for a permanent Solid Waste Director since Mr. Bass left and he was going to submit the name of the Acting Director, Mr. Thomas M. Buchanan, to be that person, that he had done a great job as the Acting Director and was very confident that he would do as well of a job as permanent Director with Council's approval. Council Members Parker and Robinson absent.

Council Member Quan stated that a couple of weeks ago they began the initiation of their Store Safety Kit Project and wanted to mention that if anyone would like to obtain a copy of the booklet on robbery prevention as well as copies of the video they had them available in their office free of charge, that they had been generously underwritten by Mr. Shoukat Dhanani of Gulshan Enterprises as well as AAMCO Insurance. Mayor Brown, Council Members Parker and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Quan thanked those who helped his office recently in organizing a couple of events for senior citizens, that they had a gala event at the George R. Brown Convention Center and had approximately 1,000 seniors attend and thought they had a wonderful time. Mayor Brown, Council Members Parker and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Quan recognized members of the Youth Council who were present and who had been very helpful in several events. Mayor Brown, Council Members Parker and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Vasquez congratulated Mr. Buchanan and stated that he thought he would do a great job, and requested an update on the Heavy Trash Pilot Project that was going on. Council Members Todd, Parker and Robinson absent.

Council Member Vasquez thanked all the interested parties involved in the Prevailing Wage and stated that it was a good and tough issue and thanked everybody for being level headed and working in the best interest of the City. Council Members Todd, Parker and Robinson absent.

Council Member Vasquez wished happy holidays to all of the City employees, his colleagues and all of the citizens of Houston. Council Members Todd, Parker and Robinson absent.

Council Member Keller thanked Mr. David Gonzales for removing a fallen tree out of the right of way of the street, that he was very courteous to the people leaving church, that the entire crew was to be complimented. Council Members Parker and Robinson absent.

Council Member Boney stated that he wanted to wish all of the City employees happy holidays, that many times they required a lot out of them and sometimes they knew they could not compensate them as they deserved for the good work that they did, including his staff and the Pro Tem Office staff. Council Members Parker and Robinson absent.

Council Member Sanchez stated that he had a conversation with a young African American man who explained to him that it was the first time he had voted, and that he was extremely disappointed that his vote was not counted, that he thought there was some sort of conspiracy to insure that not only his vote but other young African Americans votes did not count and stated that he would not vote again, and he stated that he told the young man that it was important to get out and vote, that it was still their responsibility as citizens to get out and participate in the process. Council Members Vasquez, Parker and Robinson absent.

Council Member Castillo stated that as had been reported in the press over the past several weeks there was still a person out in the Southeast part of his district who was a predator accosting young children as they went to and from school, that the police department was doing everything in its power to apprehend the person, but as they were in the holiday period and there were more kids out in the streets and not in school he stated that he would request that the police chief consider if there were adequate overtime funds available for the Magnolia Police Station to keep the patrols available over the holiday period, that it was important to patrol the parks and other areas where the children may be found. Council Members Vasquez, Parker and Robinson absent.

Council Member Castillo stated that he had read in the paper that the Commissioners Court had urged and were considering lobbying in the Legislature for better funding for the Harris County Hospital District, that apparently the use of the district was overwhelming the budget and he knew that over 84% of the users of the hospital district were from the City of Houston so there was a great need to improve the Medicare enrollment procedures, which were very cumbersome and prevent the hospital district from being able to collect fees on patients that were treated in the hospital and those that were treated on an outpatient basis and believed that they should work very closely with the County lobbyists to do everything that they could to enhance potential for revenues. Council Members Vasquez, Parker and Robinson absent.

Council Member Castillo stated that he wished all his colleagues happy holidays. Council Members Vasquez, Parker and Robinson absent.

Mayor Brown stated that on his first item, the police department would not spare any resources to address the problem that was occurring in his district, that he had spoken with the police chief on it and he could be assured that they were doing everything they could. Council Members Vasquez, Parker and Robinson absent.

Mayor Brown stated that he agreed with him and would certainly want their lobbying team and all of them who had contacts in Austin to work to make sure they got adequate resources from the State for their hospital district. Council Members Vasquez, Parker and Robinson absent.

Council Member Bell stated that he wanted to congratulate the winners of the Council door decorating contest and stated he wanted to wish everyone a happy holiday season. Council Members Vasquez, Parker and Robinson absent.

Council Member Goldberg stated that he had checked with Ms. Russell, City Secretary, and two of the Council Members had a perfect attendance all year, and passed out Certificates of Recognition to Council Members Ellis and Tatro for their perfect attendance. Council Members Vasquez, Parker and Robinson absent.

Council Member Todd stated that he too wanted to take the opportunity to wish all Houstonians and Council Members a happy holiday season. Council Members Vasquez, Parker and Robinson absent.

Council Member Todd stated that he was glad to see all of the highway work on the Pierce Elevated, that it strongly affected people in his district because Pierce Elevated was a route that they had to take if they were heading down to Clear Lake and as to the section of I-45 going through downtown it was his hope that when the work was done that the State would have budgeted to spruce up what green areas remain along the Pierce Elevated, and Mayor Brown stated that they had been working with the State on that and they had a nice long term plan to accomplish all of that and would keep working on it. Council Members Vasquez, Parker and Robinson absent.

Council Member Galloway stated that she too would like to wish her colleagues as well as the City employees and the Houston community a happy and prosperous holiday season. Council Members Vasquez, Parker and Robinson absent.

Mayor Brown stated that he wanted to join them all in wishing the City employees and all the people in the City and all Members of City Council a happy, safe, health and prosperous holiday season. Council Members Vasquez, Parker and Robinson absent.

There being no further business before Council, the City Council adjourned at 11:55 a.m. upon MOTION by Council Member Sanchez, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez, Parker and Robinson absent. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary