

City Council Chamber, City Hall, Wednesday, January 17, 2001

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, January 17, 2001, 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. Al Haines, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director present.

At 8:29 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:12 a.m. Mayor Brown called to order the meeting of the City Council and Council Member Goldberg lead everyone in prayer and the pledge of allegiance. Council Members Boney, Todd and Parker absent.

Mayor Brown requested the City Secretary to call the roll. Council Member Todd absent.

Council Members Robinson and Quan moved that the minutes of the preceding meeting be adopted. Council Member Todd absent.

MAYOR'S REPORT

Council Member Galloway moved to suspend the rules to take Item No. 22 out of order, seconded by Council Member Sanchez. Council Member Todd absent. MOTION 2001-0040 ADOPTED.

22. RESOLUTION authorizing the Mayor to file a request with the **U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT** asking for amendment to the City's Section 108 Loan and EDI Grant Programs – was presented, and tagged by Council Members Boney, Parker and Robinson. Council Member Todd absent.

CONSENT AGENDA NUMBERS 1 through 40

PROPERTY - NUMBER 6

6. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel A95-80A, located in the 8600 block of South Kirkwood Road, owned by Harris County Flood Control District, a Body Politic and Corporate, for the **KIRKWOOD ROAD PAVING PROJECT from Bissonnet Street to Alief-Clodine Road**, CIP N 0575-00-1 - \$200.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT F – ELLIS** had been pulled from the Agenda by the Administration, and was not considered. Council Member Todd absent.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 11

OTHER

9. **BRINKMANN INVESTMENTS, INC** for Emergency Roof Repair for the Department of Aviation \$24,097.00 - Enterprise Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0041 ADOPTED.
10. **ALL PLAY, INC** - \$60,971.10; **HUNTER-KNEPSHIELD OF TEXAS** - \$73,212.00; **MIRACLE RECREATON EQUIPMENT COMPANY** - \$30,982.00; **STRENGER'S dba TEXAS ATHLETIC SUPPLY** - \$15,275.00 and **THOMPSON RECREATION PRODUCTS** - \$15,105.00 for Replacement Playground Equipment for Parks & Recreation Department - \$195,545.10 - General Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0042 ADOPTED.
11. **G.T. DISTRIBUTORS, INC** for Apparel, Holsters-Handguns Contract for the Police Department \$275,496.39 - General Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0043 ADOPTED.

Council Member Robinson moved to suspend the rules to take Item No. 46 out of order, seconded by Council Member Tatro, and Council Member Boney stated that on Item No. 46 he had a meeting in the back in a few minutes and would like to take it up at the end of the agenda, and Council Member Robinson withdrew his motion. Council Member Todd absent.

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 40

18. ORDINANCE appropriating \$13,250.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON AMT) and approving the purchase of Lot 43, Lakeview Park Subdivision out of the J. Skorupski Survey, Abstract 720, Houston, Harris County, Texas for the expansion of Bush Intercontinental Airport; CIP A-0024; and approving a Purchase & Sale Agreement with **Michael Eugene and Josephine Ann Faas** 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 Todd absent. ORDINANCE 2001-0056 ADOPTED.
19. ORDINANCE appropriating \$157,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of Lot 8, Lakeview Park, an unrecorded subdivision in 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 & Sale Agreement with **Hector Yanez and Diamantina G. Estrada** 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 Todd absent. ORDINANCE 2001-0057 ADOPTED.

20. ORDINANCE appropriating \$188,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON AMT) and approving the purchase of Lots 29, 30, 31 and 32, Lakeview Park 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 & Sale Agreement with **Andres J. and Tommie Deleon** to acquire the land and improvements thereon, 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 Todd absent. ORDINANCE 2001-0058 ADOPTED.
21. ORDINANCE appropriating \$2,154,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase 60.31 acres out of the Amos Barber Survey, Abstract 125, Houston, Harris County, Texas, and the improvements located thereon, for the expansion of Bush Intercontinental Airport; CIP A-0024, and approving a Purchase & Sale Agreement with **Jerry R. Hamilton** to acquire the land and improvements thereon 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 Todd absent. ORDINANCE 2001-0059 ADOPTED.
23. ORDINANCE approving and authorizing second contract amendment between the City of Houston and **HOUSTON HOUSING FINANCE CORPORATION** to extend the contract term and provide an additional \$1,738,000.00 of Community Development Block Grant Funds for the continuation of an Emergency Home Repair Program – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0060 ADOPTED.
25. ORDINANCE approving and authorizing Occupancy Agreement between **EDUCATIONAL LEARNING AND ENRICHMENT CENTER, INC** as occupant, and the City of Houston, Texas, as owner, for space in the Fifth Ward Multi-Service Center - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0061 ADOPTED.
27. ORDINANCE approving and authorizing an agreement terminating a Tax Abatement Agreement between the City of Houston and **HEALTH JET, INC doing business as CHUNG'S GOURMET FOODS - DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0062 ADOPTED.
28. Omitted
30. ORDINANCE amending agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** authorized and approved by Ordinance No. 96-411 for McGowen Street from Scott Street to U. S. Highway 59 increasing state funding; amending an agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** authorized and approved by Ordinance No. 96-411 for Dowling Street from Elgin Street to McGowen Street decreasing state funding - **DISTRICT I – CASTILLO** had not been received, and the City Secretary announced it

would be considered at the end of the Agenda if received during meeting. Council Member Todd absent.

31. ORDINANCE appropriating \$592,350.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **NATHELYNE A. KENNEDY & ASSOCIATES, INC** for the Design of Neighborhood Street Reconstruction Project 441, CIP N-0374-02-2 (SB9054); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - BONEY; E - TODD and I - CASTILLO** – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0063 ADOPTED.
32. ORDINANCE appropriating \$96,000.00 out of Storm Sewer Consolidated Construction Fund and approving and authorizing first amendment to professional engineering services contract between the City of Houston and **MANLEY CONSULTANTS, INC** for Design of Lakeview/Hibury Relief Storm Sewer; CIP M-0231-04-2 (M-231-04); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund **DISTRICT G – KELLER** had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during meeting. Council Member Todd absent.
33. ORDINANCE appropriating \$550,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **OTHON, INC** for Design of Neighborhood Sewer Systems Improvements, CIP R-2011-18-2 (WW4809); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0064 ADOPTED.
34. ORDINANCE approving and authorizing first amendment to professional engineering services contract between the City and **BINKLEY AND BARFIELD, INC** for Neighborhood Sewer Rehabilitation/Replacement, CIP R-0266-92-2 (WW4762) – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0065 ADOPTED.
35. ORDINANCE appropriating \$330,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **MALCOLM PIRNIE, INC** for Design of Improvement of Disinfection Facilities to comply with the Safe Drinking Water Act Requirements and Solutions to Water Quality Issues, CIP S-0533-03-2 (WA10674); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C- GOLDBERG; F- ELLIS and G - KELLER** – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0066 ADOPTED.
38. ORDINANCE appropriating \$225,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PELTIER BROTHERS CONSTRUCTION, INC** on low bid of \$198,700.00 and approving and authorizing professional services

contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$5,000.00 for McCarty #1 Lift Station Rehabilitation, GFS R-0267-24-3 (4275-12); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidation Construction Fund - **DISTRICT B – GALLOWAY** had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during meeting. Council Member Todd absent.

40. ORDINANCE appropriating \$344,268.00 out of Parks Consolidated Construction Fund, awarding construction contract to **PARALLAX BUILDERS, INC** on low bid of \$935,000.00 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$22,500.00 for Parks to Standard Program - Phase II, Clinton Park, F-0363-40-3; providing funding for contingencies relating to construction of facilities financed by the Parks Consolidated Construction Fund - \$700,000.00 - CDBG Fund - **DISTRICT I – CASTILLO** had been pulled from the Agenda by the Administration, and was not considered. Council Member Todd absent.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. REQUEST from Mayor for confirmation of the appointment of **MR. THOMAS M. BUCHANAN** as Director of the Department of Solid Waste Management – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0044 ADOPTED.

Council Member Castillo moved to suspend the rules to hear from Mr. Thomas Buchanan at this time, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0045 ADOPTED.

Mr. Buchanan, Director, Department of Solid Waste, stated that he was honored at the trust that the Mayor had shown in him with the nomination and appreciated the confidence that Members of Council had shown with their vote for his confirmation, that he was truly honored to be there, that he had a very easy job because of the men that preceded him in the job, Mr. Ford and Mr. Bass, who he would like to recognize for the jobs they had done, and he pledged to them that he would continue to operate the department in as efficient and effective manner as possible and would like to tell them that in the men and women in the Solid Waste Department the City had conscientious and dedicated resource of people who truly had a service ethic and several of them were in the audience this morning, that he was privileged to work with these men and women, and would like to introduce his wife Karen and sons Jim and Tom. Council Member Todd absent.

2. REQUEST from Mayor for confirmation of the appointment of **MR. PHILIP B. SCHEPS** as Director of the Department of Finance and Administration – was presented, moved by

Council Member Tatro, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0046 ADOPTED.

Council Member Boney moved to suspend the rules to hear from Mr. Philip B. Scheps at this time, seconded by Council Member Quan. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0047 ADOPTED.

Mr. Scheps, Director, Finance & Administration, stated that he thanked them for their confidence, that unlike Mr. Buchanan he was not known to all of them and he had gotten around to meet eleven of the fourteen Council Members and would like to continue that process and see the three Council Members he had not met, that he was ready to start work next Monday. Council Member Todd absent.

ACCEPT WORK

3. RECOMMENDATION from Director Department of Pubic Works & Engineering for approval of final contract amount of \$60,793.37 and acceptance of work on contract with **CAAN CONSTRUCTION SERVICES, INC** for construction of Water Main Replacement on Hollister Road from Hammerly to Proetzel Creek, GFS S-0521-BG-3 (10228) - 05.32% under the original contract amount - Enterprise Fund - **DISTRICT A - TATRO** – was presented, moved by Council Member Tatro, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0048 ADOPTED.
4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$767,754.01 and acceptance of work on contract with **F. W. WALTON** for Roof Replacement and Waterproofing of Exterior Walls for the Julia Ideson Building, GFS E-0081-01-3 10.07% over the original contract amount - Public Library Consolidated Construction Fund **DISTRICT I – CASTILLO** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and tagged by Council Members Quan and Keller. Council Member Todd absent.

Council Member Robinson recognized the participants in this year's Mickey Leland Program who were present in the Chambers and who would be traveling to Austin, and Mayor Brown asked them to stand and welcomed them to the City Council Meeting, and stated he wished them good luck and that they certainly hoped that they pursued a career in public service, that those in this line of work found it very rewarding, that there was nothing more rewarding than serving ones mankind and womankind. Council Member Todd absent.

PROPERTY

5. RECOMMENDATION from Director Department of Public Works & Engineering declaring that the City of Houston does not need for road purposes two 40-foot wide right of way easements, containing ?0.22975 acre (12,960 square feet) and ?0.0784 acre (3,416 square feet), located at the southwest corner of Interstate 45 and Demontrond Drive, Pierce Sullivan Survey, A750, so that the State of Texas can sell the property to the underlying fee owner, George A. Demontrond, ???, Trustee - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Sanchez, seconded by Council Member

Boney. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0049 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 11

LOW BIDS

7. **MCHENRY MECHANICAL, INC** in the amount of \$104,778.00 and contingencies for an amount not to exceed \$110,016.90 to Install HVAC System for the 3-1-1 Call Center at the Lanier Building for the Building Services Department - Equipment Acquisition Consolidated Fund – was presented, moved by Council Member Boney, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0050 ADOPTED.
8. **UNDERGROUND, INC** for Portable Water Jetters for the Department of Public Works & Engineering - New - \$73,575.00 - Enterprise Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0051 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 12 through 40

12. ORDINANCE amending **CHAPTER 23 (Lake Houston) OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the restriction of recreational activities in the Cove on which the Lake Houston Patrol Facility is located; containing other provisions relating to the foregoing subject; providing for severability; and declaring an emergency - **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0067 ADOPTED.
13. ORDINANCE amending **CHAPTER 18 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to actions of former City Officials; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency – was presented, and tagged by Council Members Boney, Galloway and Quan. Council Member Todd absent.
14. ORDINANCE amending **SECTION 18-71 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Lobbying; containing findings and other provisions relating to the foregoing subject; providing for severability; and declaring an emergency – was presented, and tagged by Council Members Boney, Quan and Galloway. Council Member Todd absent.

The City Secretary announced that the following Item No. 15 had been pulled from the Agenda by the Administration, and would not be considered. Council Member Todd absent.

15. ORDINANCE approving Rules and Regulations for Article V of Chapter 40 of the Code of Ordinances regarding Excavations in the Public Way; containing other provisions relating to the foregoing subject; providing for severability.

Upon questions and comments by Council, Mr. Anthony Hall, City Attorney, stated that it was their feeling because the required publication in the ordinance was done with a number of relevant and significant pages not included, inadvertently left out, they thought it would make the process infirm and it was their intent to republish and readjust the date of its effectiveness and bring it back after all the pages were sent out; that it was their intent to try to get the ordinance, as Council had adopted it, in effect as quickly as possible, that as they knew there was a requirement that there be a publication and a comment period and thus an effective date and that was when all of that work was to be done, they thought that when Public Works published it just left out some pages that people ought to comment on so it obviously rendered a problem, that the delay for a week was only to fix that, that the Attorney General's opinion was one of the most difficult to understand for implementers because it says in plain language that one and two as expressed was declared but at the same time it says they were to observe the statutory language that they quoted from, that they were still studying that to try to determine how much latitude they had to deviate and it was unclear and they did not give them any guidance on the question so they were still trying to research that to come to some judgement themselves about how far they could deviate from what they did for most of the folks and the certificated utilities, that it was 10 days for the publication, not a week. Council Member Goldberg absent.

16. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of portions of the Hamilton Street, Lamar Avenue, McKinney Avenue, Chenevert Street, Dallas Avenue, and Walker Avenue Street Rights-of-way, all located within south side Buffalo Bayou, an unrecorded subdivision in Houston, Harris County, Texas; vacating and abandoning said tracts of land to the City of Houston, fee owner; reserving temporary utility easements within the abandoned portions of Walker Avenue, Dallas Avenue and Hamilton Street to allow relocation of existing utilities on or before July 31, 2001 - **DISTRICT I - CASTILLO** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2001-0068 ADOPTED.
17. ORDINANCE approving and authorizing the execution of Airport Use And Lease Agreements at George Bush Intercontinental Airport/Houston with **AMERICAN AIRLINES, INC; DELTA AIRLINES, INC** and **SOUTHWEST AIRLINES COMPANY - Revenue - DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2001-0069 ADOPTED.
24. ORDINANCE appropriating \$50,000.00 out of the Housing Special Revenue Fund and approving and authorizing contract between the City of Houston and **HOUSTON HABITAT FOR HUMANITY, INC** for the administration of a Program to assist very low income elderly and disabled persons with the construction of new homes – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2001-0070 ADOPTED.
26. ORDINANCE approving and authorizing grant agreement between the City of Houston and the **TEXAS FOREST SERVICE** relating to an interdepartmental Forester Position; authorizing one new Forester Position to be funded by the grant – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2001-0071 ADOPTED.

29. ORDINANCE appropriating \$264,985.69 out of Harris County Utility District No. 4 Fund 77 G and approving payment to **HOLLEY-GUNIGANTI DEER RIDGE LTD.** pursuant to contract with the former Harris County Utility District No. 4 for construction of certain utility facilities serving the Deer Ridge Estates - **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2001-0072 ADOPTED.
36. ORDINANCE appropriating \$322,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **BROOKS AND SPARKS, INC** for Design of Water Wells and Well Collection Lines in the Willowbrook Service Area; CIP S-0110-12-2 (WA10673); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2001-0073 ADOPTED.
37. ORDINANCE awarding contract to **KINSEL INDUSTRIES, INC** on low bid of \$5,837,641.50 for Construction of Repair and Replacement of Concrete Pavement, Sidewalks, Driveways, and Wheelchair Ramps and Mudjacking of Pavement; providing engineering and contingencies relating to construction and repair and replacement of concrete pavement financed by Funds 224 and 227 - \$6,421,405.70 Total contract amount – was presented, and tagged by Council Member Tatro. Council Member Goldberg absent. (Note: Council Member Tatro removed his tag later in the meeting.)
39. ORDINANCE appropriating \$366,900.00 out of Convention & Entertainment Construction Fund, awarding construction contract to **TURNER PAVING AND CONSTRUCTION, INC** on low bid of \$324,059.00 and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** in the amount of \$12,000.00 for Renovation of Parking Lot “H”, CIP B-0018-01-3; providing funding for contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Goldberg absent. ORDINANCE 2001-0074 ADOPTED.

NON CONSENT AGENDA - NUMBER 41

MISCELLANEOUS

41. REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Paul C. (Pat) Murphy IV, Wilshire Scott & Dyer on behalf of **DEMO & COSTA PROPERTIES, INC** regarding Application for Automotive Storage Lot License #607101200 – was presented, Council Member Castillo moved that the appeal be granted, seconded by Council Member Tatro. Council Member Goldberg absent.

Council Member Quan stated that there was a letter from the neighbor involved in the episode, that the question was if there was a residence within a certain radius of the property, that apparently it was a two story residence, a commercial building, with the owner of the

business living above the building and who clearly indicated that they had no opposition to the use of the property as requested so he would ask that they sustain the appeal in this case.

A roll call vote was taken on Item No. 41.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Castillo voting aye
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg absent	Council Member Quan voting aye
Council Member Boney voting no	Council Member Sanchez voting no
Council Member Todd voting aye	Council Member Bell voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting no	MOTION 2001-0052 ADOPTED

MATTERS HELD - NUMBERS 42 through 48

42. 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 – **(This was Item 54 on Agenda of January 3, 2001, POSTPONED BY MOTION #2001-0020)** – was presented. All voting aye. Nays none. Council Member Goldberg absent. RESOLUTION 2001-0001 ADOPTED.
43. MOTION by Council Member Boney/Seconded Council Member Vasquez to adopt the recommendation from City Attorney for settlement of lawsuit styled **FELICIANO MORUA, et al** v. City of Houston, et al; Cause No. 96-5088: in the 133rd Judicial District Court of Harris County, Texas - \$41,500.00 - Property and Casualty Fund – **(This was Item 2 on Agenda of January 10, 2001, TAGGED BY COUNCIL MEMBER TODD)** – was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. MOTION 2001-0053 ADOPTED.

At 9:30 a.m. Mayor Brown stated that Council would hear from the public and requested the City Secretary to call the speakers. Council Members Tatro, Galloway, Goldberg, Boney and Castillo absent.

Mr. Christopher Cato, 7710 Boggess, Houston, Texas 77016 (713-633-32) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Boney and Castillo absent.

Mr. Steven Williams, No address, No phone, had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Boney and Castillo absent.

Mr. Robert N. Guthrie, Post Office Box 262694, Houston, Texas 77207 (No phone) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Boney and Castillo absent.

Mr. Fred Lauckner, 410 W. 28th, Houston, Texas 77008 (713-802-2035) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Boney and Castillo absent.

Mr. A. R. Tillman, 3231 N. MacGregor Way, Houston, Texas 77004 (713-523-9216) appeared and stated that he was present regarding a museum district sign at the 3200 block of N. MacGregor which the Gentrification Club asked him to oversee; that they were asking for a museum district sign acknowledging the direction from the 3200 block to the museum district area and they had obviously run into some resistance; that he was a commercial real estate developer and a federal lobbyist and they wanted him to oversee the matter to its completion; that his research assistant reviewed the matter and Mrs. Tillman began requesting the sign in 1999 in front of her residence located at 3221 North MacGregor; that the Menial Foundation nor The Museum of Fine Arts had a problem with it and the Museum of Fine Arts welcomed the sign. Council Members Galloway, Goldberg, Boney and Castillo absent.

Mayor Brown stated that he would have Public Works take a look at it and report back to him as rapidly as possible as to how they were going to resolve it and he looked favorable on granting his request. Council Members Galloway, Goldberg, Boney and Castillo absent.

Ms. Catherine Lee, 5700 Brook Glen, Houston, Texas 77017 (713-944-9259) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Boney and Castillo absent.

Mr. Lee Mercer, 4928 Winnetka, Houston, Texas 77021 (713-741-9656) appeared and stated that he was present to give a criminology debriefing of the letter he wrote to Mayor Brown; and Houston policemen, women in general by Houston Police Department Hot Wire System; that regarding his crime solving study Mayor Brown awarded him a doctorate degree in Criminology and he was present to collect it and his recognition; that Criminology was defined as a study of crime and criminals and he was asking Mayor Brown to help him be debriefed by a steadfast police officer, a City Council Member and/or Mayor Brown to stop the crime; that there were large numbers of homicides in this city unreported to the police and discovered and evidenced by them. Council Members Galloway, Goldberg, Boney and Castillo absent.

Mayor Brown stated that Mr. Mercer should give his information to Mr. Cantu, and he would follow-up on it. Council Members Galloway, Goldberg, Boney and Castillo absent.

Ms. Norma Freshour, 2280 Des Jardines, Houston, Texas 77023 (713-921-6963) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Boney and Castillo absent.

Ms. Donesia Potter, 6627 Maczali, Missouri City, Texas 77489 (281-835-3865) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Boney and Castillo absent.

Mr. Howard Boutte, 19281 Main Street, Houston, Texas 77389 (713-598-4052) appeared and stated that he was following up the discussion they had last December; that the situation was still the same; that there were owners not allowed to be licensed with limousine sedans because they did not have a stretch limousine on their fleet and that a majority of their members did not have a stretch limousine business; that they would like Council Members and Mayor Brown to look into the issues that required them to have a stretch permit to operate more vehicles; that it hurt them because they could not grow and that there was no need to have a stretch limousine sitting on the lot where it cost \$75,000 and then could not be used. Council Members Tatro, Galloway, Goldberg, Boney, Castillo and Robinson absent.

Mr. Jon Canalda, 119 Mills Street Ln., Houston, Texas 77060 (182-591-2743) appeared and stated that he was a small businessman, limousine owner, and he was present to see if he could be given the right to work so that he could support his family; that the only way he could do that was if he was allowed to grow; that the new city ordinance to him was a form of punishment; that he was 55 years old and he needed to grow; that he thought the city ordinance was a little unfair and he could not see why if he didn't have stretch limousine business he would be obligated to have a stretch limousine parked in his driveway; that to him it was like telling Randall's in order to build another store they had to build a gas station first; Council did not do that to Randall's so why do it to them; that he did not mind any of the other city ordinances – matching suits, the i.d., the manifests that he had to produce just to show people that he was not there to solicit; that he needed to support his family and they could work with Council if they would be willing. Council Members Galloway, Goldberg, Boney, Castillo, Quan, Sanchez and Robinson absent.

Mr. Shane Carpenter, 12627 Brookvale, Houston, Texas 77038 (281-999-7444) appeared and stated that he had been in the limousine business for 18 years and because of the ordinance requiring him to have a stretch limousine and two other vehicles he was about to be out of business and he had six kids to support; that his business could not grow if he had to have a stretch and two sedans also; that it had created a big problem for minorities in the city because they did not have the fund base to buy the vehicles; that it was hard to get a loan in the first place being a minority and being self-employed; that all the small businesses took a conscious effort like himself; that he did not need a stretch limousine and he did not need a bus so why would he want one; that he would have the vehicle sitting somewhere, not being used; that the 3 times a year that he had a request for a stretch limousine, he called one of his friends who had one; that he did not need the vehicle; that there were a lot of them who supported their families paid taxes, abided by the laws and had no problem with the dress code or the i.d.; that he thought the drug testing was great, but getting rid of the small business owners would not alleviate the problem with the parking; that there were already laws and ordinances in place to take care of that; that they advertised everyday how diverse the City of Houston was but how could it be diverse if they got rid of everything that made the city diverse by the small businessmen; that the ordinance itself to him seemed to be unconstitutional and discriminatory to all of them because it didn't allow them to have the right to work or to grow their businesses as they saw fit; that he could not go and buy another sedan or buy anything else that would help his business because he had to have a stretch limousine or 17-passenger bus which most of them did not need and he hoped Council would reconsider; that the other problem was the City Finance Department demanding to

know the type of loans they had on their vehicles; did they require wrecker drivers to provide that information; did they require subcontractors to provide that information; why did they require them to provide it; that was between himself and his lender, not the City's Finance Department. Council Members Galloway, Boney, Keller, Sanchez and Robinson absent.

Upon questions by Council Member Castillo, Mr. Carpenter stated that at present he had two limos; that he left Yellow Cab after 14 years ago; that he had set up an office in his home and his wife ran his office along with one of his nieces; that they had five cars that actually worked for them, but he didn't own these cars and that the system seemed to work out better for him and a lot of people that he knew; that when someone made a reservation with them they would take his name, address, phone number, where they could reach them during the day and a reservation credit card number, but the card was not used unless he told them to pick him up and drop him off. Council Members Galloway, Boney, Keller, Sanchez and Robinson absent.

Upon questions by Council Member Castillo, Mr. Carpenter stated that under the new ordinance he had to keep a new manifests like a taxi cab of all of their clients they had picked up; he guessed that there was a tool to be used if you were at the airport soliciting you should have who you were picking up on this manifest, you know if they came out and asked you who you were picking up then you would show them the manifest and tell them who you were picking up and what company they worked for. Council Members Galloway, Boney, Keller, Sanchez and Robinson absent.

Upon questions by Council Member Castillo, Mr. Carpenter stated that cab inspectors were at each terminal at the airport; that they would ask the limo driver if he had on the manifest who he was picking up; that sometimes during the day you would get calls for their service and then you would have to write it down on your manifest; that the inspectors would walk up to him or any one of them at the airport and would ask who they were picking up; that if they didn't have a manifest then they would be in violation just like a cab and they would get a ticket; that there were already laws in place to regulate this. Council Member Castillo stated that he had a good suggestion, but it was impractical sometime because unlike taxicab drivers, limo drivers could leave their car to go and meet their fare. Council Members Galloway, Boney, Sanchez and Robinson absent.

Ms. Renee Farr, 11011 Misty Summit Dr., Houston, Texas 77086 (281-880-8882); appeared and stated that she should apologize for not participating in the discussion regarding the limo ordinance before it was passed; that she felt Council was trying to stop her from growing; that as a small business owner she had only one car; that she had worked for a limo business at one time and before she started her own business she talked to the Small Business Administration and they had advised her to start with only one car and as her business grew then she needed to add to it appropriately but now Council said that she needed two cars and a stretch which made no sense; that the Small Business Administration would not give funding for that so they were back to square one which was shutting out small businesses; that she wanted to know why she would go and buy a stretch when her clients did not call for a stretch; that corporate America didn't pay for a stretch and she felt this was unfair to her; that she wanted a chance to answer Council Member Castillo as to how to solve the problem as far as how to curb the soliciting of the taxicabs; that she felt Houston was the fourth largest city in

the United States and they had a taxicab stand and also a limo stand and she wanted to know why they could not have a town car stand in Houston; that she thought that would curb someone who was soliciting and why shouldn't they have a stand for town cars so that if people chose to have a town car versus a taxicab they would have that option; that she didn't have a problem with the rest of the ordinance, but she felt Council was doing her an injustice before she got started; that she would like for Council to allow her the chance to build her business before she had to add a stretch; that Council should not tell her that before she could add a second car she would have to have a stretch. Council Members Galloway, Boney, Sanchez and Robinson absent.

Upon questions by Council Member Parker, Ms. Farr stated that 90% of her business involved going back and forth to the airport; that she would not want to see permitting limo companies the same way Council did taxicabs; that someone could walk out in Las Vegas and New York and have an option as to whether they wanted a taxicab or a limo; that it was their option, so why wouldn't they have that in Houston also. Council Members Galloway, Boney, Sanchez and Robinson absent.

Council Member Parker stated that they could probably have the town car stand but she would suggest that it be regulated because the City was obligated to control traffic and parking at the airport so that everyone could get to and from the airport and that the price of having a town car stand would be that limo companies would be regulated the same as taxicabs. Ms. Farr stated that she was not saying that to solve the solicitation problems, but having a town car stand for those people wanting to have a town car would give them that option. Council Member Parker stated that the ordinance did prohibit her from growing at the airport, but that it did not prohibit her business from growing. Council Members Galloway, Boney, Castillo, Sanchez and Robinson absent.

Council Member Quan stated that Ms. Farr started her comments by apologizing for not participating in the discussion regarding the limo ordinance before it was passed and that was disturbing to him as many people had come down; that Council had discussed the ordinance for several months and they tried to get input from the industry on it; and upon question, Ms. Farr stated that originally her husband, soon-to-be ex-husband, had the business and that she was taking it over; that she laid the blame on him. Council Member Quan stated that they looked at these things very carefully, but while Ms. Farr had raised some legitimate points, he thought that since this ordinance had only been recently passed he believed they would be reluctant to go back on it so quickly; that he thought Ms. Farr raised some good points as far as her issue regarding expansion, but that he did not think they should be going back to reopen it every time you pass something, it seemed like overnight, but that if repairs or changes needed to be made then Council would look at some of the comments she had made and would consider them. Ms. Farr stated that she would like to know if Council Member Quan had any idea of how long the ordinance would be in effect before they would consider changing it because she did a fair amount of marketing and that one of things that was required was she have a certain amount of vehicles and that now she couldn't add a vehicle so she would be losing on a contract because if they required three vehicles and she only had one then she had to add a stretch and it was unfair to her; that if it was six months or a year she might not be in business at that time. Council Member Quan stated that they were looking into this to determine why it was put in there and hopefully

that in a very short period of time that they would be able to give her a definitive answer. Council Members Galloway, Boney, Castillo, Parker, Sanchez and Robinson absent.

Mr. Lionel Manuel, 4207 Knotty Oaks, Houston, Texas 77045 (713-562-2509) stated that he was in opposition to the ordinance regarding the limousines and that colleagues before him had spoken about what they were in today and it was like they had been put into a box; that they wanted to get into the business but if they wanted to expand they would have to have another financial burden; that the City just went through three stadiums that were passed and Houston was growing and they wanted the right to prosperity also; that they were not a franchise and they were trying to operate one or two cars; that if Council put limitations on how to expand their businesses then it would be detrimental to small, minority business; that if they were starting their business and the first vehicle had to be a stretch limo that the option would not be there anymore; that they still needed to go to the airport and they needed some consideration for minority small business, not to limit them as far as the entry; that one of the things Council did was pass the ordinance before the end of the year when they normally bought their cars; that if they would have waited until January many of them would not be present now. Council Members Galloway, Boney, Ellis, Keller and Robinson absent.

Mayor Brown stated that it was being looked at now and he would get back to their organization. Council Members Galloway, Boney, Ellis, Keller and Robinson absent.

Council Member Todd thanked Mr. Manuel for coming and stated that he was sensitive to concerns being raised; and upon questions, Mr. Manuel stated that before getting into the business he drove a taxi and he had now been approved a permit but did not have a car on the line; that when he drove a taxi he worked the airport but he preferred the limo business. Council Member Todd stated that the last time speakers came down on a transportation issue it was the taxi drivers who came in mass wanting more permits; that the limo ordinance was done the way it was to strike a balance between the taxis and limos; and upon further questions, Mr. Manuel stated that he did not take away from the taxi business, one service limo companies offered was they went to the gate and serviced their customers and that separated them from taxis. Council Members Galloway, Boney, Ellis, Keller, Bell 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, Boney, Ellis, Keller, Bell and Robinson absent.

Ms. Gladys Yvonne Carter, 5034 Pershing, Houston, Texas 77028 had reserved time to speak, but was not present when his name was called. Council Members Galloway, Boney, Ellis, Keller, Bell and Robinson absent.

Mr. David Waterfield, 10029 Whiteside Lane, Houston, Texas 77080 (713-973-0704) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Boney, Ellis, Keller, Bell and Robinson absent.

Mr. Quincy Moaning, 3100 Wesleyan No. 320, Houston, Texas (713-622-8677) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Boney, Ellis, Keller, Bell and Robinson absent.

Mr. Dicarlos Davis, 3100 Wesleyan No. 320, Houston, Texas (713-622-8677) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Boney, Ellis, Keller, Bell and Robinson absent.

Ms. Rosa Magana, 13111 Westheimer No. 102, Houston, Texas 77077 (281-531-9776) appeared and stated that she was president of the Real Estate Association of Latinos and was present regarding Section 47-164 relating to the construction of water and the water mains by the developers; that the Real Estate Association of Latinos was dedicated to searching for and recognizing opportunities in providing access to affordable home ownership for all of Houston's growing minority communities; that an opportunity was present in the City of Houston's proposal to reimburse new home developers for the cost of construction of water and waste water maintenance; that no segment of the home building industry was more affected by rising construction costs and the high cost of line acquisition than that for the affordable housing market; that there was also a segment associated with the real estate market that affected the availability of a housing start for both new and used in the affordable housing market; that the Real Estate Association of Latinos supported the proposal for its possible impact when affording housing development and applauded the city's efforts in providing incentives for increased construction starts. Council Members Galloway, Boney, Ellis and Robinson absent.

Upon questions by Council Member Sanchez, Ms. Magana stated that the dollar value on affordable housing about \$80,000 to \$100,000; that she believed that the proposal would benefit those individuals in the moderate income housing as well as upscale housing; that there were so many people who were being displaced; that there had been an organization which expressed an interest in building a component in their corporation and would build moderate income housing. Council Members Galloway, Boney, Ellis, Castillo and Robinson absent.

Ms. Brenda Jackson, 13131 Eldridge Meadow, Houston, Texas 77041 (281-449-0002) appeared and stated that she was present regarding Ordinance 2000-960 and was addressing Council Member Todd and Council Member Parker ; that in the last meeting of December 19 Council Member Todd said that he had heard that no one wanted to ride in limousines; that they wanted to ride in SUVs and Navigators, but if he had been to the airport lately he would see no SUVs or Navigators; that the only people who would want to ride in SUVs or Navigators were teenagers, people having weddings, people doing other things than going to the airport; that basically a sedan is a high-priced limousine and that she had permanent customers of 14-15 years; that she had worked for Yellow Cab for 13 years and that they controlled the monopoly at the airport until 1988 and in 1988 they laid her off and she was forced into the limo business and because of Yellow Cabs the independents could not pick up at the airport; that because limo drivers dressed nice and their cars were nice executives from different corporations wanted them, they did not want to ride in Yellow Cabs because they were unclean and not courteous; that is why the limo business had grown from 1988 to now; that Council Member Parker stated she had been solicited, but she rode with that solicitor and tipped him \$15.00 and she failed to report that to City Council. Council Members Galloway, Boney, Castillo and Robinson absent.

Council Member Parker stated that she had her own vehicle and that she had not ridden with him. Ms. Jackson stated that she had the receipt to prove it; and the driver that she had ridden with was a driver that was there and that was why Council Member Parker got on to him, but she didn't imagine Council Member Parker wanted to get into the cab with him because they weren't as clean as limos; that it was unfair to ask them to get a stretch when their business was increasing and they needed sedans; that the people didn't want to ride in a taxi; that limos were dependent and reliable and that they needed more business; that she had a car that she would not be able to put on the line because of the new ordinance and that it didn't follow the grandfather clause either; that since the new ordinance had been passed they had called the finance companies; and Ms. Jackson's time expired. Council Members Galloway, Boney, Castillo and Robinson absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that his web site address was www.galvan.org and he was present to talk about the proposal on the table, the same thing that happened with the taxis would happen with this, he did not like the word limit; that they were trying to limit employees from coming in to lobby and Council Member Galloway was right that Council should base their decisions on what their constituents wanted and what was good for the city so Council was probably afraid they needed to vote like the person who gave them the money wanted them to; and he wanted to know if Council Member Parker or Ms. Jackson was lying. Council Members Galloway, Boney, Castillo and Robinson absent.

Mr. Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202FA34511) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Boney, Castillo and Robinson absent.

Council Member Parker moved to hear from Mr. Steven Williams at this time, and was seconded by Council Member Ellis. All voting aye. Nays none. Council Members Galloway, Boney, Castillo and Robinson absent. MOTION 2001-0054 ADOPTED.

Mr. Steven Williams, no address, no phone appeared and stated Baker Botts; associated with George Bush; probate court; felony; setting him up and cover-up his mothers murder; Saturday in the locker room police were called and made him leave after a homosexual showed up. Council Members Galloway, Boney, Castillo and Robinson absent.

44. MOTION BY Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation from Finance Administration for sole source purchase of **CRASH RESCUE EQUIPMENT SERVICE, INC** for Airport Crash Rescue Truck Repair Service for the Fire Department - \$48,506.00 - Enterprise Fund – (This was Item 7 on Agenda of January 10, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG) – was presented. All voting aye. Nays none. Council Members Galloway and Goldberg absent. MOTION 2001-0055 ADOPTED.
45. ORDINANCE appropriating \$406,995.00 out of Accumulated Unexpended Fund, transferring such funds to the Fire Special Acquisition Fund, appropriating \$406,995.00 from the Fire Special Acquisition Fund for expenses relating to the purchase of fifteen

(15) Utility Vehicles for the Fire Department - (**This was Item 12 on Agenda of January 10, 2001, TAGGED BY COUNCIL MEMBER TATRO.**) – was presented.

Council Member Tatro moved to suspend the rules to hear from Chief Connealy at this time, seconded by Council Member Quan. Council Members Galloway and Robinson absent. All voting aye. Nays none. MOTION 2001-00056 ADOPTED.

Council Member Tatro stated that his question also went to the financing issue as opposed to the manpower issue so he would bring that question up first and perhaps Mr. Haines or someone on the Mayor's staff could answer it and stated that the RCA referenced \$400,000 yet also indicated that they were currently authorizing \$1.7 million as opposed to the \$400,000 with the difference being \$1.3 million to be authorized at a later date, sort of a blanket purchase order, but it did not indicate what vehicles or utility apparatus was to be purchased so the question was what was the agenda item, was it for \$400,000 or was it for \$1.7 million with \$1.3 million of that undefined. Council Members Galloway, Vasquez and Robinson absent.

Chief Connealy stated that the agenda item was for the 15 Suburbans for the Squad Program, that he had brought Ms. Gracia Rosslow, Finance Director of the Department, and she could speak to that. Council Members Galloway, Vasquez and Robinson absent.

Ms. Rosslow stated that part of the vehicles that were being bought as part of the RCA were replacement vehicles for the District Chief Fleet, that another 15 vehicles were being bought out of the Fire Department's Capital Equipment Budget which was to replace District Chief vehicles, that her understanding was that the Fire Department's portion of the RCA was three parts, that there were 15 units for the Squad Program, that there were 11 squads currently in place and they were anticipating putting in four more in March 2001, that the 11 that were in place now were using reserve District Chief vehicles as their primary operating vehicles, so those would be put back in the reserve fleet, that they were 100,000 mile plus vehicles. Council Members Galloway, Vasquez and Robinson absent.

Council Member Tatro stated that the \$1.3 million was undefined, and Mr. Haines stated that \$1.3 million as noted in the first paragraph of the RCA read "it is further requested that the City Purchasing Agent be given additional spending authority of \$1.3 million or 25% for an amount not to exceed, to process requisitions that had not been submitted to date in order to take advantage of the firm pricing through model year cut off dates", that it was standard language and had been in every RCA that had been submitted for several years to allow for spending authority relative to requisitions either to take advantage of closeout models that were not specifically identified by the vendors or to identify requisitions that were still in the process that the City had not received yet, that was the purpose of the \$1.3 million, that it was not just the Fire Department vehicles, it was citywide, that it was a citywide procurement for vehicles and was an annual thing they did. Council Members Galloway, Vasquez and Robinson absent.

Council Member Tatro stated that his concern was that this was the first time that it had been indicated that this amount of money would come out of the Water Sewer Enterprise Fund and secondly he had seen 5% or 10% and this was 25% all exclusively

being additionally taken out of the Water Sewer Enterprise Fund and Mr. Haines stated that if he would notice where it said amount of funding \$6.7 million almost all of that additional \$1.3 million would be essentially taken out of the equipment acquisition fund so the specificity of those relating to the Fire Department were not incorporated into that 25%, that \$1.7 million was not being taken out of the Any Lawful Purpose it was \$406,000, that the other elements of the Enterprise Fund or the difference between \$1.7 and the \$406,000 were for vehicles coming out of the respective Enterprise Funds from Airports and so forth. Council Members Galloway, Vasquez and Robinson absent.

Council Member Tatro stated that this was the first time that Council had an action item before them in reference to addition of staff people, that he had passed out to Council Members a concern that he had and was related in early December to the Mayor and Council that as to the budget they passed last year the discussion that revolved around the budget was the staffing levels, the 3 versus 4 on the apparatus, that they added staff in December and in April they proposed to add 10 more ambulances and 4 more squads which total over 200 full time equivalent staffing positions which were not in the budget that they passed in June. Council Members Galloway, Keller and Robinson absent.

Council Member Boney asked if the RCA on Item No. 45 and 45A in any way include any staff, that he thought it only had to do with purchase of equipment and Mr. Haines and Chief Connealy stated that was correct, that it was only equipment citywide, and Council Member Boney asked Chief Connealy if he had the staff to staff the equipment that they were purchasing, and Chief Connealy stated that they were using the staff out of the existing emergency operations, and Council Member Boney asked Chief Connealy if he was going to need to come to Council and ask for any more full time equivalent positions in order to use this equipment that they were purchasing and Chief Connealy stated not in that scenario, that they did recognize that they had a staffing deficit and were in the process of working on that and getting it resolved, that they did not get into the problem overnight and would not get out of it overnight and they needed to emphasize that. Council Members Galloway, Keller and Robinson absent.

Mayor Brown stated that the issue before them was vehicle acquisition and the item did not deal with staffing, and Council Member Tatro stated that effectively it did refer to staffing because it was an addition of all the squads that they talked about but did not budget for. Council Members Galloway, Keller and Robinson absent.

Council Member Castillo moved to called the question on Item No. 45, seconded by Council Member Quan, and a roll call vote was called for. Council Members Galloway, Keller and 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 absent	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Boney voting aye	Council Member Sanchez voting no
Council Member Todd voting no	Council Member Bell voting no
Council Member Ellis voting no	Council Member Robinson absent

Council Member Keller voting no

MOTION 2001-0057 FAILED

Council Member Sanchez stated that he thought Council Member Tatro brought up a legitimate point, was it wise to purchase equipment and maybe not have the personnel to staff the equipment and asked Council Member Tatro if he was correct in his assessment and asked if he would prefer to address the personnel issue before they looked at equipment. Council Members Galloway, Keller and Robinson absent.

Council Member Tatro stated that City Council would only have the Item and the purchase of the ambulances before it, it would ostensibly not be a staffing issue to come before Council and his concern was that it was not in the budget and his question was how were they going to pay for it within the budget constraints that they all set out, would they in fact be over the budget in spending by the addition of the new 200 full time employees. Council Members Galloway, Keller and Robinson absent.

Mayor Brown asked Council Member Tatro where he was seeing 200 additional FTE;s and Council Member Tatro stated that in December they added 11 squad units and that was 22 people per shift or 88 people for the four shifts, that in April they planned to add 10 ambulances and 4 squads, and Mayor Brown stated that Chief Connealy had explained where those positions came from and they were not new positions, that they were within the existing budget approved by Council. Council Members Galloway and Robinson absent.

Mayor Brown stated that he rode with Dr. Persee some months ago because they were seeing a real significant increase in transports to the hospital and calls for ambulance service, to start with over 70% of the calls to the Fire Department were for emergency medical services, that he asked Chief Connealy to look at how they could address that problem within the existing budget and he was trying a new program which was recommended by TriData to use the Suburban vehicles to be the first response units and as a result, and they had evaluated it as proving to be effective, they could respond with a paramedic and a medical technician and when they get there in most cases do not need an ambulance, so once they get there they could cancel the ambulance, and that left the ambulance in service for the circumstances where the ambulances were needed, that Chief Connealy was doing a good job of addressing a problem with the resources that he had at his disposal, that he borrowed those 15 vehicles from some other part of the department and what they were asking Council to do now was to purchase the vehicles so they could be used for that purpose and to replace the vehicles with high mileage. Council Members Galloway and Robinson absent.

Council Member Tatro asked within the scope of what they passed last year was Mayor Brown suggesting that the addition of the new apparatus and new personnel was not going to overspend the City budget in this year, and Mayor Brown stated that no it was not going to overspend the City budget because they were asking for funds at Council to cover the expenses of the vehicles, that the personnel, as the Chief had mentioned on more than one occasion, were there, that they were not hiring new personnel, they had taken personnel from other places. Council Members Galloway and Robinson absent.

Council Member Tatro asked Chief Connealy if the addition of the new proposed staffing and the apparatus in April, the way he had the scheduling set, would that require that all fire suppression apparatus go to 3 personnel if they were to implement the manpower within the budget guidelines that they passed last June, and Chief Connealy stated that they would have to evaluate that as they went along, that the staffing was impacted by people calling in sick, vacations and other things, that they currently had a commitment standard at 92, that they were committed to managing the department within the budget that they had, that they were not using any additional personnel beyond what was coming in and was what he had in his document, that they would evaluate that as they got towards the end of the year, that EMS was 72% of his business and he was prioritizing that, that the Squad Program had been very successful, that they had reduced response times with the Squad Program, primarily located within 610, by 2.6 minutes, that they were getting to Mr. and Mrs. Smith's house 2.6 minutes quicker and that was a significant improvement. Council Members Galloway, Ellis and Robinson absent.

Council Member Boney asked what was the priority that TriData indicated in their report, and Chief Connealy stated that obviously EMS was the number one concern, that they cited the high utilization rates for ambulances as being unacceptable, that they had mediocre ambulance response time and they fixed that as he had just mentioned with the Squad Program and were in the process of doing that, and staffed shortages of paramedics, that they had great concerns about that all related to EMS, that when they talked to TriData they congratulated them on how aggressive they were moving on this because they were addressing a critical problem, that citywide they had reduced response times by a minute and that was a significant improvement, that also on the resource management dispatch they reduced that by 50% with only an addition of 11 squads, that they had a high goal and objective of trying to staff each fire truck with 4 as opposed to 3, and he supported that. Council Members Tatro, Galloway, Ellis and Robinson absent.

Council Member Todd asked how many years would Chief Connealy estimate it would take to get the Suburban's spread throughout all the service areas of the City and Chief Connealy stated that their projection was to complete it in Fiscal Year 2002, and Council Member Todd stated that what he heard was that if there was a house fire a Suburban would not be the vehicle that was sent out there, and asked if the OSHA's rules specifically govern vehicles of this type, and Chief Connealy stated that he was not aware of that, that when they dispatched the Suburban they always dispatched a transport unity, an ambulance, also, that 40% of the calls did not require paramedic care so they just dispatched a BLS (Basic Life Support), that in Kingwood they had dual amps an EMT and Paramedic on there, that the call volume was not as such and it was a better utilization of resources, that they had 3 ambulances up there and they had a significant coverage in Kingwood, that he had visited with the folks up there and they seemed to be very happy with the service that they provided. Council Members Tatro, Galloway, Ellis and Robinson absent.

Council Member Todd asked Mr. Hall if there was an OSHA rule at stake, and Mr. Hall stated that he was not aware that there was any, that he had heard the Fire Department speak to it a number of times and say that there was several of the firefighter organizations had established that as a goal, but it was not actually a CFR type of regulation, and Chief Connealy stated that OSHA had the two in and two out rule and the

NFTA had national consensus standards that they made recommendations and that was what it was, a recommendation, and Council Member Todd asked if there was a OSHA rule on intermediate level unit such as this he would be very interesting in seeing it. Council Members Tatro, Galloway, Boney, Ellis, Castillo and Robinson absent.

Council Member Keller asked the status of the Squad Program, and Chief Connealy stated that it was in the interim stage and they implemented the 11 squads to see how they were performing, that they had a months worth of data and it was still early in the process, but he was very encouraged by the initial statistics they were getting by the implementation, that there would be additional squads and they were phasing them in as they went along so they were not going to have just one squad in their districts, that they were looking at 30 squads placed strategically throughout the City, primarily in the more densely populated areas, that TriData talked about leaving what they called dual ambulances in the outlying areas or using paramedic engines, that they were still going through that analysis, that they would be adding Basic Life Support transport units, that there would be 10 in addition to the fleet they had now, so they would have substantially improved coverage there and they expected their numbers to steadily improve and they found good results with just 11 of the Suburbans that they placed in service. Council Members Tatro, Galloway, Boney, Vasquez and Robinson absent.

Council Member Sanchez asked what priority did this administration place on public safety and in the Fire Department, that was the broader issue, but as it related to Item 45 this administration was responding to a recommendation by the TriData Study to the best of its ability to address the problem, that Council Member Tatro had some legitimate concerns but he did not see where the administration was adding a plethora of equipment which then would have to go out and hire additional personnel, that it had been made perfectly clear to him that they were implementing recommendations by the TriData Study that they were simply replacing units that they had drawn down from other areas in the department and seemed to him a wise decision. Council Members Tatro, Galloway, Goldberg, Todd and Robinson absent.

Mayor Brown stated that Council Member Sanchez had asked a question about this administration's priority and he did not think that there had ever been any question that his priority was public safety, that he wanted to make sure that anytime that anyone called 911 that they would get an immediate response, that if they found that they had an increase call for emergency medical services or more transports going to the hospital, as they had seen happen, then it was appropriate that they do something within the existing budget to do that, that was his charge to Chief Connealy and that was what he had been doing in a very creative way, that they were not going out and hiring 200 more firefighters, they did not have the authority or the budget capacity to do that, as had been suggested by Council Member Tatro, that what they were doing was taking the resources they had and working intelligently to provide the services that they wanted the City to have, that it was his goal to have 4 firefighters on each piece of apparatus, however that would not happen overnight, that in the interim they were not jeopardizing the safety, that there were other things they were doing as well, that the Council had approved the Emergency Dispatch Center, which they were prepared to move on aggressively, that would give them the opportunity to have state of the art equipment, combine 911, Police and Fire dispatch at the same place and again maximize the resources that they had at their disposal. Council Members Tatro, Galloway, Todd and Robinson absent.

A vote was called on Item No. 45. All voting aye. Nays none. Council Members Tatro, Galloway, Todd and Robinson absent. ORDINANCE 2001-0075 ADOPTED.

45A. MOTION by Council Member Vasquez/Seconded by Council Member Castillo to adopt recommendation from Finance & Administration Department to award to **PHILPOTT MOTORS, LTD** - \$3,699,586.25, **LAWRENCE MARSHALL CHRYSLER, L.P.** - \$1,264,980.00, **LAWRENCE MARSHALL FORD-MERCURY, L.P.** - \$480,065.00, **LAWRENCE MARSHALL CHEVROLET, L.P.** - \$1,301,567.50 for Automobiles, Vans, Utility Vehicles and Pickup Trucks for Various Departments - \$6,746,198.75 - Grant, Enterprise, Building Inspection, Equipment Acquisition Consolidated, Fire Special Acquisition, Street & Drainage Maintenance, Sign Administration and Workers Compensation Administration Funds – **(This was Item 12A on Agenda of January 10, 2001, TAGGED BY COUNCIL MEMBER PARKER.)** – was presented. All voting aye. Nays none. Council Members Galloway and Robinson absent. MOTION 2001-0058 ADOPTED.

Council Member Boney asked Mr. Haines if they got a discount rate when they bought the cars at the end of the year and provide the flexibility as opposed to getting just the market rate, and Mr. Haines stated yes, that the discount had been significant in some cases higher than 25%. Council Members Galloway and Robinson absent.

46. ORDINANCE amending **SECTION 47-164 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to construction of water and wastewater mains by Developers under Developer Contracts; containing other provisions relating to the foregoing subject; providing for severability – **(This was Item 13 on Agenda of January 10, 2001, TAGGED BY COUNCIL MEMBERS BONEY AND CASTILLO)** – was presented.

Council Member Castillo stated that he had met with the personnel from Public Works and Planning and would offer an amended ordinance to replace the ordinance that was on the RCA, that the only change was that it set a limit of \$500,000 per contract for the program, that basically it meant that it would provide a cap so that within the \$2.5 million program budget it would allow that the maximum contract cost at least 5 major contracts to be delivered, although he suspected that there would be a larger number of smaller contracts and moved that the revised ordinance be substituted in its entirety for the ordinance presently before City Council as Item No. 46 on the Agenda of January 17, 2001, seconded by Council Member Boney

Council Member Castillo stated that what the revised ordinance (an amendment to Section 47-164 of the Code of Ordinances) did was to limit the amount of developer reimbursement to no more than \$500,000 per contract and adjusts the effective date of the ordinance to 30 days after passage by Council. Council Members Galloway and Robinson absent.

Council Member Boney stated that he and Council Member Castillo worked on this over the course of the week with the administration staff and even in discussion with some developers and was a fairly modest amendment, that one of the things it did was cap the

overall amount of money available for the reimbursement, that each project could only be reimbursed to \$500,000 so that no one developer could come and apply for and receive the entire \$2.5 million, that they wanted it spread around. Council Members Galloway and Robinson absent.

Council Member Sanchez asked what was magical about the \$500,000 reimbursement limit, and Council Member Castillo stated that he had spoken to Paul Nelson and John Silva and using their experience in these types of projects, a small subdivision of 126 houses within a reasonable distance from where the utilities end so then it would encourage development on the fringes because it applied mostly to where there was no sewer service or the replacement of sewer, that the \$500,000 was their estimate of what a moderate size infield subdivision would cost, and Council Member Sanchez asked why would they want to place a cap of \$500,000 if a developer could avail themselves of say \$800,000, that it seemed to him that the City of Houston had a compelling interest to promote homebuilding within the City of Houston so if a developer said that they had accumulated enough property and their estimations were that they would be eligible for reimbursement of \$650,000, why would the City want to limit the additional \$150,000 or \$200,000 worth of development, and Council Member Castillo stated that in speaking to the personnel of the Public Works Department they doubted that any project that they could foresee would even come up to \$500,000, but they had to have some cap in case it did happen, and in his point of view was because he would want to see the development spread around and if the incentive was available it would encourage more people to build smaller size subdivisions, that they would be in increments of 10, 16 and 20 houses, that they were only reimbursing part of the cost and it was just for the extension of the mains. Council Member Galloway and Robinson absent.

Mr. Haines stated that they did discuss the question of the cap, that if he would notice the language was per development contract, at a \$500,000 per development contract cap they would be dealing with an average subdivision of over 350 houses and over \$600,000 worth of water and sewer line improvements, so the idea was that it was a significant magnitude of project and they had not in recent history seen a development project of this size so they were very comfortable and believed that if there were something that would come in at more than that contract size they would certainly come back to City Council with it, but given the available vacant property for development it was a very significant project even at \$500,000, that was the basic rationale from a development point of view. Council Members Galloway and Robinson absent.

Council Member Parker stated that she wanted to thank Council Members Boney and Castillo for working through some of the issues she shared with them, that it was a better ordinance than when it came to them, that she wanted to point out that it was an extremely developer friendly ordinance and as they began to move into some less developer friendly ordinances like the Historic Preservation Ordinance and possible look at the tree and shrub ordinances that Council Members remember the great big Christmas present that they gave to the developers. Council Members Galloway and Robinson absent.

Council Member Castillo stated that in the earlier discussions it was mentioned that the developers were supportive of the change, so he would urge its approval. Council Members Galloway and Robinson absent.

After further discussion, Mayor Brown stated that it was part and partial of an overall project, they were not a homeowner City in Houston only 43% of people who lived in homes owned their homes and his goal was to increase that to 50% over a 10 year period and that would mean they would build 5,000 additional homes per year, that he went to the Houston Homeowners Association and asked for their help in accomplishing this objective and they prepared a position paper and this was one of the elements of the position paper, that the administration and the industry both agreed on this and he would urge Council Members to vote on it.

A vote was called on the motion to substitute the revised ordinance for Item No. 46. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. MOTION 2001-0059 ADOPTED.

A vote was called on Item No. 46 as substituted. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. ORDINANCE 2001-0076 ADOPTED.

Council Member Tatro stated that he wanted to remove his tag on Item No. 37. Council Members Galloway, Ellis and Robinson absent.

47. ORDINANCE appropriating \$836,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **RATNALA & BAHL, INC** for Design of Columbia Tap Rail to Trail, CIP N-0420-22-2 (N-0420-22); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS D - BONEY and I – CASTILLO – (This was Item 23 on Agenda of January 10, 2001, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. ORDINANCE 2001-0077 ADOPTED.

48. ORDINANCE awarding contract to **HOUSTON INSTALLATION SERVICES, INC** for Furniture Relocation Services for Various Departments; providing a maximum contract amount - 2 Years with one option year - \$942,793.13 - General, Enterprise and METRO Funds – **(This was Item 36 on Agenda of January 10, 2001, TAGGED BY COUNCIL MEMBER VASQUEZ)** – was presented. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. ORDINANCE 2001-0078 ADOPTED.

Items received during the meeting were considered as follows:

30. ORDINANCE amending agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** authorized and approved by Ordinance No. 96-411 for McGowen Street from Scott Street to U. S. Highway 59 increasing state funding; amending an agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** authorized and approved by Ordinance No. 96-411 for Dowling Street from Elgin Street to McGowen Street decreasing state funding - **DISTRICT I – CASTILLO** – was presented. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. ORDINANCE 2001-0079 ADOPTED.

32. ORDINANCE appropriating \$96,000.00 out of Storm Sewer Consolidated Construction Fund and approving and authorizing first amendment to professional engineering services contract between the City of Houston and **MANLEY CONSULTANTS, INC** for Design of Lakeview/Hibury Relief Storm Sewer; CIP M-0231-04-2 (M-231-04); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund **DISTRICT G – KELLER** – was presented. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. ORDINANCE 2001-0080 ADOPTED.

38. ORDINANCE appropriating \$225,600.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **PELTIER BROTHERS CONSTRUCTION, INC** on low bid of \$198,700.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$5,000.00 for McCarty #1 Lift Station Rehabilitation, GFS R-0267-24-3 (4275-12); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidation Construction Fund - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. ORDINANCE 2001-0081 ADOPTED.

37. ORDINANCE awarding contract to **KINSEL INDUSTRIES, INC** on low bid of \$5,837,641.50 for Construction of Repair and Replacement of Concrete Pavement, Sidewalks, Driveways, and Wheelchair Ramps and Mudjacking of Pavement; providing engineering and contingencies relating to construction and repair and replacement of concrete pavement financed by Funds 224 and 227 - \$6,421,405.70 Total contract amount – was again before Council. All voting aye. Nays none. Council Members Galloway, Ellis and Robinson absent. ORDINANCE 2001-0082 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Keller stated that he wanted to thank Mr. James Pierre and Mr. Roy Woodard and Sunny Wilkening from the Public Works Department who took care of a constituent who had a monstrous leak occur and what impressed him most was not only how fast they got there but that they worked the entire day of their holiday and he greatly appreciated that and so did the family who lived there; that in fact the whole block had low water pressure and could not bathe and shower, that he thought that it was not only a job well done, but also beyond the call of duty. Council Members Galloway, Ellis and Robinson absent.

Council Member Sanchez stated that he wanted to take the opportunity to clarify an issue that had occurred over the course of the last couple of days, that he had received a call from a constituent on East Haven Blvd. in Houston who had experienced some sewer backup and had complained to the Public Works Department back in the middle of December and as a couple of days ago received a phone call from the constituent and surrounding neighbors who couldn't live with the problem anymore, they had endured it for about 30 days and tried to avail themselves of Council Members to see if they could help and the difficulty arose under the following circumstance, it was recognized that the backup was a City backup, however, the City came out and told the constituent that although it was a City problem they couldn't access the sewer line because they had to

go on the citizen's property; that he thought it was rather odd so he called the department and was told that there had been some discussion apparently within the Legal Department that the City should not go on a private property to access the City's sewer line in the right-of-way if the clean out was not in the citizen's favor for fear there would be a mistake and the City breaks the citizen's sewer line the City would now be responsible for it, that there was some discussion about that and he was told that was not the City's position, however, there seemed to some confusion because citizens had been told this, and so he was wondering if there was a position on it, and asked Mr. Hall if the only access to the City's right-of-way sewer line was through a citizen's property were they to access it and try to relieve their problem or were they to tell them that they had to absorb the cost of getting a private contractor to make a hole for the City, pull the permits necessary to excavate the sidewalk or the right-of-way and then reconstruct it back to its original condition all of this would be assumed by the private property owner, and Mr. Hall stated that he didn't think so, that Council Member Sanchez had raised issues that he was made aware of last week and the issues did not turn on whether or not Public Works could in fact access to City sewer lines on private property and Council Member Sanchez knew that there had been many instances of building within the City's either easements or right-of-ways and that it had happened all over Houston, that the issue was, should the City or could the City, under the State Constitution and State laws, actually repair a sewer line that was clearly owned by and on the property of a private property owner, that was the legal issue and frankly, they were advised that Council had an inconsistent practice in that regard and they suggested that it was probably appropriate to review the policy so that they insured that we were repairing only public sewer lines and not sewer lines for private property; that was the real issue in dispute, that it was never been presented to him nor had anyone in the Legal Department, to his knowledge, ever opined that they could not repair the City sewer line because somebody construed it to require them to do it through private property. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Sanchez stated that all he knew was that a constituent was told that it was a City problem and he was trying to clarify what the position was, and Mr. Hall stated that they were reviewing, with Public Works, the entirety of the practices, but he could assure him that since the issue had been presented last week; they had an on-going and active discussion to clarify what the policy was and to make certain that everyone who implemented this issue would understand. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Mayor Brown stated that the Council Member had raised an issue and asked that they expedite getting a clarification on it. Council Members Galloway, Ellis, Keller, Vasquez and Robinson absent.

Mr. Bibler stated that there was circumstance that he knew of where the City had a sewer line that they maintain and was not on an easement that we had the right to access, that sometimes people were upset and didn't understand that their backyard included a City easement, but they explained that to them when they called, that the issue was whether or not they should go onto people's backyard outside the area of the easement, and for instance, access their private clean out lines and the Legal Department had advised that they should not be accessing those parts of people's

backyards that were not part of the easement nor should they be cleaning out private lines. Council Members Galloway, Ellis, Keller, Vasquez and Robinson absent.

Council Member Sanchez asked that when the policy was defined that they share that with Council and also at the same time, would Mr. Rolan find out what the circumstances surrounding this particular location and give him a memo on it. Council Members Galloway, Ellis, Keller, Vasquez and Robinson absent.

Council Member Parker stated that Mr. Bibler had reminded her that Item No. 32, which was passed by the Council and she understood was rerouted because of a number of encroachments in the easement and they had decided it was not worth the trouble to remove all of those encroachments, and Mr. Hall stated that as the Mayor suggested they tried to be good neighbors. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Parker stated that she had several e-mails regarding the various parades on Monday and while they were entirely legal under the City's ordinance and was really a test of the newly rewritten ordinance to allow multiple parades on the same day within certain limits, she asked that the administration look at perhaps some other modification of the ordinance or some special rules while they were encountering so much construction downtown that perhaps the two parades per day might be limited to the minimum route, which she believed was twelve intersections instead of twenty-four, while the construction was downtown, or that because some City holidays are not general business holidays such as was with the case Monday that parades which would otherwise be allowed to encroach into the rush hour might be scheduled earlier in the day and she would appreciate some analysis of that, and Mayor Brown stated that they would take a look at it. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Parker introduced her new administrative assistant and scheduler, Stephanie Cooper. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Castillo stated that as the Mayor knew in September 2000 was the first class for the Caesar Chavez High School out on the east end that was built as a result of the East Side TIRZ and it was going great, a great student body, that the students that were zoned into Chavez were those that lived east of Broadway and north of the Gulf Freeway; that the problem was that most of those children did not qualify for bus transportation and had to walk to school; that the problem arose because the children who walked to school from the eastern or western part of their zone had to walk along Old Galveston Road which used to be old State Highway 3; that part of it was not a state highway now, but was still a major highway and had no sidewalks, had ditches that were very precarious to walk along and there was a tremendous liability waiting to happen; that a lot of them walked along the street and most of them walked along the railroad tracks parallel to the road to avoid being run over; and he urged the administration to do whatever it could to obtain safe sidewalks along that route from Broadway to Howard, and Mayor Brown stated that he had a safe schools program where they would take care of exactly that problem and would ask Mr. Rolan to move on that as quickly as possible. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Bell stated that he wanted to thank the Administration for issuing a news release in support of the revolving door ordinance which appeared on today's Agenda and was tagged; that he thought it was a very important ordinance and while he was certainly open to any amendments that those who tagged the ordinance would like to offer over the course of next week he thought overall it was a step in the right direction; that if it was passed in somewhat of its present form it would be the strongest revolving door ordinance for a local government in the United States and he believed that this would put Houston on the forefront of this type of legislation. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Goldberg stated that he would like to discuss a sewage problem; that the location was on Albans Street in District C and they seemed to have a problem with the Public Utilities Division in that they had to go out there five times for the same house and what occurred in the backyard was a pile of contamination and fecal matter; that every time they went out there they considered the matter closed and when they had to go back again to correct it, they considered it a new matter and put the house back into rotation; that this had gone on for at least over a month and it was an embarrassment to go out to the same house five times in a matter of a month; that the response they were getting from the Public Utilities Division, was not adequate, they had no answers and it needed to be taken care of; that he would pass on the address to Ms. Stein hoped something could be done. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Goldberg stated as to the Fire Department and the trend that they were going more and more to emergency medical services and less and less to fire with the advent of fire detectors and a lot of fire extinguishers and more safety in the home, that the other problem was the rising increased amount of non emergency ambulance calls; that he spoke with someone in Health and Human Services to see if there was something they could do to educate the public regarding calling the ambulance for non emergency calls. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Council Member Todd stated that he read the news coverage about the disaster which took place in El Salvador and Guatemala and the number dead and families that were affected by it and requested a moment of silence on their behalf. Council Members Galloway, Ellis, Vasquez and Robinson absent.

Mayor Brown stated that he had asked the Fire Department to open all their fire stations for donations; that at his last briefing over 600 had lost their lives and thousands were homeless and in need of camping and first aid equipment and encouraged anyone with that type of equipment to take it to any fire station, that it would be collected at the fire stations through Sunday. Council Members Galloway, Ellis, Vasquez and Robinson absent.

There being no further business before Council, the City Council adjourned at 11:50 a.m. upon MOTION by Council Member Castillo, seconded by Council Member Keller. All voting aye. Nays none. Council Member 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