

City Council Chamber, City Hall, Tuesday, May 22, 2001

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, May 22, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll Robinson; Ms. Jo Wiginton, Senior Assistant City Attorney; Mr. Richard Cantu, Director, Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Council Member Jew Don Boney, Jr. out of the city on city business.

At 2:00 p.m. Vice Mayor Pro Tem Castillo stated that they had several presentations and the first being a presentation by Council Member Quan who would present a proclamation to Chief Connealy. Mayor Brown, Council Members Tatro, Galloway, Todd, Keller, Vasquez and Robinson absent. Vice Mayor Pro Tem Castillo presiding.

Council Member Quan stated that they were blessed in Houston to have an exceptional emergency medical service unit and this was National Emergency Services Week. Council Member Quan invited Dr. Persse and Chief Connealy to the podium and stated that he wanted to present a proclamation to them that proclaimed that Lee P. Brown, Mayor of the City of Houston proclaimed the week of May 20 - 26, 2001 as National Emergency Medical Services Week in Houston, Texas. Council Members Galloway, Todd, Keller, Vasquez and Robinson absent.

Chief Connealy stated that it was a great honor, that the Houston Firefighters were very proud of their EMS system, that it was some hard work of the employees represented in the audience behind him and also the medical director who pursued excellence on a daily basis and he enjoyed working with Dr. Persse, that the men and women of the department through the leadership of Dr. Persse, Chief Ivy and many others had made the EMS system in Houston only second in the world, as far as cardiac survival rates, to Seattle, and Houston was much bigger, that Houston had a jewel here with the EMS inside the Houston Fire Department and it was a great honor, that he was a strong supporter of EMS, that it was 80% of their business in the year 2000 and continued to increase each year, that it was important that they be dedicated in providing the resources, that he appreciated the Mayor's and Council's support for adding additional paramedic squads and the ambulances they were adding was having a positive impact on the City that they protect and they took that responsibility very seriously. Council Members Keller, Vasquez, Sanchez and Robinson absent.

Dr. Persse stated that it was an honor for him to serve the City of Houston, Mayor Brown and the City Council Members and it was a true pleasure to work with the men and women of the Houston Fire Department, that he thought that in many communities they reach for the phone and dial three simple digits and within just a few minutes there was a crew of people, trained professionals, 24 hours a day, that would show up at their door and would come in, and whatever the emergency was, from their house being on fire to someone having chest pains or a stroke or some sort of injury in the home, they would know what to do and get to work quickly, that they would do it just as well at 3:00 a.m. as they would at 3:00 p.m. and that went to generations of firefighters, Council Members and Mayor's constantly pursuing excellence, that one of the things that they sometimes forget was that this was not in a vacuum, that the health care may start with a phone call to 911, but did not really end until the person leaves the hospital and the

rehab that they get afterwards, that one of the great things about Houston, and he had the pleasure and the opportunity in his life to work in New York, Washington, DC and Los Angeles, and one of the true and wonderful aspects of the Houston system was how the men and women of the fire department would bring a patient into the emergency department and seamlessly transfer care to the professionals at two of the worlds greatest trauma centers and honestly there were some trauma surgeons in the hospitals who knew the paramedics on a first name basis and that was how closely they worked and all of that came back to benefiting the patient and in the end that was the priority and it seemed to him, and had been his observation, that it was the priority of every individual involved and that was one of the things that made it great. Council Members Todd, Keller, Vasquez, Castillo and Robinson absent.

Chief Connealy stated that they had a guest with them and a real hero amongst them, that it was not firefighters necessarily that were the hero's, that the communities out there helped them and provided assistance and it was very helpful when that took place, that they had a young man that had done that very thing, and Chief Connealy invited Mr. Damien Duckworth and his family to the podium and stated that Damien Duckworth, a student at the 9<sup>th</sup> Grade Academy sustained major injuries on his hand and arm to nerves and arteries when he broke out windows and rescued his mother, sisters and little brother from a burning house, that the fire started at 3:00 a.m. on May 5, 2001, that Damien single handed pulled his mother, sisters and brothers out of the house and literally saved the lives of his family, that a letter was sent to the Mayor's office and they thought it was worthy to recognize because Damien was a true hero in the community and they wanted to recognize him today and provide him with a certificate. Mayor Brown presented Damien Duckworth with the certificate and congratulated him. Council Members Keller, Vasquez, Sanchez and Robinson absent.

Mayor Brown stated that he wanted to make a presentation to the police department and stated that it was his pleasure to announce that Houston was one of the first winners of the National Conference of Black Mayors Challenge to Buckle Up America, that the Mayors challenge kicked off last spring and was open to all of the National Conference of Black Mayors members and that was more than 80 members nationwide, that each participating city over a six month period developed a local educational and awareness activity program to promote the use of seat belt and child safety belts, that for Houston's efforts he was proud to present the police department with a check for \$3,000 on behalf of the National Conference of Black Mayors and expressed his appreciation to the members of the Houston Police Department for their efforts in promoting the use of safety belts and child safety seats, that clearly that type of activity would save lives, and presented the check to Chief Stewart. Council Members Vasquez, Sanchez and Robinson absent.

Chief Stewart stated that she wanted to let the citizens of the City and the Members of Council know that they were ready to gear up in the same campaign for next year and hopefully they would be just as successful. Council Members Vasquez, Sanchez and Robinson absent.

Council Member Quan stated that last Saturday afternoon Houston witnessed the first Miss Senior Houston Pageant as part of their celebration of Older Americans Month and stated that he wanted to thank Council Member Castillo and Silvia Garcia, Controller

for being one of the judges, that he wanted to introduce to Council the winner of the contest, that second runner up was Ms. Bessie Hill, who did a wonderful poetry reading, first runner up Ms. Opel White, who sang "Misty", and the winner of the contest and who would be representing Houston in the Ms. Senior Texas Pageant in Dallas, Texas was Miss Charlotte Tizh, that they planned to make it an annual event and invited all to participate next year. Council Members Keller, Vasquez, Sanchez and Robinson absent.

At 2:17 p.m. Mayor Brown convened the meeting of the City Council and Council Member Tatro led everyone in prayer and pledge of allegiance. Council Members Vasquez and Robinson absent.

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

Council Members Quan and Tatro moved that the minutes of the preceding meeting be adopted. Council Member Boney out of the city on city business. Council Members Vasquez and Robinson absent.

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

Ms. Elizabeth Bradford, 1520 Dunlavy, Houston, Texas 77006 (713-520-7880) had reserved time to speak, but was not present when her name was called. Council Members Vasquez and Robinson absent.

Ms. Alicia Garcia, 1203 Thompson, Houston, Texas 77007 (713-639-7772) appeared and stated that she worked at the Museum of Fine Arts and lived at 1203 Thompson Street in a house that had been in the family for 60 years, that it had been her grandparents and parents house and now she owned it and had been there twelve years, that she represented a lot of residents that could not be present because they had to work, that on May 11, 2001 she called Traffic Management to inquire about a sign at her intersection which said that the City may close the street, that she got no information so she called Council Member Vasquez's office and his assistant made a three-way call again to Traffic Management and she was told that this proposed closing was temporary due to construction, that on Saturday May 12, 2001 she found out that this was not true and called back on Monday and got the whole story from Mr. Bill Hlavacek in Traffic Management, that she was present today to oppose the closing of the intersection of Allen Street and Thompson Street, that Traffic Management erected the notice on May 11, 2001, that through public records she discovered that City Park Townhome Association made the request to Council Member Vasquez and other officials on November 9, 2000, that this association was made up of twenty expensive townhomes one mile from the intersection of Allen and Thompson, that their letter claimed that train trips number up to twenty a day and by closing several intersections it would reduce train horn blasts, that how was this supposed to reduce noise when in fact there were 10 other crossings closer to them than this one, including Shepherd and Durham, that she had computer maps that showed they were only one mile away, that they depended on the crossing for police, fire and ambulances, that she had two fires at her house and each time her house was saved, that she had called police regularly to report criminal activity and they cruised up and down Thompson, that drug dealing was a major problem

in the area and to avoid someone approaching her car she took the route over the train tracks to get to Washington as soon as possible, that HISD buses used this intersection to pick up children and travel up and down Thompson picking up other children, that there was also a business at 1200 Thompson which received a lot of 18 wheel deliveries, that this closing would cause a dead end on Thompson and would surely increase criminal activity and dumping, that family and friends would encounter danger by taking a route right through drug dealers territory, that it would also force them to take Allen Street only accessible west from Thompson and Allen was very narrow and always had parked cars, that it would be dangerous to increase traffic flow on Allen, that their letter claimed that their request was brought on behalf of many other neighborhood residents, but no one ever asked her or any of her neighbors or any business owners in the neighborhood about this closing, that she knew a lot of calls had come into the number, listed on the sign, opposed to the closing, that their taxpaying voting family and friends used the intersection and were opposing the closing, that she could get a petition if needed, that she also had the support of Ms. Mary Ramos and LULAC, that they opposed the closing of the intersection. Council Member Vasquez absent.

Mayor Brown stated that no decision had been made on this matter at this point and time, so her being present was certainly appropriate to voice her protest to the closing and that would all be taken into consideration in the decision making process, but right now no decision had been made. Council Member Vasquez absent.

Upon questions by Council Members, Ms. Garcia stated that the intersection was south of I10, that they were proposing to close her street at the railroad crossing and were proposing to close several other streets which were listed on their letter as Roy, Parker and Thompson, that the closing was at the request of City Park Townhome Association, that their twenty townhomes were located between Inker, Sandman, Nolda and Roy Street, that she had a map that showed that they were a mile from the intersection, that they had put up with the noise from the railroad track for over 60 years and it never gave them a problem, and Mayor Brown stated that Mr. Gary Norman, Public Works and Engineering, would meet with her and walk her through the different steps, but the main point was that no decision had been made at this point. Council Member Vasquez absent.

Mr. David Polanco, 10256 Valleywood, Houston, Texas 77041 (713-478-5130) appeared and stated that that he was Pastor of First Spanish Church of God in the Spring Branch area, District A, that they were working with young kids, about 60 or 70 in all in their general area, forming a basketball league to get the kids out of the streets and into a controlled area, a place where they could be away from problems and away from trouble and give their parents some kind of relief while they were at work during the day, that his son was working with him and was basically the coach and they were present to ask for help to see if they could get the Council Members to help them sponsor several teams in the area, that they had seven organized right now in the general area and they hoped to expand that in the coming years, that they also tried to work with the parents, that his son had put together a brochure and would distribute them out to each Council Member, that the basic needs were to help the children get basketball uniforms, shirts, shorts and be able to have a place to play, that they use the church parking lot as a basketball court for them but it was only temporary and they needed a place for them to play, that they had spoken with people from the YMCA and The Salvation Army and they

were willing to help them use their gym but sometimes they had to go and rent a gym close to the area, that their basic desire was to get the kids off the streets and into a place where they could be together and learn values. Council Member Vasquez absent.

Upon questions by Council Member Tatro, Reverend Polanco stated that it would be a summer league and would start as soon as school finished, that the age limits of the kids participating would be 4 to 15 years of age, that it would start on June 6, 2001 through August 11, 2001, that The Salvation Army had donated their gym off of Irvington and Cavalcade every Wednesday and Friday nights so they could play from 6:00 p.m. to 9:00 p.m., but they still needed places to practice, that there were teams from the district, from some apartments off of Hollister and around the Spring Branch area and they needed places to practice, that there would be around 15 teams this year and just Wednesday and Friday night was not enough for all the games that needed to be played, that they had kids coming from the Irvington, Bellaire and Pasadena area coming to play, that it was citywide. Council Member Vasquez absent.

Council Member Bell stated that in talking to Reverend Polanco before the meeting he had said that at the church they were also working to provide immunizations in the neighborhood and asked him to touch on that and explain what he was trying to do, and Reverend Polanco stated that right now the City of Houston provided immunizations for children in their church, that the basic problem that they were experiencing was that they had too many people coming in at one time and not enough nurse, that he said it in singular because there was only one nurse to screen the people, do the paperwork and give inoculations and it was simply too much for her, that there had been times where he had been with her and tried to help screen people and they had been in the church until 6:00 p.m. or 7:00 p.m. so basically she was having to turn people away at 1:30 p.m. and she got there at 1:00 p.m., that right now before they left the church at 12:50 p.m. and there must have been around 20 to 30 people in the building and more coming in as they left and the nurse had not arrived yet, that after 1:30 p.m. the nurse had to turn them away and many leave upset because a lot of them come from far areas and have to leave work and pick their kids up from school, that the vaccines were there but they did not have enough personnel, that he had talked to a member of Mayor Brown's staff who came over and saw first hand what was going on and sympathized with them and stated she would try to do something about it, but he understood she was no longer with the Mayor's office, and Mayor Brown stated there were two people present in the Council Chambers, Ms. Gloria Moreno, Health and Human Services who would take the Mayor's suggestions to the director, and Ms. Ashley Johnson, with the Mayor's Youth Program, who would work with Reverend Polanco on his basketball program, that he commended Reverend Polanco for what he was doing. Council Member Vasquez absent.

Mayor Brown recognized Council Member Quan for a matter of personal privilege and Council Member Quan stated that Ms. Martha Clark was present and had participated in the contest and won Ms. Congeniality, that she was 89 years of age and was the oldest contestant and sang Mockingbird Hill. Council Member Vasquez absent.

Ms. Deborah Elaine Allen, 8800 Gustin Ln., Houston, Texas 77031 had reserved time to speak, but was not present when her name was called. Council Member Vasquez absent.

Mr. Christopher Cato, 7710 Boggs Rd., Houston, Texas 77016 (713-633-3200) had reserved time to speak, but was not present when his name was called. Council Member Vasquez absent.

Ms. Fideline Lizama, 10910 Gulf Freeway No. 312, Houston, Texas 77034 (713-643-7335) appeared and stated that she would need a translator and Mayor Brown requested that Mr. Cantu translate for her and she stated that she would make a statement of accusation towards a member of the police department and the City Secretary administered the oath to her. Ms. Lizama stated that she was present to complain about a member of the police department who wrongly arrested her, that she was assaulted and the police officer collaborated with the assailant, that she was assaulted by some employees of a club on the Gulf Freeway, that she called 911 after being assaulted and the police did not show for 30 minutes and when they did she was the one arrested, that she said that the people who beat her left before the police arrived so she was the one arrested, that she was present to request assistance with medical expenses because of her injuries due to that assault and wanted the police department to help her because they assisted in her arrest and did not apprehend the people who assaulted her. Council Member Vasquez absent.

Mayor Brown asked if she filed a complaint with the police department against the police officers and she stated that she filed two complaints, that she had information from the central intake office, and Mayor Brown stated that Assistant Chief Stewart, who was present, would meet with her and answer any questions she had including where the investigation was at this point. Council Member Vasquez absent.

Council Member Sanchez asked Ms. Lizama, in Spanish, why was she arrested, and Ms. Lizama stated that she was a taxi driver, that on April 25, 2001, the police had accused her of having an accident with a vehicle that included 5 drunk youths, that the vehicle was behind her, that they arrested her for nothing because she felt she was not at fault, that the police officer accused her of wanting to strike the youth who was drunk, that she had been to court and the police officer did not show up, that she was scheduled to go back to court on June 20, 2001. Council Member Vasquez absent.

Mr. Albert Young, 5427 Amy, Houston, Texas 77028 (713-674-4410) had reserved time to speak, but was not present when his name was called. Council Member Vasquez absent.

Mr. Willard Hunter, 4801 Scott, Houston, Texas 77004 (713-572-9854) appeared and voiced his personal opinions regarding the Port of Houston until his time expired. Council Member Vasquez absent.

Mr. Arthur Moore, Jr. 8800 Broadway No. 4812, Houston, Texas (713-645-3056) appeared and voiced his personal opinions regarding the Port of Houston until his time expired. Council Members Galloway and Vasquez absent.

Ms. Carolyn Cannon, 10915 Alcury Dr., Houston, Texas 77096 (713-747-2856) appeared and stated that her daughter Ingrid Cannon was present also, that Ingrid was a mentally retarded, multi handicapped adult young lady, that she was present on her behalf that she did not agree with the closing of the Center for the Retarded Dental Clinic,

that as they could see Ingrid was passive and quiet 90% of the time, that for 45 minutes she was extremely quiet, however she becomes extremely combative with health care treatments and procedures, that for dental care Ingrid required full body leather restraints just to have her teeth cleaned, that even though this may seem pretty severe, she as her parent, could accept this as opposed to giving her drugs for sedation, which had an additional risk, to receive health care, that her experiences with the staff at the Center for the Retarded had shown them to have compassion, concern and acceptance for the mentally retarded clients they served, that she would rather have to take her to CRI than to a facility where the personnel appeared afraid and uncomfortable working with mentally retarded adults who could sometimes be combative, that the list of treatment centers she had been given specifically stated clients who were ambulatory and cooperative, that she did not feel that those facilities were willing to meet the needs of her daughter and was asking Council to find the resources to keep the Center for the Retarded Dental Clinic open and operational for her daughter and all of the other clients who needed the services that they provide. Council Members Galloway, Vasquez and Sanchez absent.

Ms. Mary Jane Reyes, 1710 Fourcade, Houston, Texas 77023 (713-924-1611) appeared and stated that her son was Patrick Reyes and was 21 years old, that her son also had to be restrained just for cleaning his teeth, that she wanted to bring to their attention that an injustice was going to happen on June 30, 2001, that the Center for the Retarded was going to be closing its doors, that she heard about it quite by accident and started making numerous phone calls, that she called Dr. Kendricks, Dr. Engel and Dr. DeYoung's office, who were housed at North Stadium Drive and she was given many excuses, one was budget, safety issue and one was the mission statement, that every time that she had talked or met with her the reason always seemed to change, that she started making further phone calls and had called Mario Gallegos office, Rick Noriega office and Council Member Sanchez's office, and she must have called the right person because Dr. Engel did return her phone call and asked her to join a task force, that they met last week and again the reasons why the center was closing was different again, that she asked the Dental Department to please fax her where she could go to seek out dental care for her son, that it was on the last page of her handout to Council, that they gave her a list and on the right side they would see that patients had to be either 16 or have HIV, that they had to meet a certain criteria, other than the University of Texas Dental Branch and when she called them they told her that only if he was a candidate would he be accepted, that the waiting period was six to eight months, that the Center for the Retarded had a wonderful service and had been there for many years, that she had seen Houston go through bad times, especially in the 1980's with the oil crunch, but believed all was well and Houston was doing fine, that she pleaded with Council to please find some resources to keep the facility open, that she read last week that the Heights was given \$100,000 to beautify, that she thought that was a wonderful idea but thought they ought to put things into perspective, that this was a small and vulnerable population and needed the help, that she also included some minutes of a meeting that the dental clinic had with their staff last week to notify them that the clinic was closing and on Item No. 8 Dr. Engel had mentioned to her was that the other centers would be handling the load and when she called that center they had no idea, and she asked if they had been trained and did they want to work with the mentally challenged, that when she took her son she wanted to make sure that they knew what they were doing and that they had been trained and with less than a month to go would it be in place, that she had a lot of

questions and wished someone would give her an answer. Council Members Galloway and Vasquez.

Council Member Bell stated that they had been given a memorandum that was written by Dr. Kendrick in the Health Department and stated that he was curious as to what information they had been provided and whether the plan would still present problems for the some 175 patients that would be affected, that the plan, as it was outlined in the memorandum, was to transition all of the current patients to community dental programs at other facilities and asked if the other facilities were not adequate or would pose additional problems, and Ms. Reyes stated that she called each one that was listed on the list that was given to her by the City and she was able to talk to one doctor, Dr. Chen, and she stated that no they did not have restraints, that she should go to the Center for the Retarded, that all of the other facilities, she did not speak with the dentist per se, but she did talk with the staff and they referred her back to the Center for the Retarded, that she called only the ones that would qualify her son and she would reiterate that there was a six to eight month wait and only if he was a candidate, that since it was a teaching facility at UT they pick and choose, and they did not do cleaning, that she did not contact the Harris County Hospital Dental Clinics, that if another of the facilities was able to provide the service and if he met the criteria she would not have an objection to her receiving the care, that if he was 21 with the Medicaid he could go, but what would happen after 21 years of age, it did not exist, only the Center for the Retarded did not have an age limit. Council Members Galloway, Keller and Vasquez absent.

Mayor Brown stated that in the memorandum that Council Member Bell referred to it pointed out that should it be determined that a patient would best be served at any of the departments other dental sites they would arrange for that to occur, although the department would not be seeing these patients, the patients would be seen and provided appropriate dental care, that there was a guarantee there that the appropriate care would take place if there was some circumstances, such as Ms. Reyes had talked about where they did not meet the criteria or there was a long waiting period, there was a commitment from the Health Department to take care of all of those patients in one way or another. Council Members Galloway, Keller and Vasquez absent.

Council Member Quan moved to suspend the rules to hear from Ms. Gloria Moreno, Health and Human Services Department, at this time, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Galloway, Ellis and Keller absent. MOTION 2001-0530 ADOPTED.

Upon questions by Council Member Quan, Ms. Moreno stated that the existing staff would be transferred to another existing dental location and all of the services would be provided over there, that the communications had occurred with the heads of the clinics, that she did not know or could not tell them that specifically the clerks and staff at the intake level had heard of the communication, but just so they would know, that as to the case management that would occur for each of these patients there were several things that were going to occur, (1) that written communication would go out to every patient as well as every home health provider or guardianship for these patients, (2) that by the protocol by the ADA they had to find them a new home, they could not just close the doors and not make sure there were dental services available so they would do the case



management to get them into a new home at the adequate locations, and (3) that if it was determined that the new location for the patient would not work they had made the commitment to still have them come to services at their existing locations, that they were focusing on still providing services for the children, that if they were a Medicaid child it went to age 21 and regular children went to age 18, so for the adults they were going to do their best to find them dental homes at those locations that predominately provided services for adults, that the commitment that the Health Department had to make and the case management services they must provide according to the protocols of the ADA was to find a new dental home, they could not just close their facility without insuring that they would have a dental home for their children, that every patient had to have a dental home prior to closing of the CRI Clinic, and Council Member Quan stated to Ms. Reyes that they were on record and they would see how it worked out, that if they did not follow up as indicated for her to let them know, that they did not want to leave her son or others in the cold on this issue. Council Members Galloway, Ellis and Keller absent.

Council Member Todd asked Ms. Reyes if she felt she had been given adequate assurance that her son was going to be covered, and Ms. Reyes stated that she believed that Council Member Quan gave her assurance and believed she just wanted a definite yes or no, and Mayor Brown stated yes, that Ms. Moreno had stated that they would make sure there were dental services available. Council Members Galloway, Ellis and Keller absent.

Ms. Moreno stated that she wanted to make a clarification, that she wanted Ms. Reyes to be clear on when they talked about providing a dental home was Ms. Reyes asking them whether or not she would be able to send her child to any City health facility, because that was not what was being said, that what was being clearly stated was that every patient would be found a dental home, that an appropriate dental home would be found for every patient, that those that were eligible for City Dental Clinics predominately would come and maintain those services at City Dental Clinics, that they saw children up to the age of 21 if they were Medicaid eligible, that after 21 they would find an appropriate dental home with the resources that were available, and Council Member Todd asked if a person was a ward and if Ms. Reyes were to take out a guardianship and if the child was a ward did that entitle them to services and Ms. Moreno stated that she could not answer that question, because it was based on what kind of medical insurance they had and coverage they had, whether or not they were Medicaid eligible, and Council Member Todd asked to find out the answer to that and let Ms. Reyes know, and if there was not a clean answer to tell her that or perhaps refer her over to somebody who could answer that. Council Members Tatro, Galloway, Ellis and Keller absent.

Upon questions by Council Member Robinson, Ms. Moreno stated that at this particular location most of the people who had come to the CRI were adults, that there were 175, that they did not own the equipment at that location, except for an xray machine, that it was not being shut down they were simply moving the doctor, that the location they were moving the doctor to was a full fledged dental clinic, that all 175 people would be case managed and given a directive to a new dental home, and Council Member Robinson asked why could the patient load not move with the dentist to the new office and Ms. Moreno stated that the services that were provided by the City of Houston Dental Clinics were predominately for children and women who were pregnant, that they did not service adults, but for that population, and Council Member Robinson stated that

he was talking about the 175 population and was just trying to figure out why the population could not migrate to the new location with the dentist because they were already serving them unless there had been some change in the qualification criteria's, and Ms. Moreno stated that it was not a change in the qualification, that the mission of the Department had always been to serve children and women predominately, women who were child bearing age, and the population had always been the same and what had happened was that due to reorganization they had to close other dental clinics and this was the third in a little over a year because they could not keep enough staff to keep all of the dental clinics open and they had to reorganize and work with existing staff, both with dental providers as well as dental assistants, and Council Member Robinson stated he was not sure what the criteria change had been and what happened, and Ms. Moreno stated that they were just trying to refocus for all of the dental services to go towards children and to women who were pregnant, that they were refocusing where the adults were going for dental care, and Council Member Robinson stated that he wanted someone to visit him because it was not really clear. Council Members Tatro, Galloway, Ellis and Keller absent.

Council Member Castillo stated that there may be other clinics that were available to do it and they may handle populations with special needs such as the elderly and real young patients, but were they in the position to handle patients who may need forcible restraints, and Ms. Moreno stated that everyone they had on the list was able to handle it, that at least the directors of all the clinics had assured them that they could handle the population, that they would follow up on it and get something in writing to the Council Members, and Mayor Brown stated that when they finished the questions he wanted Ms. Reyes to meet with Ms. Moreno, that she would make sure to follow through and make sure that her child had the services. Council Members Tatro, Galloway, Ellis and Keller absent.

Council Member Parker stated that this decision was only made recently and asked how long ago was it announced, and Ms. Moreno stated that probably within the next several weeks, that the goal was at the end of June and they were in the transition period. Council Members Tatro, Galloway, Ellis, Keller and Castillo absent.

Ms. Vera Lee Garvie, 2321 Chenevert, Houston, Texas 77004 (713-659-3327) appeared and very loudly voiced her personal opinions regarding the closing of the CRI Dental Clinic until her time expired. Council Members Galloway, Ellis, Keller and Castillo absent.

Ms. Maria Augila, 1850 South Gessner, Houston, Texas 77063 (713-974-6778) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Ellis, Keller and Castillo absent.

Ms. Eva Martinez, 7717 Ave. F, Houston, Texas 77012 (713-926-1484) appeared and stated that she was present for the same reason, for the CRI, that they were sorry that they were closing the place, that she had two sons who were mentally retarded and they were assisted at CRI and whenever they needed dental work they went to the Center for Retarded Dental Clinic because it was not far for them, that she did not have any other way to take her boys from one place to another, that she thought it was better

to keep it open, and asked the Council to help them keep the CRI open. Council Members Galloway, Ellis, Keller and Castillo absent.

Council Member Todd asked if the department had factored into their decision the difficulty that people who were mentally retarded had in making changes such as this, and Ms. Moreno stated that they did take that into consideration and what they were doing was to work with other collaborators to find out if there was anybody else who could go out there to CRI to provide the service, that they were meeting with members from San Jose Clinic and Harris County Hospital District just this week to see if they had resources to go out and provide the services, that in addition in June they were setting up a meeting with CRI with the American Dental Association to see whether or not there were private entities who could go out there and provide services, that they were trying to work with them, that they were cognizant of the fact that change in the location would be a hardship and they were working with the Center for Retardation to see if there was anybody else who could provide the service, that they had the chief dentist as well as the assistant director and a whole gamut of people who were available on the task force, that the assistant director was a dentist as well and he sat on the task force, and Council Member Todd stated that he wanted to hear what the progress that was made of this, and Ms. Moreno stated that she wanted to clarify that the meeting scheduled in June was with the Greater Houston Dental Society not the ADA, those were the private sector groups which they were trying to see if private sector could come in and provide dentists there at that location for the population. Council Members Galloway, Ellis, Keller and Castillo absent.

Mr. Meka Odunze, 10101 Fondren Ste. 500, Houston, Texas 77000 (281-261-5701) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Ellis, Keller and Castillo absent.

Mr. John Johnson, 7102 Wendemere, Houston, Texas 77088 (832-453-1900) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Ellis, Keller and Castillo absent.

Mr. George Fastuca, 1634 Scenic Shore Drive, Kingwood, Texas 77345 (281-361-5216) appeared and stated that he was a member and representing Kingwood's Area Super Neighborhood Council, that they wanted to express their support for increasing the number of firefighters on the major fire equipment, that the engines as well as the ladder trucks, that as they knew the National Fire Protection Association standard for manning major equipment was four persons per and they actually recommended five, that most cities currently were staffing the major equipment with four or five firefighters, and he was told that Dallas, Fort Worth, San Antonio and Austin were all meeting the minimum standard in staffing their engines and ladder trucks with four people at least, however Houston only had three people on their major fire equipment, that this was an important health and safety issue for all the residents and they the Kingwood area council strongly supported the increase of staffing up to four, that this was an important enough of an issue that they felt that it should be included in the base budget, that with the increased revenues that the City was expecting in the next fiscal year from the increase in property values they urged the City to find a way within the base budget to include this increase in staffing without increasing the property tax rate, that they needed to bring Houston in line with the other sister cities throughout Texas and meet the minimum standards from the

National Fire Protection Association. Council Members Galloway, Ellis, Keller and Castillo absent.

Mr./Coach Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202FA34511) appeared and voiced his personal opinions until his time expired. Council Members Galloway, Ellis, Keller 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 Galloway, Ellis, Keller and Castillo absent.

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

Mr. Jack Terence, 2808 Morrison, Houston, Texas 77009 (713-861-1991) appeared and stated that he believed a leader should accept responsibility and believed a leader should not pass the buck and blame it on a woman and believed a leader with many years in law enforcement and high government positions should not plead ignorance of the law, that he believed that the Mayor should not allow his major campaign officials, Sue Waldon and Greg Fraga to spread lies which were readily published in the Houston Chronicle, that when he signed an agreement before the Texas Ethics Commission which his manager Greg Fraga falsely and intentionally said was dismissed, which was a lie, that in this document he promised the Texas Ethics Commission that he would donate to charity any contributions that he could not ascertain the required State addresses, where were those contributions. Council Members Galloway, Ellis, Keller and Castillo 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, Ellis, Keller and Castillo absent.

At 3:32 p.m. upon motion by Council Member Vasquez and seconded by Council Member Tatro, City Council recessed until 9:00 a.m., Wednesday, May 23, 2001.

City Council Chamber, City Hall, Wednesday, May 23, 2001

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, May 23, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Ms. Susan Taylor, Assistant City Attorney, City Attorney's Office; Ms. Sara Culbreth, Mayor's Office; Ms. Martha Stein, Agenda Director present. Council Member Jew Don Boney, Jr. out of city on city business.

At 8:27 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:14 a.m. Mayor Brown reconvened the meeting of the City Council and stated that he wanted to take a moment to recognize a tragedy that happened in the City last night, that two Houston Police Officers were shot, Officer Albert Vasquez lost his life and Officer Enrique Duharte-Tur was in Ben Taub Hospital now and he asked for a moment of silence and prayer for the two officers, their families and all Houston Police Officers. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Sanchez absent.

Council Member Galloway moved to suspend the rules for a presentation by Project Cleanup in the Acres Homes Community, seconded by Council Member Quan. Council Member Boney out of the city on city business. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Sanchez absent.

Council Member Galloway stated that present in the audience was the Drew Academy and the young people in the community did a special cleanup project out in the Acres Home Community and invited the principal of the school to the podium. Council Members Tatro, Goldberg, Todd, Keller, Vasquez and Sanchez absent.

Mr. Watson Wright, Principal, Drew Academy, stated that he would like to recognize his students and teachers and one of his special staff members, Mr. Rogers, who was the community liaison for their school and asked them to stand, that he wanted to thank the Council for allowing them to be present and be recognized for the work they did in the Acres Homes Community, that they did a marvelous job of picking up trash around the schools and in the community, and Council Member Galloway requested that the principal show the Council the tee shirts they received, and Mayor Brown thanked Mr. Wright for being present and doing such a good job in keeping the City clean. Council Members Goldberg, Todd, Vasquez and Sanchez.

At 9:18 Mayor Brown stated that the first item of business would be a public hearing on redistricting of the City Council Districts and would start with a presentation from Mr. Jerry Wood, Planning and Development Department.

## **HEARINGS**

1. **PUBLIC HEARING** relative to establishment of Council Member district boundaries as required by Article V, Section 3 of the Charter of the City of Houston, Texas - **9:00 A.M.**

NOTE: The Public Hearing was recorded by Ms. Jill M. Webb, CSR, Continental Court Reporters.

Mr. Scott Howard, 1920 W. Clay, Houston, Texas 77019 (713-346-1208) had reserved time to speak, but was not present when his name was called.

Ms. Debbie Harlow, 6306 Ash Oak, Houston, Texas 77091 (713-681-1712) had reserved time to speak, but was not present when her name was called.

Mr. Bernard C. Amadi, 6303 Gulfton, Houston, Texas 77081 (713-771-4576) appeared and made a statement.

Ms. Dee Price, 5122 Sycamore Creek Dr., Kingwood, Texas 77345 (713-680-6242) appeared and made a statement.

Mr. Joe Stunja, 2006 Pleasant Creek Dr., Kingwood, Texas 77345 (281-360-5549) appeared and made a statement.

Council Member Quan moved to close the hearing, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Member Sanchez absent. MOTION 2001-0532 ADOPTED.

Mayor Brown announced that the Council would also hear from the public at 7:00 p.m. Council Member Sanchez absent.

### **MAYOR'S REPORT**

Council Member Robinson moved to suspend the rules to consider Item Numbers 57, 33, 18, 35 and 59 out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Castillo and Sanchez absent. MOTION 2001-0533 ADOPTED.

Council Member Robinson moved to suspend the rules to consider Item No. 3 prior to Item No. 57, seconded by Council Member Parker. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Member Castillo absent. MOTION 2001-0534 ADOPTED.

3. REQUEST from Mayor for confirmation of the appointment of **MR. CHRISTOPHER M. CONNEALY** as Chief of the Fire Department – was presented.

Council Member Quan moved to suspend the rules to hear from Acting Chief Connealy at this time, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Member Castillo absent. MOTION 2001-0535 ADOPTED.

Council Member Robinson stated that this was the second time he had been called upon to confirm, by vote, the Chief of the Houston Fire Department, that the last chief he confirmed, when he left, accused him and the Members of Council of not being sensitive and responsive to the issue of public safety, notwithstanding that during one budget cycle they offered him additional funding, so he just wanted for his comfort and piece of mind before he was called on to cast the vote today to find out if Acting Chief Connealy was willing to accept additional funding from the Council if it was not tied to a property tax increase, and Acting Chief Connealy stated that he would take any funding that was offered to the fire department, that obviously it was not his determination how that funding was provided to the department, that was up to the Mayor and City Council, that as fire chief he would not turn down any funding, because just like any other City department, he could always use additional funding beyond what he had, and Council Member Robinson stated that was what he wanted to hear to make sure they were all on the same page on the record and that there was no misunderstanding between Council and the fire chief if for any reason in the future they had a departure. Council Members Tatro, Todd and Castillo absent.

Council Member Sanchez stated that the question he had for Acting Chief Connealy was if he was prepared to be an advocate for the men and women of the Houston Police Department and more importantly the people of the City of Houston or would he do as Council Member Robinson said the other day, tow the company line, and Acting Chief Connealy stated that he had been a strong and passionate advocate for the Houston Fire Department, all 23 years he had been in the department, that obviously he was raised by his parents that while in public service he served the community and he had a great passion for that, that he passionately wanted to serve the community and they would see him very much involved in the community and to serve the men and women of the Houston Fire Department and try to exceed Council Member Sanchez's expectations in the role of fire chief along with the Council, that yes he would be a strong advocate for the fire department and the citizens of the City of Houston. Council Members Todd and Castillo absent.

Council Member Vasquez stated that he knew that he was inheriting a situation that needed a lot of repair and hoped that he would be forthright and forthcoming to Council on those issues, but he also thought that some of the issues were broader in the sense that he hoped that he did value diversity within his command staff and that he would make efforts to continue to diversify the staff because he knew that he had been supportive of that; that he also wanted to recognize his efforts in terms of the national certification and knew that idea originated with him and wanted to recognize that publicly; and finally he hoped that he would continue to come before Council and inform them of issues and problems and hoped that he would be neighborhood friendly in his effort as well as police chief because he knew that many of the fire stations were located in older neighborhoods and some in new neighborhoods, but there were issues out there that needed to be addressed, that some of them were easy, but for the citizens to know that he cared and for him to go out there he thought would be extremely valuable in that regard. Council Members Todd and Castillo absent.

Council Member Galloway stated that she also wanted to congratulate Acting Chief Connealy for the certification that he would be receiving from the fire department as well as for the committee that he formed about changes to be made in the fire academy as well as making it better for all the ones that had applied, since they were short of hand, that she hoped he did stay in touch with employees in the fire department so he could get a feel of some of the problems that were in the fire department so he could resolve them internally, that she was looking forward to working with him. Council Members Todd and Castillo absent.

Council Member Bell stated that he wanted to thank Acting Chief Connealy for meeting with him yesterday and any advise he had he shared with him at that point and time, that even before he became the acting chief of the department he had been an advocate for higher educational standards in the department and knew he was going to keep working for higher educational standards and higher standards in general and he had a great deal of comfort in his being the official fire chief, that they all realized that he was stepping into a very difficult situation, but he had confidence that he had the ability to handle the situation and wished him all the luck in the world in handling it because for the people of the City it was very important. Council Members Todd and Castillo.

Council Member Vasquez stated that he hoped to remember and hoped that his staff remembered that his allegiance was to the City and not to any State or former employees if the department. Council Members Todd and Castillo.

Council Member Quan stated that they wanted to be working with him, that they wanted to find solutions together to problems and did not want to read about it in the newspaper the next day if things happened, that he would appreciate it if he would include the Council in the process as decisions were being made, that the Council was not his enemy, that they had the same concerns of the citizens of Houston that he had so please work with them. Council Members Todd and Castillo.

Council Member Keller stated that he had two questions that did not need to be answered, but just so he would know what they would be at all times and asked if they had the best fire department in the United States of America and what did they need to get them to be the best fire department in the United States of America, to have an A+ and have excellence. Council Members Todd and Castillo.

A vote was called on Item No. 3. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Todd and Castillo. MOTION 2001-0536 ADOPTED.

Mayor Brown congratulated Chief Connealy and invited his family to the podium. Council Members Todd and Castillo.

Chief Connealy stated that it was a great honor and was humbled by the opportunity, that he knew they had challenges in the department but it was a department that had been a part of his life for 23 years and it was a good fire department, that he shared the same passion about it being the best fire department in the United States and the world, that in fact they enjoyed that distinction already in the accreditation, that he knew there were other issues that needed to be addressed and assured them a commitment on his part to resolve those issues and do the right thing, first for the community because that was why they were there to serve the community and obviously for the members, the men and women of the fire department, who provided a very important service to the community with fire and EMS and they did not take that obligation very lightly, that he would work diligently to continue to do the good things that the fire department did and go beyond where they had ever been before, that he had a good staff to help him with that and they were very much a family in the Houston Fire Department and they worked together, that sometimes they did some squabbling internally but he would work with all of the employee groups and diversity was very important to do what he wanted to do because that was what made them stronger, so he looked forward to the challenges and knew they were getting ready to embark on an interesting time before them and always wanted to do what was best for the community and the Houston Fire Department and knew that they all shared that same passion. Chief Connealy introduced his wife Diane, they had been married 17 years and had two sons who were in school today, his dad, John Connealy and his father-in-law, Dick Randall, that they had all been very supportive and wanted to tell his wife publicly that he loved her and appreciated the sacrifice that she and their sons had to make, the long hours, and allowing him to promote up through the ranks and go to college and get the certifications. Council Member Castillo absent.



Council Member Todd stated that he was proud as the District E Council Member to have the chief in his district. Council Member Castillo absent.

Mayor Brown again congratulated Chief Connealy and stated that they all looked forward to working with him, that he had a very important task and his confirmation certainly signifies this Council's approval that he was up to the task. Council Member Castillo absent.

57. ORDINANCE approving and authorizing contract between the City and **CAMP DRESSER & MCKEE INC** for Energy Deregulation and Energy Conservation Consulting Services; providing a maximum contract amount, BSD 01-0739-25003 - \$650,000.00 - General and Enterprise Funds – **(This was Item 27 on Agenda of May 16, 2001, TAGGED BY COUNCIL MEMBERS QUAN, TATRO and KELLER)** – was presented.

Council Member Quan stated that last week he had been one of those who tagged the item and had a chance to speak with some of the folks from Camp, Dresser & McKee and again he just wanted to go on the record that all of the City facilities would be included in this study, that they would not be segregating the different departments but it would be one for the entire City and asked if it was correct. Council Member Castillo absent.

Council Member Tatro stated that this was obviously to prepare an RFP for the possibility of the City purchasing electricity in the deregulated market, that as Council Member Quan stated they had to make sure that all of the City buildings were included, that obviously he thought that the bigger the pool the better, that if they talked about regionalism he knew that HISD was a strong purchaser and probably had more buildings than the City of Houston so he hoped they would incorporate the conversation with those folks over at HISD also and possibly the County and if it is possible it should be done up front, that he would not like it on the back end and that was his concern, what were they doing going into this so on the back end they would not have people coming at them saying they had not done a good job in putting the RFP together, that also utilizing and picking the brains of the three energy companies, Reliant, Dynegy and Enron, and invite them to the table and ask them for their ideas, that it was his recommendation for them to actually submit some ideas so that when the RFP came out they did not have those three companies coming back at them and saying they forgot something and then they would have to do all the backtracking, that he appreciated the conversation he had with people from Building Services and Camp Dresser on the issue. Council Members Castillo and Parker absent.

Council Member Keller stated that he also had discussions related to the topic with the consultant they were going to use in this endeavor and what he was very pleased to learn was that 50% of the usage of electricity was in water and sewer treatment and thought that was noteworthy not only to their expertise in this but especially in that capacity and then also how important that was going to be to the City's future as far as what they were trying to accomplish as far as regionalism of water and the delivery of such, that what he felt really good about was that this group and Building Services had

already started to engage HISD in some of the discussions and had relationships with the people in HISD. Council Member Castillo absent.

Council Member Robinson stated that he wanted to thank the Mayor, the Director of Building Services and Mr. Al Haines who had come to the TTI Committee at least on three occasions to talk to Council about deregulation and preparing the City to make sure they were ready for it and this item was discussed in the committee meetings and that it would be coming to Council, that he wanted to thank Council Member Keller who also served on the Houston Galveston Area Council with him who had spent a lot of time, between the two of them, talking and getting information on deregulation and aggregation and all those exciting issues that were going to be coming down the pike, that he also had the opportunity to visit with a number of people in the industry and asked them about the contract and what they told him was that (1) they had a good company coming on to do the consulting, and (2) that they were taking the right steps to get ready, that he also had the same question that Council Member Quan had and it was clarified that everybody was going to be onboard because as had been explained to them on a couple of different occasions they were probably the largest load profile in the State as a stand alone entity with all the electricity they used. Council Member Castillo absent.

A roll call vote was called on Item No. 57.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Castillo absent
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Boney out of city on city business	Council Member Sanchez no
Council Member Todd voting no	Council Member Bell voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	ORDINANCE 2000-0436 ADOPTED

33. ORDINANCE amending Ordinance No. 99-205 which authorized a master agreement between City of Houston and **COMPAQ COMPUTER CORPORATION** for the purchase of Microcomputer Hardware, Software and Services for Various City Departments; to increase the authority of the Purchasing Agent to issue additional purchase orders for up to \$7,494,850.00 for the purchase of said Microcomputer Hardware, Software and Services subject to availability or appropriation of funds therefore – was presented, and tagged by Council Members Robinson, Tatro, Sanchez, Ellis, Todd, Bell, Goldberg and Keller. Council Member Castillo absent.

Council Member Todd moved to suspend the rules to consider Item No. 25 out of order, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Member Castillo absent. MOTION 2001-0537 ADOPTED.

18. ORDINANCE providing for an Ad Valorem Tax Exemption on a historical site located at 201 Main Street formerly known as the First National Bank Building and now known as the **FRANKLIN LOFTS**; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability – was presented.

Council Member Goldberg stated that he had the same concern with Item Numbers 18, 19, 20 and also 17 regarding the tax abatements, that the problem he had was the same with the TIRZ, that they set for a certain period of time and did not take into consideration factors of very rapidly increasing property values, that the goal of this was to try to abate a certain amount of money and in this period of time they reached it a lot sooner than in other period of times, that he could understand it if the property was not appraising at such a rapid rate as it was right now and that was his concern, that these were abatements for 15 years and it was a large amount of money in the downtown area to be abating and he thought they should take a look at it in the future. Council Member Castillo absent.

Mayor Brown stated that he thought Council Member Parker could probably address that because she had been very much involved in this, and Council Member Parker stated that they were aware that the goal of this was to save historic properties and to encourage redevelopment of historic properties rather than demolition and they passed this revision to the ordinance within the last two to three months and it was heard at the committee level and these issues were discussed, that it was considered to be a but/for that the rehabilitation of these properties would not occur without the use of the tax credits, that it was part of the overall historic preservation package, that these were legal under the revised ordinance and in order to not approve these they would have to rewrite the ordinance. Council Member Castillo absent.

Council Member Goldberg stated that he understood, and he guessed his comment was that the goal was not a certain number of years, that it was to abate a certain amount of money, but they were not accomplishing that, that they may be abating an incredibly larger amount of money than they wanted to and he thought in the future they should focus more on dollars instead of time periods as far as abatements. Council Member Castillo absent.

Council Member Robinson stated that when they passed this originally he did not think a lot of them were looking at it in that context and it had come to fruition and he agreed with that, that he would be interested in at least some analysis on these and as they go out how much money was the developer trying to cash flow to help maintain the project and if they looked at some kind of projection on growth and the tax rate and what they were saving how soon would they hit the point where it made the deal viable and instead of just saying 15 years they would say 15 years or until x dollar amount was achieved and they took care of the same goal if that was a part of the consideration factor. Council Member Castillo absent.

Council Member Sanchez stated that was exactly the point he was going to bring up, that some months ago he brought up the TIRZ and the rate at which the appraised value of the land in those districts was escalating, that he guessed it could be remedied

by doing an amendment to the agreement as Council Member Robinson proposed and thought it was prudent to look at that and stated that he would tag the item for a week until they could visit with the Legal Department and built in a clause in the agreement or the ordinance that provided for when they reached x dollars then the additional revenue reverts back to the City of Houston rather than to the historical district or site. Council Member Castillo absent.

Mayor Brown requested Ms. McAbee, Legal Department, to address that and whether it could be done with these items or if they had to wait until they amended the ordinance.

Mr. Dan Doherty, Legal Department, stated that they would have to amend the ordinance that was just amended, that they would have to amend Section 44-5, Code of Ordinances, which was the ordinance that they amended just a couple of months ago. Council Member Castillo absent.

Council Member Vasquez stated that he wanted to get clarification on the actual abatement itself, that it was his understanding that the abatement was actually on the amount invested and not on the property tax and asked if that was correct, and Mr. Doherty stated that there was a requirement that the owner of the historical site, which was a piece of property that had already been designated a historical site by City Council, must spend at a minimum 50% of the value of the improvement or building, that the abatement exemption exempts the improvement value and did not go to the value of the land, and Council Member Parker stated that it was the amount invested, that the City was made whole and was similar to the TIRZ's ordinances where they got what they were getting before, it was the increment that was exempted, and Mr. Doherty stated that if the land increased in value the owner must still pay taxes on the land, that if the owner spends 100% of the base value of the improvements the owner would get 100% exemption even if the value of the building had increased over the duration of the exemption.

Upon further discussion by Council, Council Member Parker stated that they would still collect taxes on the land, that it was focused on the improvement rather than on the land value, and Mr. Doherty stated that if the owner spends for preservation and restoration an amount equal to the present value of the building he would get a 100% exemption on that building, that the exemption did not go to the land. Council Member Castillo absent. Council Member Castillo absent.

Upon further questions by Council, Mr. Doherty stated that the owner would receive an exemption only on his investment, that the way the ordinance was last amended if the owner spends less than 100% of the value of the building then the amount of his exemption was a dollar amount, that he only gets the full 100% exemption if he spends 100%, that it was the same formula for Item Numbers 17, 18, 19 and 20, because it was on the basic exemption ordinance Section 44-5, Code of Ordinance. Council Member Castillo absent.

Council Member Robinson asked if they were assuming that in the course of the lifetime, be it 100% exemption or the exemption of the base investment at what point would they recoup that in terms of exemption from taxation or there may be some

instances where they never recoup it, and asked if there was some point along the 15 years, if they were to run a 15 year model, and Council Member Parker stated that there was a memo from Dr. Scheps, Director, Finance & Administration, showing the estimated annual taxes exempted and for example they had the first Item No. 17 was \$250,000 in expenditures which yields \$1,600 in annual taxes exempted, so no, over the course of 15 years they would be 15 x \$1,600 and the property owner would not get the money back, and Council Member Robinson stated that he would be interested in how many existing exemptions were there on the ground out there and requested that someone visit with him on what the old ordinance was, that he was trying to get a feel for the theory of the model and then compare it to practical on the ground to see what the experience was as to how much money had been exempt. Council Members Todd and Castillo absent.

Upon further questions by Council Member Quan, Mr. Doherty stated that if the property increases up to a million dollars the owner would get an exemption on the whole million dollars on the building not the land, that typically the owner spends far more on restoration and preservation than he saves in taxes, that by doing this they were encouraging historic preservation. Council Members Todd and Castillo absent.

Council Member Sanchez stated that they were creating additional density in the City of Houston in terms of residential, that in the coming years they were going to have additional fire calls, ambulance service calls and what not and they were back in the same quandary they had additional demand and they were abating the taxes, where was the General Fund going to get the money to provide the services necessary and that was the concern he had and the concern that Council Member Goldberg brought up, that there was no monetary value limit attached to this, that it was a 10 or 15 year tax exemption, and Mr. Hall stated that because they did work with Council Member Parker and others during the process, this was an effort to try to encourage historic preservation, that the object of this was trying to reclaim the properties that obviously were worth substantially more, that hopefully what was produced here was a reclamation in the preservation of these historic sites in such a way that people came back in and lived and density increases such as he suggested, that all kinds of economic activity was generated by that, that they pay sales taxes and all of those kinds of ancillary benefits, that was what the trade off was here, that it was an effort to try to encourage redevelopment and reclamation of historic properties. Council Members Todd, Keller and Castillo absent.

Council Member Parker stated that she thought it was rather disingenuous to compare immediate expenditures with tax abatements but she would concede that, that they had properties that were estimated by HCAD to be worth about \$5 million and they were asking investors or investors were planning to spend on those properties, currently worth \$5 million, approximately \$36 million in the hopes of some how recouping over time approximately \$3.6 million, so maybe a tenth of their investment they get back through a tax exemption, that if they truly cared about the quality of life in the City and if they truly cared about historic preservation, this was the way they needed to go, that as someone who owned historic properties she would have to confess that they did not make money, they cost a lot more than they ever return, but they do it because they love it and obviously those numbers did not add up but it was part of the overall package to preserve their historic properties, that they tried to correct some of the excesses of the TIRZ

creations in that they very carefully looked at where they were actually spending the money, that they were spending the money on the building, and by spending the money on the building they would be raising the value of the land under the building, and the land under the building would be going up as redevelopment occurred, that they thought it was a balanced package of incentives to encourage people to invest in historic properties and save them and put them back productively on the tax rolls at a very low cost to the City and would encourage Council Members to move these items forward, and would encourage other people who heard the debate to take advantage of the program. Council Members Galloway and Castillo absent.

After further discussion by Council, Mayor Brown stated that Item No. 18 had been tagged, and Council Member Robinson stated that the only question he had was when they looked at Dr. Scheps memo the only gap in the memo was that there was not a 15 year forecast on what was likely or some estimate on what they assumed or projected the increased value of the fixture to be in light of the investment, and he would also be interested in the differential between land and fixture and what did they think the rate of increase in the appraised value would be for the land versus the fixture on the land, and Mayor Brown stated they would have someone put that together for him. Council Members Galloway and Castillo absent.

35. ORDINANCE appropriating \$550,000.00 out of Street and Bridge Consolidated Construction Fund and approving and authorizing second amendment to the professional services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Houston Bikeway Program Project CIP N-0420-99-2 (SB9017); providing funding for contingencies relating to construction of facilities financed by the Street and Bridge Consolidated Construction Fund. Note: A vote was called however during discussion, by consensus of Council, the matter was tagged.

Council Member Tatro stated that it was an item for the bikeway design and construction management, that he wanted to stop and take a minute and look at the bikeway program, that it was their information that when the bikeway program first started it was going to be funded by TXDOT by 80% and in their discussions with Public Works in trying to get the formula for exactly what the costs were going to be and exactly what they were going to be reimbursed for they were told that the bikeway program, as proposed back in 1993, TXDOT would reimburse 80% of the 1993 estimates and so if they took 80% of the 1993 estimates and that was basically what TXDOT agreed to reimburse the City for, that now they find in talking with Public Works the estimates were pretty low and they also found that since 1993 construction costs had escalated significantly and they were told that to get the 80% match they had to abide by the TXDOT criteria, that at the end of the day he thought that the City of Houston taxpayers were going to end up paying 50%, 60% to 70% of the total construction costs on the entire project and his concern was continuing to follow the TXDOT standards when they were clearly not going to enjoy 80% of the TXDOT reimbursement, that they asked what the estimated costs were, and if they looked at the four phases of the bikeway program the total costs were \$100 million, that he had been a long supporter of bikeways on the trails, but he had been a strong opponent and voiced his significant concern with the bikeways they had on the roads, that if they were going to pay up to 70% of the total construction cost when it was done why were they not seeking waivers on some of the

criteria, that he thought what they needed to do was stop and seek exemptions on the bike lanes that were on the roadways from TXDOT and their criteria and needed to seek changes on those rules, that he did not know that he could support another bikeway program that was dedicated to the streets, that this one was dedicated in part to streets. Council Members Galloway and Castillo absent.

Council Member Vasquez stated that he apologized for being slow in turning the pages of the Agenda, but knew that he had an interest in tagging the item and thought that Council Member Todd also had an interest in tagging it and did not know if it was properly called and asked Mayor Brown how he wanted them to handle it. Council Members Galloway and Castillo absent.

Mayor Brown stated that the matter had been voted upon but if there was a consensus of Council to allow them to tag it they would allow that, and stated that there were no objections and there was a consensus and so the item was tagged. Council Members Galloway, Castillo and Parker absent.

Mayor Brown stated that Item 35 was tagged by Council Members Todd, Quan, and Vasquez. Council Members Galloway, Castillo and Parker absent.

59. ORDINANCE appropriating \$1,071,869.00 out of Water and Sewer System Consolidated Construction Fund, as an additional appropriation for the Construction Management Services Contract with **LOCKWOOD, ANDREWS & NEWNAM, INC**, approved by Ordinance No. 99-312 CIP S-0900-43-3 (10448-2) – **(This was Item 40 on Agenda of May 16, 2001, TAGGED BY COUNCIL MEMBER KELLER)** – was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway, Castillo and Parker absent. ORDINANCE 2001-0437 ADOPTED.

25. ORDINANCE appropriating \$700,000.00 out of Reinvestment Zone Number Ten, City of Houston, Texas (Lake Houston Zone) Tax Increment Fund (Fund 912) for payment to **FRIENDSWOOD DEVELOPMENT COMPANY, LTD.**, for Reimbursement of costs associated with public improvements in the Lake Houston Zone, pursuant to Ordinance No. 99-407, as amended by Ordinance No. 99-911 - **DISTRICT E - TODD** –was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway, Castillo and Parker absent. ORDINANCE 2001-0438 ADOPTED.

### **CONSENT AGENDA NUMBERS 3 through 52**

#### **MISCELLANEOUS** - NUMBER 4

4. CONFIRMATION of the reappointment of **MR. ONNE JEU** to Position 20 of the **HOUSTON READ COMMISSION** for a three year term to expire January 1, 2004 - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0538 ADOPTED.

**ACCEPT WORK** – NUMBER 8

8. RECOMMENDATION from the Director of Public Works and Engineering for approval of final contract amount of \$890,470.55 and acceptance of work on contract with **REDDICO CONSTRUCTION COMPANY, INC** for Belvedere Lift Station Replacement - GFS R-0267-48-3 (4275-38) - 00.27% over the original contract amount - **DISTRICT D - BONEY** - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0539 ADOPTED.

**PURCHASING AND TABULATION OF BIDS** - NUMBERS 9 and 110

9. **CRYSTAL COMMUNICATIONS LTD.** for Electrical Supplies for the Houston Police Department \$33,524.80 - Grant Fund - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0540 ADOPTED.
10. **WINGO SERVICE COMPANY** to Furnish and Install a Sludge Density Meter and Magnetic Flowmeter for the Department of Public Works and Engineering - \$29,995.00 - Enterprise Fund - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0541 ADOPTED

**ORDINANCES** - NUMBERS 14 through 48

14. ORDINANCE approving and authorizing the conveyance by the City of a Drainage Easement out of the Alameda Plaza Sewage Treatment Plant Site to the Harris County Flood Control District; Parcel Number SY1-031; subject to the terms and conditions of the easement - **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0439 ADOPTED
15. ORDINANCE consenting to the addition of 23.9061 acres of land to **LOUETTA NORTH PUBLIC UTILITY DISTRICT** for inclusion in its district - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0440 ADOPTED
16. ORDINANCE consenting to the addition of 68.5638 acres of land to **NORTHWEST HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 20** for inclusion in its district - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0441 ADOPTED



21. ORDINANCE approving and authorizing contract between the City and the **UNIVERSITY OF HOUSTON** for Hearing Screening Services; providing a maximum contract amount - 5 years \$75,000.00 - General Fund - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0442 ADOPTED
24. Omitted
28. ORDINANCE approving and authorizing Supplemental Lease Agreement No. 1 in connection with Runway 12R/30L Navigational Sites at William P. Hobby Airport by and between the City of Houston and **THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0443 ADOPTED
29. ORDINANCE approving and authorizing Supplemental Lease Agreement No. 1 in connection with the Visual Approach Slope Indicator Site for Runway 12L at William P. Hobby Airport by and between the City of Houston and **THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0444 ADOPTED
30. ORDINANCE approving and authorizing a lease agreement in connection with Runway 9/27 Navigational Aid Sites at George Bush Intercontinental Airport/Houston by and between the City of Houston and the **UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0445 ADOPTED
31. ORDINANCE approving and authorizing Lease Agreement in connection with Runway 4/22 Navigational Aid Sites at William P. Hobby Airport by and between the City of Houston and **THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0446 ADOPTED
32. ORDINANCE approving and authorizing Ground Lease Agreement in connection with the Rotating Beacon Ceilometer and Wind System/Ceiling Lights at William P. Hobby Airport by and between the City of Houston and **THE UNITED STATES DEPARTMENT OF TRANSPORTATION, FEDERAL AVIATION ADMINISTRATION - DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0447 ADOPTED

41. ORDINANCE appropriating \$4,235,100.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION CO, INC** on bid of \$3,616,100.00 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$108,000.00 for Keegans Bayou Wastewater Treatment Plant Improvements, GFS R-0265-19-3 (WW 4759-02); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT F- ELLIS** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0448 ADOPTED
43. ORDINANCE appropriating \$5,822,200.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **CRAIG, SHEFFIELD, & AUSTIN** on low bid of \$5,109,000.00 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING AND ENVIRONMENTAL SERVICES** in the amount of \$150,000.00 for Sims Bayou Wastewater Treatment Plant and Sludge Processing Facility Improvements, GFS R-0299-02-3 (4746); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0449 ADOPTED
44. ORDINANCE appropriating \$852,300.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **INSITUFORM TECHNOLOGIES, INC** on low bid of \$747,989.00 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$22,000.00 for Rehabilitation of 36-Inch sanitary sewer along Elgin Street and Rosalie Street, GFS R-2011-21-3 (WW 4763-01); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT D- BONEY** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0450 ADOPTED
45. ORDINANCE appropriating \$1,654,062.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **C and C SERVICES** on low bid of \$1,450,535.00 and approving and authorizing professional services contract for engineering testing services with **MCBRIDE RATCLIFF, INC** in the amount of \$43,000.00 for South Heights Water Main Replacement, GFS S-0035-72-3 (WA 105852); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0451 ADOPTED

46. ORDINANCE appropriating \$1,286,550.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **BLASTCO INCORPORATED** on low bid of \$1,056,406.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING & TESTING, INC** in the amount of \$20,000.00 for Rehabilitation of two Five (5) Million Gallon Water Storage Tanks at the Spring Branch Pumping Station, GFS S-0600-24-3 (WA10596-24); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0452 ADOPTED
48. ORDINANCE appropriating \$6,572,400.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **JALCO, INC** on low bid of \$5,665,828.00 and approving and authorizing professional services contract for engineering testing services with **ATSER, LP** in the amount of \$170,000.00 for 84-inch Water Line along Euel Street, Cochran Street, and English Street from West Side of UPRR to Fulton Street, GFS S-0900-56-3 (WA10629); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0453 ADOPTED

**MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS**

**DAMAGES**

5. RECOMMENDATION from City Attorney for settlement of lawsuit styled **RUTH HILL, et al v. City of Houston**; No. G-97-578; USDC; **TOMETRIA CANADA, et al v. City of Houston**; No. G-98-274; USDC - \$150,000.00 - Property and Casualty Fund - was presented, moved by Council Member Tatro, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0542 ADOPTED

**ACCEPT WORK**

6. RECOMMENDATION from the Director of Public Works and Engineering for approval of final contract amount of \$1,404,799.75 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION, INC** for the Overlay Projects, Third Ward Completion GFS Q-1153-01-3 (253-99) - 03.37% over the original contract amount - **DISTRICTS D - BONEY and I - CASTILLO** - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city

business. Council Members Galloway and Castillo absent. MOTION 2001-0543 ADOPTED

7. RECOMMENDATION from the Director Department of Public Works and Engineering for approval of final contract amount of \$7,377,572.94 and acceptance of work on contract with **TEXAS STERLING CONSTRUCTION, INC** for East Little York from I-45 to Airline, GFS N-0458-02-3 (N-0458-02) - 02.89% over the original contract amount - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0544 ADOPTED

### **PURCHASING AND TABULATION OF BIDS**

11. **SPECTRA OPTICAL, LLP (Bid No. 1)** for Prescription Safety Glasses Contract for Various Departments - \$37,178.90 - General and Enterprise Funds - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0545 ADOPTED
12. **EMERGENCY & SAFETY PRODUCTS, E.S.P. INC** for Red Highway Flares for Various Departments - \$92,850.00 - General Fund - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0546 ADOPTED
13. **SILICON VALLEY SHELVING & EQUIPMENT CO., INC** - \$142,857.77, **TOTAL HANDLING SOLUTIONS** - \$229,100.57 and **STORAGEQUIP.COM, L.P.** - \$239,335.45 for Shelving, Pallet Racks and Lockers for Various Departments - General, Enterprise and Fire Department Revolving Funds - was presented, moved by Council Member Sanchez, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0547 ADOPTED

### **ORDINANCES**

17. ORDINANCE providing for an Ad Valorem Tax Exemption on a historical site located at 1401 Castle Court Boulevard known as the **MAURICE J. and REGINALD A. HIRSCH HOUSE**; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability – was presented, and tagged by Council Members Sanchez and Tatro. Council Members Galloway and Castillo absent.
19. ORDINANCE providing for an Ad Valorem Tax Exemption on a historical site located at 319 Hawthorne Avenue known as the **HARPER HOUSE**; containing findings and other provisions relating to the foregoing subject; providing for the

revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability – was presented, and tagged by Council Member Tatro. Council Members Galloway and Castillo absent.

20. ORDINANCE providing for an Ad Valorem Tax Exemption on a historical site located at 914 Main Street known as the **CHAMBER OF COMMERCE BUILDING**; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability – was presented, and tagged by Council Members Sanchez, Tatro and Keller. Council Members Galloway and Castillo absent.
22. ORDINANCE approving and authorizing first amendment and modification agreement between the City of Houston and **LEISURE LIFE SENIOR APARTMENT HOUSING, LTD**, to extend the term of the CDBG Loan from 5 to 20 years conditioned upon a prepayment to the City in the amount of \$100,000.00 - **DISTRICT F - ELLIS** – was presented, and tagged by Council Member Quan. Council Members Galloway and Castillo absent.
23. ORDINANCE appropriating \$200,000.00 out of the Homeless and Housing Consolidated Bond Fund and approving and authorizing a Loan Agreement between the City of Houston and **BELLFORT VILLA APARTMENTS, L.P.**, to provide \$416,000.00 in Community Development Block Grant Funds, along with the appropriated funds, to be used for refinancing acquisition debt and paying rehabilitation costs for the 154 Unit Bellfort Villa East Apartments located at 7035 Bellfort Street - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0454 ADOPTED
26. ORDINANCE approving and authorizing first amended and restated agreement between the City of Houston, the **MEMORIAL HEIGHTS REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER FIVE, CITY OF HOUSTON, TEXAS (MEMORIAL HEIGHTS ZONE)** in connection with the City's Reinvestment Zone Number Five - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0455 ADOPTED
27. ORDINANCE appropriating \$87,289.60 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **BEAZER HOMES TEXAS** for the Construction of Water & Sanitary Sewer Lines, CIP S-0800-32-03 and R-0800-38-03 - **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0456 ADOPTED
34. ORDINANCE appropriating \$281,571.00 out of Police Consolidated Construction Fund and approving and authorizing professional architectural services contract

between the City of Houston and **STOA INTERNATIONAL ARCHITECTS, INC** for the Design of the Relocation of the Airport Pistol Range and Renovation of Police Stations: Central, Northwest, Southwest and Magnolia, CIP G-0088-01-2 and G-0064-01-2; providing funding for contingencies relating to construction of facilities financed by the Police Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; H - VASQUEZ and I - PARKER** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0457 ADOPTED

36. ORDINANCE appropriating \$4,997,000.00 out of Water and Sewer System Consolidated Construction Fund, and approving and authorizing professional services contract between the City of Houston and **BLACK & VEATCH CORPORATION** for Almeda Sims Sludge Processing Facility Improvements, CIP R-0298-01-2 (WW4813); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0458 ADOPTED
37. ORDINANCE appropriating \$305,039.00 out of Water and Sewer System Consolidated Construction Fund, and approving and authorizing professional services contract between the City of Houston and **POST, BUCKLEY, SCHUH & JERNIGAN, INC d/b/a PBS & J** for Memorial Park Water Conversion, CIP S-0950-02-2 (WA10695); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0459 ADOPTED
38. ORDINANCE appropriating \$828,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **PATE ENGINEERS, INC** for Design of Jersey Village Pump Station Improvements, CIP S-1004-02-2 (WA10563-1); 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 Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0460 ADOPTED
39. ORDINANCE appropriating \$7,014,033.21 out of Street and Bridge Consolidated Construction Fund, and \$730,966.79 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **KINSEL INDUSTRIES, INC** on low bid of \$6,482,495.34 and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** in the amount of \$225,000.00 for construction of Royal Oaks Subdivision Paving and Drainage Improvements, Phase II, GFS N-0351-02-3 (NSR-425A); providing funding for contingencies relating to facilities financed by the Street & Bridge Consolidated

Construction Fund and Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0461 ADOPTED

40. ORDINANCE appropriating \$2,127,500.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** on low bid of \$1,809,900.00 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$54,000.00 for Southwest Wastewater Treatment Plant Improvements, GFS R-0097-02-3 (WW 4758); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0462 ADOPTED
42. ORDINANCE appropriating \$416,500.00 out of Harris County Construction Fund, awarding contract to **JIMERSON UNDERGROUND, INC** on low bid of \$357,050.00 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES** in the amount of \$20,000.00 for Sims Bayou Siphon, GFS R-2070-02-3 (4717-01); providing funding for contingencies relating to construction of facilities financed by the Harris County Construction Fund - **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0463 ADOPTED
47. ORDINANCE appropriating \$6,010,500.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** on low bid of \$5,181,874.00 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$155,000.00 for 84-inch Water Main along Kelly and Gold from east of U.S. 59 HOV Lane to West of UPRR, Contract 6B-1, GFS S-0900-55-3 (WA10628); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0464 ADOPTED
49. ORDINANCE appropriating \$3,892,200.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **HEYL CONSTRUCTION, LTD** on low bid of \$3,355,959.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING & TESTING, INC** in the amount of \$100,000.00 for 60-inch Water Main along Dolly Wright, Duboise Road and Victory Drive from Acres Homes Pump Station to Ashmole Lane, GFS S-0900-59-3 (WA 10632); providing funding for

construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO and B- GALLOWAY** – was presented, and tagged by Council Members Quan and Keller. Council Members Galloway and Castillo absent.

50. ORDINANCE appropriating \$3,532,900.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **CONTRACTOR TECHNOLOGY, INC** on low bid of \$3,045,081.90 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$92,000.00 for 60-Inch water main along Victory Drive from Ashmole Lane to Antoine Drive, GFS S-0900-60-3 (WA10633); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** – was presented, and tagged by Council Member Quan. Council Members Galloway and Castillo absent.
51. ORDINANCE appropriating \$7,851,500.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **CONTRACTOR TECHNOLOGY, INC** on low bid of \$6,766,816.30 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$205,000.00 for 54-Inch water main along Victory Drive, West Little York Road, Langfield Road and West Tidwell Road from Antoine Drive To Hollister Drive, GFS S-0900-61-3 (WA10634); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** – was presented, and tagged by Council Member Quan. Council Members Galloway and Castillo absent.
52. ORDINANCE appropriating \$4,511,100.00 out of the Water and Sewer System Consolidated Construction Fund, awarding contract to **HEYL CONSTRUCTION, LTD** on low bid of \$3,885,920.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING & TESTING, INC** in the amount of \$120,000.00 for 54-inch Water Main along W. Tidwell Road from Hollister Drive to Old Hempstead Highway, GFS S-0900-62-3 (WA10635); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** – was presented, and tagged by Council Member Quan. Council Members Galloway and Castillo absent.

Council Member Quan requested that Public Works meet with him about both Contractor Technology and Heyl Construction, and Mayor Brown stated they would have someone from Public Works meet with him on those items. Council Members Galloway and Castillo absent.

**NON CONSENT AGENDA** - NUMBERS 53 and 54



## **MISCELLANEOUS**

53. RECEIVE nominations for Positions 9 and 11 of the **ARCHAEOLOGICAL AND HISTORICAL COMMISSION** with two year terms to expire March 1, 2003

Council Member Parker moved to refer Item No. 53 back to the administration, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0548 ADOPTED.

54. RECEIVE nominations for Position 5 of the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD** for a term to expire March 1, 2003 was before Council and Council Member Quan stated that he wanted to nominate Mr. James Wong for appointment to Position 5 of the Wastewater Capacity Reservation Review Board. Council Members Galloway and Castillo absent.

Council Member Quan moved to close the nominations for Position 5 of the Wastewater Capacity Reservation Review Board, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0549 ADOPTED.

## **MATTERS HELD** - NUMBERS 55 through 58

55. MOTION by Council Member Castillo/Seconded by Council Member Quan to adopt recommendation from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Cassandra M. Washington, on behalf of Thomas G. Richard, for encroachment of a two-story brick building into Wentworth Avenue and South Main Street and a one-story metal building into Wentworth Avenue, adjacent to Block 10, MacGregor's Blodgett Addition, Parcels ENY1-04A and ENY1-04B - **DISTRICT D -BONEY** - **(This was Item 36 on Agenda of May 9, 2001, POSTPONED BY MOTION #2001-500, 5/9/2001)** - was presented.

Council Member Goldberg stated that on Item No. 55 it was a street that was eventually going to be the exit for South Main off of I59 and did not think that Public Works investigated the possibilities enough of the traffic situation and stated that for that reason he was going to vote no on it.

Council Member Parker stated that they did receive a memo from TXDOT saying that there were no immediate plans for the exit and asked if that was his concern or was it more of the impact of the exit after it was created, and Council Member Goldberg stated that TXDOT was not building on the street, that they were emptying out directly onto the street, that their jurisdiction ended at their exit and this was the outflow and where the traffic would empty out, that he had seen the area and it was not wide enough for the amount of traffic he imagined would be going through a major exit off of I59.

Council Member Parker asked if there was a study or any assurance from the Public Works Department that could make Council Member Goldberg more comfortable

with this or was it his opinion that it was not going to work, and Council Member Goldberg stated yes, that they could do a study on it and that was why he tagged it and it was later delayed for two weeks, that he received a memo yesterday that he still had questions about, and Mayor Brown stated that Mr. Stephen Lewis, Legal Department, was present who could answer the questions. Council Members Galloway and Castillo absent.

Council Member Vasquez moved to suspend the rules to hear from Mr. Stephen Lewis, Legal Department, at this time, seconded by Council Member Parker. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Galloway and Castillo absent. MOTION 2001-0550 ADOPTED.

Mayor Brown asked if he was correct that this was an existing encroachment as it existed now and it only extended it for two more years, and Mr. Lewis stated yes, that the applicant was refinancing the property and the lender had apparently requested an extension to make it coextensive with the term of the loan, that it was for existing improvements, that all of their consents to encroach allow cancellation at the will of Council and it was within 90 days. Council Members Galloway and Castillo absent.

A roll call vote was called on Item No. 55

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting no	Council Member Castillo absent
Council Member Galloway absent	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting aye
Council Member Boney out of city on city business	Council Member Sanchez no
Council Member Todd voting no	Council Member Bell voting aye
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting no	MOTION 2000-0551 FAILED

Mayor Brown stated it was a tie vote, 6 to 6, and the item did not pass. Council Members Galloway and Castillo absent.

56. ORDINANCE authorizing acceptance of a grant from the **UNITED STATES ECONOMIC DEVELOPMENT ADMINISTRATION** and approving and authorizing an Interlocal agreement between the City and the Midtown Redevelopment Authority for the renovation of the 410 Pierce building for use as a High Tech/Bio-Medical Business Incubator; declaring the City's eligibility for such grant; authorizing the Director of the Planning and Development Department to act as the City's representative and to accept such grant funds and all subsequent awards, If any pertaining to the project - **DISTRICTS D - BONEY and I – CASTILLO – (This was Item 23 on Agenda of May 16, 2001, TAGGED BY COUNCIL MEMBER SANCHEZ)** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0465 ADOPTED

58. ORDINANCE appropriating \$1,671,200.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **LEM CONSTRUCTION COMPANY, INC** on low bid of \$1,359,250.00 and approving and authorizing professional services contract for engineering testing services with **ATSER, LP** in the amount of \$40,000.00 for Pressure Reducing Valve Station Improvements Package #1, GFS S-0900-76-3 (WA10658); providing funding for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; D - BONEY; E - TODD and I - CASTILLO** – **(This was Item 39 on Agenda of May 16, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. ORDINANCE 2001-0466 ADOPTED

60. RESOLUTION supporting legislation creating the **NEAR NORTHWEST MANAGMEENT DISTRICT** and consenting to its creation. - was presented.

Council Member Tatro stated that he was concerned about (1) the posting issue, that they received backup on it but it was not obviously on the published agenda, that it was basically a management district that the Greater Windwood Partnership had been working on and State Representative Sylvester Turner had been working on for a couple of sessions now, that it involved a pretty big area and as they knew management districts had been successful around the City and one of the significant issues in this area would be a security issue and thought it would focus on security and landscaping in a very mixed area so he thought it would be beneficial on those fronts, that it had been a long time in rolling out and believed the Representative had it on the table last time but because of the parliamentary issues it was nixed last time and believed even the session before that had brought it forward, but was not sure what the issue was, that it was a long time coming and he appreciated Council's support.

Council Member Vasquez stated that he wanted to speak to the larger issue of the management districts, that while he supported this particular one he thought that they as a City and Council needed to pay a little closer attention to the management districts, that although they were created by the State and did not officially become enacted until a Council passed and approved them he thought that they should be careful about the proliferation of management districts and knew that there were others coming down the pipe and hoped they would do a full analysis on the numbers to make sure that the analysis actually supported the type of efforts that they were talking about doing and the type of efforts were indeed desired by the neighborhoods, that in addition they had to be careful with these because there was no accountability on the management districts in terms of the amount of tax that could actually be applied to the businesses and while it only takes 50 business signatures to actually start a management district in the entire area of the management district there may be as many as 6,000 businesses, so what ends up happening was they end up getting 50 of their friends to signoff on these things if they are not careful, so he hoped that as any future agenda items come forward regarding the management districts that they take a close look. Council Members Galloway and Castillo absent.

Council Member Robinson stated that in light of the comments he hoped that maybe they could take a look at what they did for them on the TIRZ, that there was an insert into the monthly financial report so they could at least know what was going on with them.

A vote was called on Item No. 60. Council Member Sanchez voting no, balance voting aye. Council Member Boney out of city on city business. Council Members Galloway and Castillo absent. RESOLUTION 2001-0024 ADOPTED.

### **MATTERS TO BE PRESENTED BY COUNCIL MEMBERS**

Council Member Sanchez stated that as they knew they had been tragically stuck with the deaths of several law enforcement officers in the County and wanted to encourage businesses and individuals to consider making donations to the 100 Club, that obviously they should keep in mind Officers Carlton Jones, Joe Dennis and Albert Vasquez, who was killed this morning, he would encourage people to make their checks payable to the Houston 100 Club Survivors Fund, 1233 W. Loop South, Suite 1250, Houston, Texas 77027, that also blood was being donated for Officer Enrique Duharte-Tur and that donation could be made at the Blood Center, 1400 La Concha Street, which was near the Holiday Inn near Reliant Stadium, that also there were donations being accepted for Officer Enrique Duharte-Tur who was still in critical condition and those could be made at any Sterling Bank location and those checks were payable to assist the officers fund over at Sterling Bank and any contribution would be greatly appreciated by the peace officers and the families. Council Members Galloway and Castillo absent.

Council Member Bell stated that on April 11, 2001 the Ethics Committee passed what had been called the Soft Money Ordinance which would prohibit third parties from coordinating efforts for candidates for City office, that it passed unanimously out of the Ethics Committee with a request or directive to please bring it out of Legal and to the full Council within 60 days, that he wanted to thank the Legal Department for keeping him posted and working with him on this particular item, that he had been informed by Mr. Cheatham that the objective was to wait until the Legislative Session had ended to make sure there was no new legislation handed down at this session that might prevent them from going forward with their own ordinance, that he was not aware of any but they would be checking since they had requested 60 days and the deadline was somewhat eminent and wanted to say something on the front end rather than the back end, that he thought it was a necessary ordinance and was aware that the Legal Department wanted to make some amendments to it and that was certainly fine and thought the committee expected that but it was a very worthwhile ordinance and they needed to try to get it in place as soon as possible and would appreciate their continuing to move it forward. Council Members Galloway and Castillo absent.

Council Member Quan stated that they were concluding Older Americans Month with a fishing tournament next Tuesday, May 29, 2001, at Bane Lake and everyone was invited, that Academy was going to be providing the tackle and the Mayor had provided the bait and they had a lot of refreshments, that it was going to be at Gessner and Little York. Council Members Galloway and Castillo absent.

Council Member Quan stated that tomorrow night they would be celebrating Asian American Heritage Month with their gala at the Westin Galleria, that they were honoring the Country of Pakistan and would be having a fashion show as well as cultural performances from the Pakistan Community. Council Members Galloway and Castillo absent.

Council Member Tatro stated that a couple of weeks ago they passed an agenda item, it was an RCA, for a change order for a company called Parallax on the Willowbrook Fire Station and his thoughts were that once it passed it would move to the Controller and the company would be paid, that he thought it was about \$168,000 and over a year old, that they had been trying to get in touch with Building Services to find out exactly where they payment was and had gotten miscellaneous information back that all the paperwork was not in and there was a final invoice that had not been sent in, but they were not getting complete information back from Building Services on why the payment was being delayed, that it was his understanding that when an agenda item came to Council for final approval that all the paperwork was complete and they take action on it and then it moves forward, that he was surprised to find out that it had gone back to Building Services and they still had not moved it forward to the Controller for payment, that he wanted to get a response out of Building Services, and Mayor Brown stated that he would make sure it was taken care of. Council Members Galloway, Todd and Castillo absent.

Council Member Tatro stated that they talked very briefly in the budget workshop about the Mayor's priorities, policies and procedures and if they went back to Ordinance 94-1211 the ordinance clearly states that the administration would bring its policies forward in March or April and should be brought to Council as an RCA regardless of the outcome of that issue, that he believed that last year it was referred back, that nonetheless the ordinance states that the administration would bring its policies forward, that the statement that the Mayor reiterated that they had the most open budget process in history, but yet they had to abide by the City ordinance that was adopted in 1994 and believed that those policies, even at this late date, needed to be brought to Council to adhere to their City ordinance. Council Members Galloway, Todd and Castillo absent.

Council Member Tatro stated that the other issue was as they had the overview of the budget they were told in the expenditures that were mandated or expenditures that they would incur was a police Meet and Confer pay raise and believed the administration had earmarked \$11.8 million and that was the first he had heard about it and obviously there had to be some contract out there that the administration had been able to determine numbers to earmark \$11.8 million of base budget money for that and he would like to see that contract, that his request was obviously to see that contract and then what was its impact over the life of the contract, that he was assuming it was three years so it would impact 2003 and 2004, that hopefully it would be coming by the time HPD did its budget presentation and they would have that in hand, but he thought it had to be part and parcel of the budget process that Council sees that contract and understands its effect in putting in into a base budget. Council Members Galloway, Todd and Castillo absent.

Council Member Vasquez stated that he wanted to bring to the Mayor's attention that for the last three weeks he had requested the debt refinancing information from Mr.

Haines and had never received it, that they were approaching the fourth week and it was supposedly going to be on the agenda for next week and his fear at the very beginning was that this would occur and that was why he had requested the information from Mr. Haines and had yet to receive, that he did come by and visit with him and at that time he made a commitment that they would have it by Monday but they had yet to receive it, that the debt refinancing was an integral part of the budget and thought that they deserved enough time to look at it to review it to see if the numbers were accurate to see if they were appropriate as well, that he hoped the Mayor would direct Mr. Haines to provide that information to Council and to keep his commitments to Council Members in terms of providing that information. Council Members Galloway, Todd and Castillo absent.

Council Member Vasquez stated that this particular year there were a number of City or Council employees that were running for office and in that particular environment he thought it would be appropriate to have a public position on what their role was here at the City and what they could or could not do, that he thought it was very important for the Mayor to make his position publicly known on how he felt about City employees running for office and at the same time working for the City during the day from 8:00 a.m. to 5:00 p.m. and would ask the Mayor to consider that, that he knew it was his prerogative and respected that, but would ask that he take a clear position on that given the factor that there was three or four people considering running for office in that regard. Council Members Galloway, Todd and Castillo absent.

Mayor Brown stated that they would issue some directives or guidelines for those running for office and remind them of what the requirements were, and asked Mr. Haines if he had a response to his request, and Mr. Haines stated that he would restate what he mentioned to the Council Member on Monday, that they were working those schedules that their working group had been involved in and that the schedule would be distributed to Council by noon on Thursday. Council Members Galloway, Todd and Castillo absent.

Council Member Parker stated that she would like to wish good luck to the Houston Comets who would kickoff their season on Monday, that after four championship seasons they would have a tough time this year, but hoped that the citizens of Houston would rally behind them again. Council Members Galloway, Todd and Castillo absent.

Mayor Brown stated that he wanted to follow up on Council Member Sanchez's appeal for assistance to the 100 Club and also pointed out that donations could be made electronically by using The100Club.com. Council Members Galloway, Todd and Castillo absent.

At 11:35 a.m. upon motion by Council Member Tatro and seconded by Council Member Vasquez, City Council recessed until 7:00 p.m., Wednesday, May 23, 2001. Council Member Boney out of city on city business. Council Members Galloway, Todd and Castillo absent.

2. **PUBLIC HEARING** relative to establishment of Council Member district boundaries as required by Article V, Section 3 of the Charter of the City of Houston, Texas - **7:00 P.M.**

At 7:01 p.m. the City Council reconvened in Council Chamber for a Public Hearing relative to establishment of Council Member district boundaries. Council Member Boney out of the city on city business. Council Members Galloway, Todd, Ellis, Keller, Vasquez, Castillo, Parker, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

NOTE: The Public Hearing was recorded by Ms. Jill M. Webb, CSR, Continental Court Reporters.

Ms. Ada Edwards, 5514 Griggs, Houston, Texas 77021 (713-623-2108) appeared and made a statement. Council Members Galloway, Todd, Ellis, Keller, Vasquez, Parker, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Mark Jumper, 2719 Woodland Ridge Dr., Kingwood, Texas 77345 (281-361-2723) appeared and made a statement. Council Members Todd, Ellis, Keller, Vasquez, Parker, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Ms. Paula Parshall, 11316 Glaser Dr., Houston, Texas 77076 (713-329-9955) appeared and presented a map and made a statement. Council Members Ellis, Keller, Vasquez, Parker, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Michael Berger, 6530 Westview, Houston, Texas 77055 (713-686-7034) was called and announced that he would not speak. Council Members Ellis, Keller, Vasquez, Parker, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Scott Howard, 1920 W. Clay, Houston, Texas 77019 (713-346-1208) had reserved time to speak, but was not present when his name was called. Council Members Ellis, Keller, Vasquez, Parker, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Hrna Daniel, 11920 Beechnut, Houston, Texas 77072 (281-564-9800) appeared and made a statement. Council Members Ellis, Keller, Vasquez, Parker, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Ron Jackson, P.O. Box 14172, Houston, Texas (713-715-5032) appeared and made a statement. Council Members Ellis, Keller, Parker, Bell and Robinson absent.

Mayor Brown announced that a quorum of Council was present. Council Members Ellis, Keller, Parker, Bell and Robinson absent.

Mr. Ed Gonzales, 1518 Morse, Houston, Texas 77019 (713-526-2759) appeared and made a statement. Council Members Ellis, Keller, Parker, Bell and Robinson absent.

Mr. Donald Wasson, 5011 Autum Forest, Houston, Texas 77091 (713-956-0108) appeared and made a statement. Council Members Ellis, Keller, Parker, Bell and Robinson absent.

Mr. Kenneth Miller, 5610 Cone Crest, Houston, Texas 77088 (281-447-6584) appeared and made a statement. Council Members Galloway, Ellis, Keller, Parker, Bell and Robinson absent.

Mr. David Lai, 4405 Wendell, Bellaire, Texas 77401 (281-492-6788) appeared and presented a statement. Council Members Galloway, Ellis, Keller, Parker, Bell and Robinson absent.

The City Secretary announced that there were two speakers who were not on the list that had requested time to be heard. Council Members Galloway, Ellis, Keller, Parker, Bell and Robinson absent.

Ms. Debbie Harlow, appeared and made a statement. Council Members Galloway, Ellis, Keller, Parker, Bell and Robinson absent.

Ms. Jessica Hulse, appeared and made a statement. Council Members Galloway, Ellis, Keller, Parker and Robinson absent.

Mayor Brown asked if there was anyone else present who wished to be heard and no one responded. Council Members Galloway, Ellis, Keller, Parker and Robinson absent.

Council Member Sanchez moved to close the hearing, seconded by Council Member Quan. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Galloway, Ellis, Keller, Parker and Robinson absent. MOTION 2001-0552 ADOPTED.

There being no further business before Council, the City Council adjourned at 7:55 p.m. upon MOTION by Council Member Sanchez, seconded by Council Member Quan. All voting aye. Nays none. Council Member Boney out of the city on city business. Council Members Ellis, Keller, Parker and Robinson absent. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary