

City Council Chamber, City Hall, Wednesday, May 30, 2001

A Regular Meeting of the Houston City Council was held at 9:00 a. m. Wednesday, May 30, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll Robinson; Mr. Anthony Hall, City Attorney, Ms. Debra McAbee, Senior Assistant City Attorney; Mr. Richard Cantu, Director, Citizens Assistance Office; Ms. Martha Stein, Agenda Director present.

At 9:10 a.m. Mayor Brown convened the meeting of the City Council and Council Member Goldberg led everyone in prayer and pledge of allegiance. Council Members Boney, Vasquez, Parker, Sanchez and Bell absent.

Mayor Brown requested the City Secretary to call the roll. Council Members Boney, Vasquez, Parker, Sanchez and Bell absent.

Council Members Quan and Robinson moved that the minutes of the preceding meeting be adopted. Council Members Boney, Vasquez, Parker, Sanchez and Bell absent.

## **MAYOR'S REPORTS**

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

Mayor Brown stated that the first item of business was the report by the City Controller and the Finance & Administration Director. Council Members Tatro, Boney, Keller, Vasquez, Parker and Sanchez absent.

Ms. Sylvia Garcia, Controller, stated that she was pleased to present the April 30, 2001 report for the current fiscal year, that this was the tenth month of the current fiscal year, that their revenue projections remained unchanged from last month and stood at the certified amount of \$1,274,000,000, that on the expenditure side there were no variances between their numbers and the numbers projected by the administration, that these, of course, spending controls were represented within their projections since necessary budget controls revisions were now implemented in the financial management system; that the fund balance projected at the end of this fiscal year was \$71,072,000 or 6.55% of projected expenditures minus debt service and operating expenses; that finally their cash balance as of yesterday was at \$95.7 million, and that concluded her report. Council Members Tatro, Boney, Keller, Vasquez, Parker and Sanchez absent.

Dr. Philip Scheps, Director, Finance and Administration, stated that on page 7 of the monthly report he would report on their revenue projections, which had three changes from the prior month, Gas Franchise and Interest Earnings up and Municipal Court Revenue down, that the Municipal Court decrease was discussed in their budget hearing and they already kind of talked about the fact that they were going to be down somewhat

this year from what their original budget was and it was that lower amount that was used to project the revenues in next years budget; that they were asked yesterday by Fiscal Affairs if he and Ms. Garcia would have their staffs go through and look at the largest areas of difference in revenue and they were going to do that, that especially in the Franchise Revenue they had differing expectations and they were going to try and reconcile that a little bit closer but overall their net increase from the March report was up \$2.3 million and they were now showing projected revenue of \$18.8 million higher than what was in the original budget and that was 1.5% higher and there was a typo in his letter, it said .15% and it was actually 1.5% higher than the budget; that as Sylvia mentioned their expenses were the same now due to the certification ordinance, that they agreed on expenses and everyone showed at budget because in performing the certification they all changed the budget basically so everyone was at budget, that overall their ending balance projection was \$77.7 million, that was \$7.1 million higher than the original adopted budget and actually \$1.6 million above the projection that went into the Mayor's proposed budgets, that if their projections came true they would actually have a larger beginning balance than was incorporated in the Mayor's proposed budget; that he would mention also that Ms. Garcia and he were working on page 21, that there was a question yesterday and there was a big discrepancy on page 20, the Water and Wastewater, where they were showing some dramatically different expense and revenue and they could not reconcile them on the spot so they were going to get out a correction letter explaining, that something was probably wrong with that page and they would have that out later today, that their two staffs had been meeting to try to figure out what was different about that; that turning to some of the other items in his letter, that he might mention that his letter said they still thought they were going to be positive in cash terms at the last day of the fiscal year, June 30, 2001, and they were still talking about \$1 million positive, although there was an uncertainty there and Council had approved short term borrowing if necessary, that if they were wrong and the next sales tax check would come in somewhat smaller than they thought it would be then they had the legal authority to borrow for a short period of time from the Any Lawful Purpose Fund and then pay it back with the Trans that Council had also approved their going out to sell; that in terms of the other studies, the Cash Management Study was ongoing and he believed they would be ready to talk about those recommendations at the June Fiscal Affairs Committee meeting, that they had not engaged, but had selected a consultant through the fee study and they were in talks with them to make sure they were going to do what they wanted to do, but again they should be asking Council to approve that selection on June 13, 2001; that Debt Policy they sort of set aside, budgetary pressures, that they had given them a draft of it but really had not scheduled a discussion of it until such time and would probably do that in June as well, that they just had not had time to concentrate on that long term Debt Management Policy; that on the Management Audit, his department had been audited by Bob Bowers and Company and thought they would be prepared to give them an update tomorrow at his budget hearing; and the Competitive Bidding Study was scheduled for 2001; that Operating Budget and Capital Budget preparation was underway as they were well aware of that fact, and that concluded his report. Council Members Boney, Vasquez, Castillo, Parker and Sanchez absent.

Council Member Robinson stated that he was trying to get an updated revenue forecast that Dr. Scheps had originally included in the Fire Staffing Report, that he wanted to check some numbers and asked that in the 2001 Budget of the 65.5 in their property tax rate they were dedicating 46.7 cents to O&M and 18.8 cents to Debt and Dr.

Scheps stated that was correct, and Council Member Robinson asked that for next year they would go to 48 cents for O&M and 17.5 cents for Debt Service, that he would also like to see from using as the base Fiscal Year 1998 coming forward to the 2002 projected budget what their rate of expenditure had been in each year, that how fast were they burning down, was expenditure out stripping their overall growth, year over year, and he asked Ms. Garcia that they were going to have an item come up a little bit later that related to Debt Service and asked if she had the opportunity to look at the numbers that were under girding the item relative to the General Fund restructuring, that they were paying \$162 million this fiscal year and they were trying to drive the cost down, and Ms. Garcia asked if he was talking about the item on the agenda today, and Council Member Robinson stated yes, and she stated yes, that they had and obviously they had reviewed it and signed the RCA, so Judy and her staff had all gone through that and were in agreement, and Council Member Robinson stated that the Controller used a little bit different methodology than F&A and they had all talked about it, and asked if it was possible for her shop to generate what they would normally use as a year over year methodology, as she had described it to them in the past, to get a revenue forecast, 2001 to 2007, and Ms. Garcia stated that what she believed they would be doing, and she would have some more discussions with Dr. Scheps, but their staffs had talked and thought that what they were going to try to do was take what they had gotten so far on their five year forecast and try to work together to try to see if they could develop some consensus, and being able to say what they had been able to say about the revenue projection for the next year was that it was reasonable, that they would both be working on it and believed they had agreed to work on it together, that they had a draft of a five year forecast, that yesterday they did distribute their trends book for the next fiscal year and there was a page there that compared the General Fund Revenues into old revenue and the percent changed and it was from FY96 through FY02, and Council Member Robinson asked Dr. Scheps how far away were they from receiving the 5 year forecast and Dr. Scheps stated that he would like to give it to them during one of the budget hearings next week, that they had several opportunities where everybody was going to be together. Council Members Boney, Vasquez, Parker and Sanchez absent.

Council Member Bell stated that following up on some of the questions raised yesterday he was curious as to a timeline when they might expect a report back from him, as far as the sidewalks and the other questions raised, and Dr. Scheps stated that he would do that immediately and would say next week as well, and Council Member Bell asked if they could include in that report also who was in charge of those particular programs especially the Sidewalk Program and who they would raise questions with directly, and Dr. Scheps stated that Public Works would have their budget hearing tomorrow afternoon as well so they would have them prepared to talk about that tomorrow. Council Members Boney, Vasquez, Parker and Sanchez absent.

Council Member Castillo moved to receive the reports, seconded by Council Member Quan. All voting aye. Nays none. Council Members Boney, Vasquez, Parker and Sanchez absent. MOTION 2001-0553 ADOPTED.

Council Member Todd moved to suspend the rules to consider Item No. 14 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Boney, Vasquez, Parker and Sanchez absent. MOTION 2001-0554 ADOPTED.

14. ORDINANCE establishing the boundaries of Single Member Districts from which District Council Members are elected under the provisions of Article V, Section 3 of the City Charter; making other provisions related to the subject; containing a severability provision; and declaring an emergency – was presented.

Council Member Keller stated that he wanted to submit an amendment to Item No. 14, that it was basically a clarification as far as the paragraph that was in the backup regarding the title Memorial Park and presented the following written motion:

“An amendment to the Ordinance establishing the boundaries of Single Member District from which District Council members are elected under the provisions of Article V, Section 3 of the City Charter; making other provisions related to the subject; containing a severability provision; and declaring an emergency.

Based on the proposed changes to the staff plan for redistricting Houston City Council, section titled Memorial Park, I make the following amendment:

Instead of transferring precincts 70, 274, 653, 709, 730, from District G to District A, I propose transferring precincts 95 to District A and precinct 882 to District F, and precinct 710 from District H to District G.”

Mayor Brown stated that the amendment was being passed around and asked that they give everybody a chance to read it. Council Members Boney, Vasquez, Parker and Sanchez absent.

Council Members Galloway and Todd stated that they wanted to tag both items and Council Member Tatro asked if the Council Members would allow further amendments to be placed before the tag, which was agreed. Council Members Boney, Vasquez, Parker and Sanchez absent.

Mayor Brown stated that if it was the consensus, why did they not take all of the motions and then it would be appropriate to tag them so they would know what was being laid out. Council Members Boney, Vasquez, Parker and Sanchez absent.

Council Member Castillo stated that he had a joint motion by Council Member Vasquez and himself amending the staff plan, that it basically affected District I, H, B and A and asked for a chance to discuss it, and presented the following written motion:

TRANSFERS OF PRECINCTS  
 AMENDING 2001 STAFF REDISTRICTING PLAN

PCT	FROM	TO
107	H	B
171	H	B
212	H	B
344	H	B
544	H	B
676	H	B
702	H	B
706	H	B
773	H	B
774	H	B
775	H	B
776	H	B
800	H	B
870	H	B
894	H	B
911	H	B
357	B	H
852	B	H
11	H	?

PCT	FROM	TO
43	A	H
82	A	H
179	A	H
299	A	H
610	A	H
322	B	A
450	B	A

Council Member Castillo stated that attached to the amendment was an analysis of the amendment; (Note: Council Member Castillo later distributed a corrected copy of the one page analysis.

Council Member Tatro stated that they were starting with the staff plan so his amendments, and he had three, were amendments amending from the staff plan and he just wanted to explain how it was laid out, that they passed out three and two were in, and he would say in isolation and not with respect to Council Member Castillo or Council Member Keller's, but they did give an option to get District A to the proper population; that the first one was Amendment 1A and basically the first two entries were backing out the changes that were made by the staffing plan, that they were backing out the section that was to go to Council Member Galloway and adding back the Memorial Park section that was to come from Council Member Keller, so basically the third line was the actual amendment from where they stood today before the staff plan recommendation and Amendment 1A was to give 8,400 people, two precincts, to Council Member Vasquez so they could label that the Vasquez amendment for short, that if District A needed to give up then he thought that Jerry Wood would agree that these were very viable candidates

and fit within all the realms of not only population but voting rights issues; that also included was Amendment 2A, that it was affectively the same, but going down to the third one again was if District A were to give up people to District B or Council Member Galloway they would recommend, rather than what the staff plan had issued, they would recommend precincts 147 and 934, that they were basically still up in the Inwood area and he knew they had some Inwood people at Council, but it did not look like they were going to be able to not give up part of that area, that it was just a shift in what precincts they were and thought it more squarely aligned District B with District A and it did not cut into and across Inwood Forest as much or the Greater Inwood Partnership, that it did not come across Antoine, and they would submit those, that it could be labeled Council Member Galloway amendment; that the third amendment submitted was not so much their amendment but what was making its way through the system was the fact that District A needed to gain population, from say District G, and therefore they would need to give up more population, that he knew there were other districts under that realm but rather than impact District A so significantly this amendment gave directly, rather than give to District A and then District A give to Council Member Vasquez, this amendment simply went from Council Member Keller to Council Member Vasquez and it involved the areas right around the Shepherd and Memorial area, which was actually part of the original plan coming to District B, that the affect of that population was 3,132 and depending on the variables that they would work with Jerry Wood over the next week on, it could be a good fit along with their Amendment 1 to keep Council Member Vasquez not only population but his voting rights issues in line, and presented the following written motion:

Amendment #1A  
Administration Redistricting plan

Total starting population District A: 225,932    Total    Running Total

1) Precincts moved from CM Galloway (District B) to CM Tatro (District A):

<u>Precinct Population</u>			
0450	9,025		
0322	<u>6,845</u>		
	15,870	15,870	241,802

2) Precincts moved from CM Tatro (District A) to CM Keller (District G):

<u>Precinct Population</u>			
0070	1,438		
0274	4,378		
0653	1,541		
0709	307		
0710	<u>1,387</u>		
	9,051	<9,051>	232,751

3) Precincts moved from CM Tatro (District A) to CM Vasquez (District H):

<u>Precinct Population</u>			
0299	7,000		
0446	<u>1,431</u>		
	8,431	<8,431>	224,320

Total population District A after amendment: 224,320

Amendment #2A  
Administration Redistricting plan

Total starting population District A: 225,932    Total    Running Total

1) Precincts moved from CM Galloway (District B) to CM Tatro (District A):

<u>Precinct Population</u>			
0450	9,025		
0322	<u>6,845</u>		
	15,870	15,870	241,802

2) Precincts moved from CM Tatro (District A) to CM Keller (District G):

<u>Precinct Population</u>			
0070	1,438		
0274	4,378		
0653	1,541		
0709	307		
0710	<u>1,387</u>		
	9,051	<9,051>	232,751

3) Precincts moved from CM Tatro (District A) to CM Vasquez (District H):

<u>Precinct Population</u>			
0147	5,083		
0934	<u>1,980</u>		
	7,063	<7,063>	225,688

Total population District A after amendment: 225,688

Council Member Tatro proposed the following amendment:

Amendment #3A  
Administration Redistricting plan

1) Precincts moved from CM Keller (District G) to CM Vasquez (District H):

<u>Precinct Population</u>			
0710	1,387		
0709	307		
0070	<u>1,438</u>		
	3,132		

Council Member Ellis stated that he to had a motion to amend Item No. 14 and it had been passed out and was in conjunction with Council Member Goldberg and with the help of Jerry Wood, that basically what they were doing was transferring Precinct 314

from District C to District F and in exchange they would be moving Precincts 283, 685 and 687 from District F to District C, that he and Mr. Wood had met this morning and Council Member Goldberg and himself had agreed on it and at this time he would like to ask Mr. Wood if he had a chance to look at all of the amendments, and Mayor Brown stated that they only had about one minute and then they would go into the Public Session and asked that they wait until afterwards, and presented the following written motion:

“Motion to amend Item 14 of the City Council, Agenda, May 30, 2001 related to establishing the boundaries of the City Council Single Member Districts of the City of Houston:

Transfer precinct 314 from District C to District F in exchange for moving precincts 283, 685 and 687 from District F to District C.”

Council Member Galloway stated that she wanted to tag the amendment and end the discussion, and Mayor Brown stated that they could discuss them later on during the course of the Council meeting but they were all being tagged and now was the time to go to the Public Session, and Council Member Castillo asked if there would be an opportunity to characterize their amendments as they went along, and Mayor Brown stated yes. Council Members Boney, Vasquez, Parker, Sanchez and Robinson absent.

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

Ms. Goodie, P.O. Box 300059, Houston, Texas 77023 (no phone) had reserved time to speak, but was not present when her name was called. Council Members Boney, Vasquez, Parker, Sanchez and Robinson absent.

Mr. Dula Abdu, 4122 Dalmatian, Houston, Texas 77045 (713-413-1396) had reserved time to speak, but was not present when his name was called. Council Members Boney, Vasquez, Parker, Sanchez and Robinson absent.

Mr. Christopher Cato, 7710 Boggess, Houston, Texas 77016 (713-633-3200) had reserved time to speak, but was not present when his name was called. Council Members Boney, Vasquez, Parker, Sanchez and Robinson absent.

Mr. Bo Howard, 1001 W. Loop South, Ste. 650, Houston, Texas 77027 (713-960-5929) appeared and stated that he was present because they proposed an opportunity to the Finance & Administration Department about a year ago for publishing public notices in the Houston Business Journal versus the daily which had been pretty expensive daily, that they worked the deal through Betty Thompson who now worked in the Mayor Office and she was extremely helpful and basically walked them through the whole steps and did what they needed to do, that they had been with them for a little over a year now and had evidently had save quite a bit of revenue by doing so, that they had talked to Public Works and Building Services, and it took Public Works about four months to actually say that it was an opportunity that they would like to use, that they published only one notice and that was it and they said they could not meet their deadline, that he was present to find out what they needed to do to find out why regarding Public Works, that the deadline



issue was basically eight business hours and he had talked to the City Secretary's Office and Finance & Administration and they said they really did not understand why one business day would stop them, that the advertising budget in Public Works and Engineering he did not know exactly what amount that was but they were about 20% less and if they got Public Works and Engineering the rate would actually come down per volume and Building Services said that they would be extremely interested in switching their advertising if they could save money, but he never heard from them again, that he placed several e-mails and phone calls to Tom Rolen, Issa Dadoush and the Building Services Department and they had not gotten a whole lot of response and actually had not gotten any response and they just felt that there was an opportunity here, that there was a lot of work done on Betty Thompson's part as well as himself and the Houston Business Journal and they were really just looking for answers as to why this could not happen, that he was trying to find out why one business day was not worth going back and doing some sort of restructuring, that the advertising right now was published every Friday in the Houston Chronicle and he was sure there were some ads that did not go in the Friday publication, but they published on Friday as well, that the deadline for the Houston Chronicle was Thursday by 10:00 a.m. to the City Secretary's Office and theirs was Wednesday by 10:00 a.m., that he had spoken with Louis Gonzales in the City Secretary's Office and he told him he needed to get the ads by 10:00 a.m. on Wednesday and that he could have them to the Houston Business Journal by 12:00 a.m. on Wednesday as well to get them published for that Friday's edition, that the opportunity was there for the City of Houston to save a large amount of revenue from what they were currently spending right now with the daily, whose costs had risen greatly. Council Members Goldberg, Vasquez, Parker, Sanchez and Robinson absent.

Mayor Brown stated that Mr. Rolen was someplace in City Hall and would have him meet with him after the Council Members asked their questions and he would have the Director of Building Services call him today and they could answer his questions or provide the information that was needed, that to save money was something they wanted to explore to the fullest extent possible.

Upon questions by Council, Mr. Howard stated that they had worked with Finance & Administration and it was worked out through Betty Thompson, who now worked for the Mayor's Office, that they sat down and it took them about two months of negotiating rates and deadlines and for her to re-construct her department to get the ads to them on time, that they ran the same ad with them every single week, that it was e-mailed to them by the Finance & Administration Office and the City Secretary's Office faxes them a confirmation, that they send them an ad proof everyday which was something that they did not get from the previous service, that he wanted to do this with all the departments in the City, that it would be a cost savings of 20% or more, that if they had more volume the rate would go down and it was a rate they could negotiate straight with the City; that as to it being the same ad, there was a new way of doing advertising of public notices that Finance & Administration came up with through their department, that instead of running 10 separate ads for 10 separate types of jobs, be it a vendor, road construction, etc., what they had done was accumulate all those to one big ad to where they were not reiterating the bottom of the line, like send us a letter and reinstating the addresses, that it had been compiled to one ad and that one ad changes every week, that the information changes every week but it was the same ad every week, that HBJ would be replacing the ads that were currently running in the Chronicle; that it had been approved by the City

Attorney's Office and the City Secretary Office and it was set up by Betty Thompson, that what they did was get an Attorney General opinion on a paper of general circulation and that was what they worked with in the Legal Department for the City of Houston to make sure they got qualified before they ever started the process at all and that happened about three and a half years ago; that the circulation of the Houston Business Journal was now 19,000, that did not include their news stand sales and subscriptions, that they were available at every Randall's and Kroger's and Book Stops, that right now they were printing at 22,000. Council Members Vasquez, Sanchez and Robinson absent.

Council Member Boney asked Ms. McAbee if there were not some legal guidelines or standards with regard to the City advertising public notice matters in terms of requirements in the City business, and Ms. McAbee stated that she and Mr. Cheatham were discussing this and neither of them had worked on this particular issue, but he was correct, that Mr. Howard had referred to the requirement for publication in a newspaper of general circulation and she presumed that was the matter that the Legal Department had discussed and they could certainly check that and get him confirmation on that, and Council Member Boney stated that he would like to know what those standards were, that it was his understanding that they were required to give public notice in papers that had publication or circulation way above 22,000, and asked if she had any sense of what those numbers or requirements were, and Ms. McAbee stated that she did not have an understanding if there was a numerical limit, that it was a newspaper of general circulation that was the most commonly used phrase in terms of newspapers for advertising, but they could certainly get him confirmation from the Contracts Department on that. Council Members Todd, Vasquez, Sanchez and Robinson absent.

Mr. Mohammad Ali, 4370 Wheeler, Houston, Texas 77004 (713-240-6582) appeared and stated that he had a house and wanted to put two meters on it and the City Inspection Department, the Electric Department, issued the permit but electricians performed the work, that when the City inspector came he raised an objection and the objection was that he needed to put a firewall between the back room and front room, that his point was that when there are fourplexes, and so many other buildings in the City, there were four meters and ten meters and more than that sometimes, of course there were firewalls and there was a firewall between the back and front part of the house he lived in, that the City of Houston Inspection Department knew what permit they were issuing and for what building and they had all of the information there and so why did they issue the permit if they had the objection later on, that when the City inspector went there how did he know there was no firewall between the back and front part of the house, that there was a firewall in fact but there was a door opening into the kitchen, which he had to use, that down the street on Alabama there was a house with four meters, that he had tried to talk to City people but did not get any response, that he went personally in there and he spoke with him but his answer was no and then he contacted the Mayor's office and he had a very positive response, that Mr. Norman called him and said that some people would be working on it and would be contacting him, but he never got a call from them and finally called them yesterday afternoon. Council Members Todd and Sanchez absent.

Mayor Brown stated that Mr. Dan Pruitt, Public Works & Engineering, was present and would meet with him, that he had been advised that what Mr. Ali was requesting did

not meet the electrical code and if that was the case then the inspectors had no option but to deny the permit. Council Members Todd and Sanchez absent.

Council Member Keller asked if in his building plans did it have a firewall or two hour rated wall and, Mr. Ali stated that he did not get the permit the electrician got the permit, and Council Member Keller stated that was why he got the permit because in the plan they were assuming that it was contingent that he was going to provide what was in those plans and in those plans was a fire rated wall and that was separate from the inspector and that was why they would give him the permit before he had started. Council Members Todd, Vasquez and Sanchez absent.

Council Member Goldberg moved to suspend the rules to move Mr. Sylvester Hernandez to the end of the speakers list, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Todd, Vasquez and Sanchez absent. MOTION 2001-0555 ADOPTED.

Mr. Dennis Drew, 2414 Broadway, Houston, Texas 77012 (713-641-2366) appeared and stated that he was the financial and recording secretary for the National Association of Letter Carriers Branch 283, Houston, Texas, that in addition to being elected to the position of a full time officer of the union he still retained his letter carrier's route in the Jensen Drive Post Office area, that their address was 2414 Broadway and their phone number was 713-641-2366, that he was present to speak with them about the postal service route reduction actions that would affect every Houstonian in the near future, that the current route inspection methods being used by the US Postal Service were predetermined to cut the number of collection and delivery routes in the Houston area and they insure Houston postal patrons would lose their services, that he had passed out a copy of a letter that was written by Phil Pelch, head of the US Postal Service Human Resources which said that 581 jobs would be cut and it was dated in early March, that there was also another letter also dated in March from Jeanette Cooper, US Postal Service District Manager, which said that her managers should expect a large number of grievances because of the route inspection methods being used, that finally he had the route inspection schedule for the Houston area included in that same handout that showed that the letters were written before the route inspections were done, that those managers had predetermined the results of the inspections meaning they not only wasted the cost of the inspections but perpetrated this cover up on the City of Houston for no reason except to give the impression of fairness, that grievances were supposed to be a last option in the labor and management interaction, that after discussion and compromise were tried then the grievance system should be implemented, that the plan on cutting mail service to Houston citizens, knowing that it was in violation of the national and local contracts between the letter carriers and the US Postal Service was reprehensible, that the US Postal Service management in the person of vice president George Lopez had used this methodology before, that in Phoenix, Arizona, where Mr. Lopez worked before the route changes that were put into affect had to be reversed, that in addition as part of a settlement over \$1.8 million in penalties would be paid and Mr. Lopez did not care, that his image of being a tough manager got him promoted and that was all that he did care about, that just a few years ago the postal service management was crowing about the great job they were doing and were claiming profits above \$7 billion with no tax dollars being used and the government accounting office examined their entire process and pronounced that they did not need the stamp rate increase to 33

cents, that as they all knew they got their increase to 33 cents and then to 34 cents and now they say they are facing a \$2.5 billion deficit and the GAO supports their contingents and this was not surprising considering the money they had wasted on equipment and bonuses, that they the letter carriers of Houston would like the Council Members to join their congressman in the local area and ask the postal service for an unbiased examination of the route examinations that had been done in the Houston area to see whether or not the Houston customers needed to have their routes cut and their services cut. Council Members Todd, Castillo and Sanchez absent.

Council Member Robinson stated that he got involved in the issue because he was concerned about what kind of impact it was going to have in Houston and would hope they would give some consideration to asking for some additional information, for instance what neighborhoods were going to be impacted by the routing, that he still could not find out what the factors were that went into removing mailboxes and in what neighborhoods, that he thought that Council had the responsibility to insure that they were not disproportionately impacting their senior and minority neighborhoods in terms of US Postal service delivery or access to mail boxes, that he had sent off a letter to the head of the Houston office asking that they look at and agree to an independent third party to evaluate the routes because he had the same concern because he would like to know why the fourth largest city in the United States was about to suffer this kind of reduction in service after they just received a postal stamp increase, and Mayor Brown stated that they would take a look at what he had requested and see how best to respond, that they all shared his sentiment and did not want to dilute the service they received from the US Postal Service. Council Members Todd, Castillo and Sanchez absent.

Mr. Gordon Anderson, 13810 Overbrook, Houston, Texas 7707 (281-531-8575) appeared and stated that he was present regarding the issue they just heard from Mr. Drew, that they appreciated Council Member Robinson for taking up the issue with them because it was very important to the letter carriers and to the public, that about a week ago most of them received a notice in the mail sent out locally of a new and interim postmaster, Mr. Gaspar, that it was basically a benign sounding statement which was designed to prepare the public for the changes that were about to occur under the guise of route inspection adjustments, that the justification given for the route adjustments left the impression that the growth in mail volume, new homes and new businesses were at the root of the changes, that this information was deliberately designed to hoodwink the public with false and misleading information, that about six weeks ago there was a public statement put out by the postal service that delivery assignments in Houston would be reduced by around 550 routes, that having delivered mail for years he knew that it was impossible to make a blanket statement like this without taking into account the growth in businesses, residential areas and mail volume in general, that in west Houston they were probably the fastest growing area in the City and to summarily decide to reduce the number of delivery routes simply did not add up, that these changes that were about to be put into effect actually had nothing to do with improving the quality of service, that this scheme to reduce the number of routes in Houston was not even initiated locally, that the scheme was originated by a regional manager who was actually located in Dallas, that his claim to fame was that he tried the same game plan, as he called it, in his former position which included the areas of Phoenix and Tucson, Arizona, that the post office was now paying out millions to undo the mess he created in those areas, that if the same process was allowed to be put in place here he was sure that the post office again would

be paying out millions to undo what was now still avoidable, that if this plan went into affect citywide the direct input to the customers would be immediate, long term and negative, that one possible outcome would be that there would be many letter carriers throughout the City with packages and mail delivering in the dark, that he believed this could be turned around if they could engage the Council and engage public officials. Council Members Todd, Castillo and Sanchez absent.

Mr. Lewis Smalley, 8814 Eigwood, Houston, Texas 77016 (713-676-1327) had reserved time to speak, but was not present when his name was called. Council Members Todd, Castillo and Sanchez absent.

Ms. Jo Ann Peters, 5616 St. Louis St., Houston, Texas 77028 (713-631-2322) had reserved time to speak, but was not present when her name was called. Council Members Todd, Castillo and Sanchez absent.

Mr. Josey Wales, 5915 St. Augustine, Houston, Texas 77021 (713-946-4378) appeared and read from a statement that requested the Houston City Council to pass a resolution to instruct the METRO Chairman of the Board, Robert Miller, to request Ms. Shirley DeLibrio's resignation and reassign her as Project Manager of the Light Rail System, to hire him as the next Metro president and to let him install the ORTS Rapid Transit System in Houston, that he had written a 22 page letter to Council Member Todd and explained how the Light Rail System would not go over 15 mph because of the train/pedestrian fatalities involved, that there would be no property tax increase to install the rail system, that he explained that as president of Metro, he would, in 2004, help get the Olympic bid for 2012 because they would be well on their way to having the OTRS Rapid Transit System complete in 2006, that he had presented all of this to the Metro Board on Thursday, March 22, 2001 and their response was nothing, no questions, nothing. Council Members Tatro, Todd, Castillo, Sanchez and Robinson absent.

Upon questions by Council, Mr. Wales stated that he was a Georgia Tech graduate, December 1970, Mechanical Engineering, that he worked 12 years with Tenneco Oil as a maintenance superintendent at their Pasadena Chemical Plants and some in their oil refinery, that he was presently a wrestling promoter, that he was retired and that was what he did, that he did not have any experience with mass transit, that what he proposed was a linked bus system, that Metro buses would use HOV lanes and would complete major routes, that ORTS was a linked bus system, just as they would see two dump trucks going down the freeway, a cab and a dump on the first dump and just the dump on the second one, that it did not use rail it uses the HOV lanes, that there were no other cities who used this system, that the bonuses of the system was that they would not have to buy any new equipment, that they would use what they had. Council Members Tatro, Todd, Sanchez and Robinson absent.

Mr. Calvin G. Muhammad, 2106 Lake Creek, Kingwood, Texas 77339 (832-721-3288) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Todd, Sanchez and Robinson absent.

Mr. Steven Marionneaux, 2224 Riverside, Houston, Texas 77004 (713-523-7415) appeared and stated that his comments were basically for Council Member Boney, that he lived in the Riverside and 288 area and they were experiencing a lot of expansion of

townhomes in the area, that they seemed to be buying up the land along the freeway and they were half lots and small vacant lots that had not been taken up for 288, that the residents in that area had already been through a lot putting 288 through there and disrupting the neighborhoods, that now they had a problem with developers wanting to back townhomes straight up to the freeway area, that all he wanted to do was give Council Member Boney some information and have him look into it and give them some feedback on it. Council Members Todd, Vasquez, Sanchez and Robinson absent.

Council Member Boney stated that there was an extraordinary amount of development going on in Third Ward and that could be evaluated as a positive thing and as in all development of major projects there were cost benefits on both sides, that they must follow the basic Chapter 42 guidelines, that he would look at the information he presented, that there was an Alameda Old Spanish Trail Tax Increment Reinvestment Zone in that area and he urged Mr. Marionneaux to meet with them because what they had done was work with the Third Ward Redevelopment Council to redevelop the area along with the vision of the community, that there would be a public hearing on this matter tomorrow at 2: 30 p.m. and Mr. Marionneaux stated that he was scheduled to be there and they had sent material to all of the Planning Commission members and communicated with them. Council Members Goldberg, Todd, Vasquez, Quan and Sanchez absent.

Mr. John J. Cieslewicz, 1250 Dubarry, Houston, Texas 77018 (713-683-0703) appeared and read from a statement that stated that as of December 2000 the City had spent \$25 million of taxpayers money for bike lanes, routes and trails, that they were fixing to authorize \$550,000 for an engineering study for Phase II and asked how much were they going to spend on the bike lanes, that while trying to find money for firefighters they were spending millions giving cyclists, who could well afford a share of the cost of the bike lanes, a free ride, that one way for cyclists to pay was to require them to purchase from the City a bike stamp, that the City had a larger problem, that was children and the bike lanes, that as of now a three year old child wearing a helmet and riding a bike with reflectors was bike lane legal and asked if they saw something wrong with that and hoped so, that the City needed to enact sensible restrictions to protect children, the sooner the better, and asked Mr. Hall if the City was going to require bicyclists to obtain understanding of local traffic and bicycle safety laws before using the bike lanes and would the City face litigation down the road if it did not. Council Members Goldberg, Todd, Castillo and Sanchez absent.

Upon questions by Council, Mr. Cieslewicz stated that the bike stamp was like a duck stamp, like when they buy a hunting license they give them a duck stamp, that it was a way of raising revenue plus it would help them with acquiring some safety understanding, that he was not a member of a cyclist organization, that he wanted to know how Europe taxed and controlled their bicycles, that they were bound to do some taxing over there. Council Members Todd, Ellis, Parker, Sanchez and Robinson absent.

Mr. Sylvester Hernandez, 11015 Arbor, Houston, Texas 77089 (713-910-2192) appeared and stated that since he did not speak English he had brought an interpreter with him and because he had only 3 minutes he would allow him to speak for him, and the interpreter stated that he would be summarizing Mr. Hernandez statement which he dictated to him, that Mr. Hernandez lived at 15013 South Post Oak and in 1986 South

Post was widened and repaved and sewage lines were provided at that time, that sewer taps were provided to all houses and empty lots at that point on South Post Oak, every house there except for Mr. Hernandez, that Mr. Hernandez spoke with the City survey group who were performing the work and was told that the taps would be provided to all the homes and a number of years passed where he did not at that time connect his house up to the tap, however at that time Mr. Hernandez was working for \$250 per week at Shipley's Do Nuts, that with three children he was unable to pay a plumber to install a line, that in 1996 he paid a plumber to open the tap, however the plumber found that there was no tap installed, that the plumber had completed plumbing installations in Mr. Hernandez house, thus Mr. Hernandez had spent \$1,600 on paying for a system that would not work, that in 1996 Mr. Hernandez received a street paving bill from the City for \$1,750 of which he had not paid since the City did not and had not provided him a tap for sewer services unlike the rest of his neighbors, that Mr. Hernandez had documentation backing all his statements, that he requested he be provided a sewer tap since like all his neighbors he was to be provided such a sewer tap and he also requested that he be relieved of his tax penalty since he was to be provided sewer services which he in fact had never received since that time in 1986. Council Members Todd, Ellis, Sanchez and Robinson absent.

Mayor Brown stated that he would have Mr. Gary Norman, Public Works & Engineering meet with him, that the information he had was that the City was not obligated to put the sewer taps on there but Public Works could work with him in getting his money back but with the understanding that there was a statute of limitation of four years. Council Members Todd, Ellis, Sanchez and Robinson absent.

Upon questions by Council Boney, Mr. Hernandez stated that he had moved from the Post Oak address because of a lot problems, that currently he was not able to live at the Post Oak address, that he was living in Green Arbor, that it was his understanding that Public Works providing taps to other people at the Post Oak location, that the house had been there for 50 years and there had been a septic tank there for as long as the house had been there, that Public Works had said that they had no understanding of the situation, and Council Member Boney stated that he would ask his staff to get a briefing from Mr. Norman and asked that Mr. Hernandez send him a copy of where he was when he found out what the facts were. Council Members Todd, Keller, Quan and Sanchez absent.

Council Member Castillo stated that at one time the City was paying for sewer connections for people who were low income and knew that they had done it throughout the City and wondered if this had been part of that program where the other neighbors go their sewer taps provided, and Mayor Brown stated that they would have Public Works look into it and find out if that was the case, and also that Mr. Paul Nelson was present and would meet with him as well. Council Members Todd, Keller, Quan and Sanchez absent.

Mr./Coach Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) appeared and voiced his personal opinions until his time expired. Council Members Todd, Castillo and Quan absent.

Mr. Trent Winters, 7967 W. Airport Blvd., Houston, Texas 77071 (713-781-2260) appeared and stated that Mayor Brown and the Ethics Committee had not gotten back with him in regards to Council Member Boney paying someone \$20,000 to talk to a person about a computer in California, and Mayor Brown stated that he understood that they did get back with him about the Ethics Commission. Council Members Todd, Castillo and Quan absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that he was wondering where Council Member Sanchez had been, that he was going to say that he must be out campaigning and maybe Johnny was out campaigning also, but he was glad that he showed up because he was a mayoral candidate and he should be there all the time, that this was what he created for today, Wednesday, May 30, 2001, that fighting about giving up population, that item, that to the City Secretary, whenever she could not pronounce a person's name to say the street address, like Abdu on Dalmation Street, that public notices ads were real interesting, that fire walls, motion to move something at the end of the list, that Council Member Robinson and the fourth largest city, that he thought Houston was the third largest city, that somebody had told him that the other day, that the post office, the wrestling promoter who was here was last years mayoral candidate, that he had taken a picture of him, Josey Wales, that public hearing tomorrow at 2:00 p.m. on the variance meeting of the Planning Commission, a bike stamp was real interesting today, that there was a person who wants a bike stamp as a way of raising revenue. Council Members Todd and Castillo absent.

Mr. Steven Williams, no address, no phone appeared and voiced his personal opinions until his time expired. Council Members Todd and Castillo absent.

At 10:31 Mayor Brown stated that the Public Session was concluded and stated they would move back to the Agenda. Council Member Todd absent.

Council Member Parker moved to suspend the rules to consider Item Numbers 47, 48, 49, 50 and 23 out of order, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0556 ADOPTED.

47. 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 – (This was Item 17 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBERS SANCHEZ and TATRO) – was presented.

Upon questions by Council Member Tatro, Mr. Dan Doherty, Legal Department, stated that under the ordinance the owner would receive a 100% exemption on the value of the building even though the value of the building increased during that 15 years, that he would not pay any taxes on that building, that even if the building went to \$20 million he would not pay any taxes on the \$20 million. Council Member Todd absent.



Mayor Brown requested Mr. Bill Calderon, Planning and Development, to briefly point out what the dollar figures would be for the first 15 years and what the City would give as a tax abatement and what the City would get back and what the benefit was to the City for the next 15 years. Council Members Boney and Todd absent.

Mr. Calderon stated that he met with Mr. Jim McGill, Finance & Administration Department yesterday to discuss the revenue impact of these projects to make sure that they were all on one page relative to what the City would receive in terms of revenue versus what the City would forego on the exemption of all four projects and as quantified in the memorandum that they circulated yesterday the revenues attributable to the land and the tax revenue attributable to one of the four properties would generate just over \$647,000 to the City over the 15 year exemption period, that over that same time period revenue forgone on the improvements to the structure would equal just over \$4.8 million, that they also looked at and estimated, factoring in a 4% growth on each of the properties over a 15 year period after the exemption expired, that the City would receive an estimated \$9.9 million, nearly more than double that which they were actually giving up, that they did not go as far as quantifying how long it would take to get them whole again but Mr. Gill seemed to think it would be somewhere between the sixth and seventh year that the City would actually regain all of the taxes that were foregone on the exemption of the four properties. Council Member Boney and Todd absent.

Council Member Robinson stated that his questions were answered and that was the information he asked for last week, that he also made the request that they look at somewhere along the line how quickly they got the rate of recovery for the developer versus the 15 year number and would it be better to amend the ordinance to actually put a dollar recovery in there so when they reached that point of recovery then that was the end of it as opposed to the time and he assumed the time was solely there now to try to give them the opportunity to try to make the rate of recovery, and Mr. Calderon stated that when they brought the ordinance forward to Council the request and recommendation was that the period be expanded so that the impact to the developer would be more significant, that under the older ordinance there were not very many takers and they were not seeing a whole lot of historic preservation activity as a result because the financial impact attributable to the old ordinance was not significant enough to make these projects financially viable, and Council Member Robinson requested that Mr. Calderon visit him. Council Member Todd absent.

Council Member Ellis stated that one of his concerns with this was that they had spent in recent history or were spending or in the near future they would spend, the County, the City, Metro and other government entities, in the downtown area over \$2 billion for the revitalization of downtown of which he had bought into from certain standpoints and opposed from other points of view, but when he looked at the properties and where they were, he could look at Item 48 and Item 50 and knew they were downtown, and asked where Item 47 and Item 49 were located, and Council Member Parker stated that they were in Montrose just north of Highway 59; and Council Member Ellis stated now they were asking for an abatement in the downtown area where before they were sold on the fact that if they pumped in the tax dollars for the revitalization of downtown then all of the developers would flock to the downtown area and they would not have to have an abatement; and he asked Mr. Calderon if they would recapture the taxes

in the years 2021 and 2022 and Mr. Calderon stated yes. Council Members Todd and Vasquez absent.

Council Member Sanchez stated that it seemed to him very inconsistent and due to the timing and the fact that they were grabbing with ways to find revenue to cover the Mayor's budget priorities he was compelled to vote no on these items at this time. Council Members Galloway, Todd, Vasquez, Bell and Robinson absent.

Council Member Boney asked if the tax exemptions that they were offering they were gaining in return improvements by the property owners in line with historic designation, and Mr. Calderon stated yes, and Council Member Boney stated that to some degree their rationale for doing this was but/for their public support this historic renovation would not take place, and Mr. Calderon stated yes, that their experience had been, and it was not only the City of Houston but true for other municipalities in this State and nationally, unless cities offer incentives for historic preservation they were going to lose a lot of structures, either to decay and/or demolition, because people would not find the bottom line financially viable for the preservation of the structures, that it often cost more to restore in its historical context than it would be to put in modern materials and so forth and modernize it, and Council Member Boney stated that if they were going to offer incentives they needed to provide them for the City as a whole and not just isolate on downtown. Council Members Galloway, Vasquez and Robinson absent.

Council Member Parker stated that without the investment encouraged by the ordinance there would be no large increase in taxes to reap on these properties, that it was very truly a but/for ordinance designed to encourage investment that would not take place otherwise and would encourage her colleagues to support it. Council Members Galloway, Vasquez and Robinson absent.

Council Member Tatro stated that as with other tax abatements he thought the structure of the abatement was important but what he was seeing and hearing from other Council Members were some of the other issues that were not necessarily surrounding these but ordinance revisions possibly, that his concerns were if they had any other jurisdictions participating in this agreement, did they have Harris County or the school districts participating, and Mr. Calderon stated that he was aware of dialog with Harris County on two of the four projects, both which were in the CBD and it was his intention that the initial presentations to the County were received favorably and the County had not yet designated on granting the exemptions on those facilities, and Council Member Tatro stated that he thought it was important to offer incentives but thought they had bitten off a bit more here than was prudent for the taxpayers and did not believe he would be able to support the items unless they had a restructuring of the ordinance because he knew they could not have an amendment to restructure the contract and would hope that the administration would move forward with a re-look at that ordinance. Council Members Galloway, Vasquez and Robinson absent.

Council Member Ellis asked how many of these projects were they presently looking at as a City, and Mr. Calderon stated that the applications for historic exemptions were actually filed with the Department of Finance and Administration once the structure had been deemed historic, that when they brought the ordinance forward he was aware of not only these four but a couple of others that Mr. Gill had either received an application

on or was in anticipation of receiving, that they were not expecting a slew of these things to come forward, and Council Member Ellis stated that he viewed these abatements in the same line he did the TIRZ's and that each of them had to be viewed independently, that he was going to be somewhat opposed to applying these abatements in the downtown area and not opposed to the ones that were not in the downtown area because they had not had the revitalization tax dollars thrown into them, that he was going to be opposed to two of the items and would vote in favor of the other two. Council Members Galloway, Goldberg and Robinson absent.

Council Member Keller stated that he was for historic preservation so much so that he thought if they allowed some abuses of it to occur that it could injure the entire concept or ideal that they were trying to establish long term and an example of that in his opinion was Item No. 50 on today's agenda, that he would never fault anybody for trying to seek a tax abatement and he assured them he would be trying to seek a tax abatement if he were developing and remodeling the building which they were selling right now for a large profit, that it was a very successful development without the tax abatement, that he was not for it he was against it and was voting no on Item No. 50. Council Member Galloway absent.

Council Member Parker stated that she wanted to thank those colleagues who expressed support for some of these items and did appreciate that they were so supportive of private residential preservation, but would ask them to consider that they were trying to encourage adaptive reuse of historic properties and so commercial uses should also be encouraged, that they needed to be cautious if there were concerns about the ordinance and she was not endorsing it but understood their desire to revisit the ordinance, but she would be cautious about voting against an item that met all of the criteria set forth in a City ordinance that they had previously approved, that it was sort of changing the rules in midstream and she would encourage her colleagues to allow these four to go through. Council Member Galloway absent.

A vote was called on Item No. 47. Council Members Tatro and Sanchez voting no, balance voting aye. Council Member Galloway absent. ORDINANCE 2001-0467 ADOPTED.

48. 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 – (This was Item 18 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBER SANCHEZ) – was presented. Council Members Tatro, Sanchez and Ellis voting no, balance voting aye. Council Member Galloway absent. ORDINANCE 2001-0468 ADOPTED.
49. 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 – (This was Item 19 on Agenda of May 23,

2001, TAGGED BY COUNCIL MEMBER TATRO) – was presented. Council Members Tatro, Todd and Sanchez voting no, balance voting aye. Council Member Galloway absent. ORDINANCE 2001-0469 ADOPTED.

50. 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 – (This was Item 20 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBERS SANCHEZ, TATRO and KELLER) – was presented and tagged by Council Member Boney. Council Member Galloway absent.

Council Member Boney stated that he was going to tag Item No. 50 and hoped that he could persuade some of his colleagues that the project had enough merit and that they ought to support it. Council Member Galloway absent.

Upon questions by Council, Council Member Robinson stated that he was not necessarily assured, based on his experience at the table, that after 15 years the improvement would be in the same condition without some requirement for additional infusion during the initial 15 years, that he would like to see some considerations and adjustments made in that regard. Council Member Galloway absent.

Council Member Keller stated that since the item had been tagged he would like at this time to request, and he had noticed that on the RCA where it said that the application indicates that the owner would spend a total of \$25 million, he would like for that to be contingent, and it should be, but what he would like for someone to send him a cost analysis of the \$25 million that was going to be put into the restoration and renovation of the structure. Council Members Galloway and Sanchez absent.

Council Member Goldberg asked if on this item were they going to be sold as lofts or condominiums, and Mr. Calderon stated that it was his understanding that they would be sold as condominiums, and Council Member Goldberg asked if they were sold off as condominiums would the owners of the condominiums pay a property tax on each individual unit, and Mr. Calderon stated that if the unit was condo minimized and sold off as an individual unit then yes it would be subject to tax, and Council Member Goldberg asked if in other words the abatement on each individual condo would not be abated as far as the improvements were concerned, and Mr. Calderon stated not unless they were subject to an exemption approved by the City Council, that the benefit to the purchaser would have to be negotiated in the actual purchase of the unit itself, that the value subject to the exemption would be the building once restoration had been completed prior to the actual sales of the condos, that how the exemption would be applied to each property owner was something that they had to look into, and Mr. Doherty stated that when the building owner sells the units to individual condominium owners those condo owners would receive the benefit of the exemption granted by City Council on a prorated basis, and Mr. Calderon stated that he was just advised by the legal counsel for the applicant that it was their intention to pass through via contract the exemption to the purchaser of each of the units, that no taxes would be paid on the improvements, that the building owner would be subject to the taxes on the land, that the property owners would pay no

property taxes at all during the exemption period, that Mr. Rosenbaum had advised that each property owner would actually pickup its prorated share of the taxes attributable to the land that the building was on based on a prorated share of the value, and Council Member Goldberg asked what the units were selling and Mr. Calderon stated they could get that information for him, but he believed it was accurate that it was \$200,000 each and up. Council Member Galloway absent.

Council Member Boney stated that he was impressed by the project and giving the developer incentives to spend \$25 million for restoration and preservation of the project was something that he was at least principally in support of, but the idea that individual property owners to be might buy high end condo's and then be exempted troubled him quite a bit, so he thought that over the course of the next week this project needed to be fully presented on its own and on its own merits, because he was finding some difficulty in his own mind of supporting not the project itself but the fact that there would be profit generated from the sale of condo's that would then pass on to upper income people who were able to afford a home or condo valued at over \$250,000, that he did not know if he would be supportive of the tax relief being on that end, that he really needed to have a strong link in his mind for the project in the but/for basis, that on this project he really thought they needed to cook it in the oven and bring out all of the information. Council Members Galloway, Ellis and Castillo absent.

Upon questions by Council Member Tatro, Mr. Calderon stated that the exemption ran with the property. Council Member Galloway absent.

Upon questions by Council Member Robinson, Mr. Hall stated that the advantage of the exemption from taxation was a component of the investment equation, that the closest thing he could say to illustrate was the difference in what they paid for taxable bonds against tax exempt bonds that they issued, that they could buy them for less because the buyer recognized that they do not pay taxes on them, that was part of what was marketed, whether it was valid or not was the policy question, but that was the mechanism, the value of what existed in what the thing sold for. Council Members Tatro and Galloway absent.

23. ORDINANCE approving and authorizing contract between the City of Houston and **WICKLIFF & HALL, P.C.** for legal representation of the City in the petition of **RELIANT ENERGY, INC** for approval to set price to beat fuel factor and related matters pending before the Public Utility Commission of Texas; providing a maximum contract amount - \$650,000.00 - General Fund – was presented, and tagged by Council Members Sanchez and Keller. Council Members Galloway and Castillo absent.

Council Member Quan stated that they went through the Legal Department budget recently and knew that Wickliff & Hall had represented the City on numerous issues before the Public Utilities Commission and asked if those monies would be reimbursed by the State as in past cases or were these monies directly from the General Fund in his department, and Mr. Hall stated that he was correct, that they were intended to be reimbursed, and he used intended because there was a mechanical process that took place, that traditionally they were but they had to present the cost of the services to the PUC and they had to approve it as reasonable in the same way attorney's fees would be

in a court case and then they were reimbursed, in the mean time they paid out of the General Government Fund and were reimbursed by the utility into that fund, that was traditional standard process, that in reality because of the nature of rate cases and the complexity of them, as was indicated in one of the two memos they sent him, about half of the money was actually used for experts who actually testified based on rates of return and all of that business.

Upon questions by Council Members Ellis and Tatro, Mr. Hall stated that yes, they were reimbursed on the experts, that they were actually retained by the firm, that the whole \$600,000 did not go out at the same time, that it was broken out over time and could last almost a year, that \$150,000 of this would come out of Fiscal 2001 and the rest out of Fiscal 2002, that he had been advised that historically HL&P had reimbursed them within two weeks after invoice, that in the past three years there had not been any contracts where they had not been reimbursed, that they had been reimbursed 100%, that their involvement in the case could be as long as a year, but the reimbursement happened instantaneously. Council Members Galloway and Castillo.

Council Member Goldberg moved to suspend the rules to consider Item No. 43 out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway and Castillo absent. MOTION 2001-0557 ADOPTED.

43. ORDINANCE appropriating \$8,164,500.00 out of Street and Bridge Consolidated Construction Fund and \$1,616,500.00 out of Water and Sewer System Consolidated Construction Fund awarding contract to **CONTRACTOR TECHNOLOGY, INC** on low bid of \$8,271,422.90 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$280,000.00 and approving and authorizing professional services contract for Construction Management and Inspection Services with **BURK-KLEINPETER, INC** in the amount of \$650,000.00 for NSR 430 and NSR 429A – Phase II, GFS N-0362-43-3 (SB9016 and N-0361-03); providing funding for contingencies relating to construction of facilities financed by the Street and Bridge Consolidated Construction Fund and Water and Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO and C - GOLDBERG** – was presented. All voting aye. Nays none. Council Members Galloway and Castillo absent. ORDINANCE 2001-0470 ADOPTED.

### **CONSENT AGENDA NUMBERS 1 through 46**

#### **MISCELLANEOUS** - NUMBER 1

1. CONFIRMATION of the appointment of **MR. JAMES WONG** to Position 5 of the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD** for a term to expire March 1, 2003 – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway and Castillo absent. MOTION 2001-0558 ADOPTED.

#### **PURCHASING AND TABULATION OF BIDS** – NUMBERS 9 and 11

9. **HOUSTON-GALVESTON AREA COUNCIL** for Five Riding Mowers through the Interlocal Agreement for Cooperative Purchasing for Department of Public Works & Engineering \$53,914.42 - Enterprise Fund – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway and Castillo absent. MOTION 2001-0559 ADOPTED.
  
11. Omitted

**RESOLUTIONS AND ORDINANCES** - NUMBERS 15 and 26

15. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 5-foot wide portion of a 10-foot wide utility easement and a sanitary sewer easement, both located within Lot 14, Block 10, Woodland Terrace Addition, Houston, Harris County, Texas; vacating and abandoning said tracts of land to **MARK THOMPSON**, the abutting owner for good and valuable consideration – **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Members Galloway and Castillo absent. MOTION 2001-0471 ADOPTED.
  
20. ORDINANCE approving and authorizing contract between the City of Houston and **BICKERSTAFF, HEATH, SMILEY, POLLAN, KEVER & MCDANIEL, L.L.P.**, for Legal Representation of the City in connection with the appeal of Aqua Source Utility, Inc., of the Ratemaking Decision of the City of Austin Pending before the Texas Natural Resources Conservation Commission and related matters; providing a maximum contract amount \$75,000.00 had been pull from the Agenda by the Administration and was not considered. Council Members Galloway and Castillo absent.
  
26. ORDINANCE approving and authorizing lease agreement between the City of Houston and **ELLINGTON PARTNERS, L.P.**, for certain premises at Ellington Field and concurrently terminating lease agreement No. 33941 by and between the City of Houston and **SOUTHWEST AIRPORT SERVICES - DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Members Galloway and Castillo absent. MOTION 2001-0472 ADOPTED.

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

## MISCELLANEOUS

2. REQUEST from Mayor for confirmation of the following to the **BOARD OF PUBLIC TRUSTS (HOUSTON FOUNDATION) BOARD OF DIRECTORS**, for terms ending March 22, 2003:
  - Position 2 - **MR. ROBERT A. STANFORD**, reappointment
  - Position 4 - **MS. LYNNE H. NGUYEN**, appointment
  - Position 6 - **MR. GROVER JACKSON**, reappointment– was presented.

Council Member Sanchez moved to postpone Item No. 2 at the end of the agenda, seconded by Council Member Keller. All voting aye. Nays none. Council Members Galloway and Castillo absent. MOTION 2001-0560 ADOPTED.

3. RECOMMENDATION from Director Finance & Administration Department to authorize and grant a waiver of certain requirements under the City of Houston Ordinance No. 97-416 with respect to the terms and conditions of certain refunding bonds to be issued by **NEWPORT MUNICIPAL UTILITY DISTRICT** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Galloway absent. MOTION 2001-0561 ADOPTED.

## ACCEPT WORK

4. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$312,958.38 and acceptance of work on contract with **BRC SERVICES, INC** contractor for the surety **RANGER INSURANCE COMPANY** for Construction of 1998 Major Thoroughfare Sidewalk Project 36-3, GFS N-0610A-36-3 (36-3) - 03.02% under the original contract amount - **DISTRICT E - TODD** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Galloway absent. MOTION 2001-0562 ADOPTED.
5. RECOMMENDATION from Director Department of Aviation for approval of final contract amount of \$30,893,064.94 and acceptance of work on contract with **WILLIAMS SWINERTON CONSTRUCTION** for Terminal A New South Concourse at George Bush Intercontinental Airport (IAH) Project 528, CIP A-0318 - 04.32% over original contract amount - **DISTRICT B - GALLOWAY** – was presented, and tagged by Council Member Keller.

Council Member Keller stated that he was going to tag the item and wanted to know exactly as far as the efficiency factors that had been implemented in this regard to warrant the change orders of \$1.3 million to optimize the operation of the building system, that the efficiency factor was the kilowatt per tons so the KW over the tonnage, that he wanted to know the VFD factor, the foul factor and wanted to know if there were any equipment substitutions, that he hoped those questions were clear and if they were not to meet with him as soon as possible and wanted to know what type of generator was being



used and the electrical usage or the total load that was being used with that to warrant this \$1.3 million change order. Council Members Galloway and Goldberg absent.

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

6. **LONE STAR UNIFORMS (Bid #1)** - \$1,157,197.80 and **SKAGGS PUBLIC SAFETY UNIFORMS** \$69,297.00 for Uniforms for Fire and Health and Human Services Departments - General Fund, was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and tagged by Council Member Todd. Council Members Galloway and Goldberg absent.
7. **IPI SECURITY, INC** for Installation of Safety and Security Systems for the Planning and Development Department - \$57,538.46 - Building Inspection Fund – was presented, moved by Council Member Boney, seconded by Council Member Tatro, and tagged by Council Member Sanchez. Council Members Galloway and Goldberg absent.

Council Member Sanchez asked what were the security concerns for Planning and Development to spend \$57,000, and Mayor Brown stated that this was at the Code Enforcement Division and there was a significant amount of traffic going in and out and they had equipment there that was rather expensive as well, and Council Member Sanchez stated that they were looking for ways to cut expenses and asked if this was a bigger priority than the Fire Department, that he just wanted to tag the item and see where this ranked in the grand scheme of priorities for the City of Houston, and Mayor Brown stated there was the general principal that they tried to prevent things before they happened and again this was revenue generated by the fees that were charged for the inspections. Council Member Galloway absent.

Council Member Robinson asked where Code Enforcement was located and Ms. Stein stated it was at 3300 Main, and Council Member Robinson stated that he was not necessarily opposed but knew they had the Police Department security, but maybe they ought to get some security over at this building and move it from the Police Department. Council Member Galloway absent.

8. **CST ENVIRONMENTAL, INC** - \$25,000.50, **RECOVERY CONTRACTORS, INC** - \$33,010.64, **CHERRY HOUSE MOVING COMPANY, INC** - \$24,214.05, **SMITH-MOBLEY, INC** - \$24,309.60, **J.T.B. SERVICES, INC** - \$20,895.00, **CERTIFIED/LVI ENVIRONMENTAL SERVICES, INC** \$31,027.50 and **ICE CONTRACTORS, INC** - \$21,969.15 for Emergency Demolition Services for Department of Public Works & Engineering - \$171,834.70 and contingencies for a total amount not to exceed \$180,426.44 - Dangerous Building Consolidated Fund - **DISTRICTS B- GALLOWAY; D - BONEY; E - TODD; H - VASQUEZ and I - CASTILLO** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Galloway absent. MOTION 2001-0563 ADOPTED.
10. ORDINANCE appropriating \$68,182.80 out of Water & Sewer System Consolidated Construction Fund for Replacement of Motor Control Centers for Public Works &

Engineering Department, CIP S-1000-N2 – was presented. All voting aye. Nays none. Council Members Galloway and Castillo absent. ORDINANCE 2001-0473 ADOPTED.

- 10a. **BOYER, INC** for Replacement of Motor Control Centers for Department of Public Works & Engineering - \$64,936.00 and contingencies for a total amount not to exceed \$68,182.80 – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Galloway absent. MOTION 2001-0564 ADOPTED.

## **RESOLUTIONS AND ORDINANCES**

12. RESOLUTION of the City Council prescribing the date, time and location of a public hearing on the City Budgets for the time period July 1, 2001 through June 30, 2002; authorizing notice of such public hearing and making other provisions related to the subject -  
**HEARING DATE - 1:30 P.M. - TUESDAY - JUNE 12, 2001**  
- was presented, and tagged by Council Member Robinson. Council Member Galloway absent. (Note: Council Member Robinson removed his tag later in the meeting.)

Council Member Boney asked Council Member Robinson why he had tagged the item and Council Member Robinson stated that he had substantive reasons and upon questions concerning the time from for calling the hearing Mayor Brown stated that if necessary they would call a special meeting for the hearing. Council Member Galloway absent.

13. ORDINANCE relating to the issuance and sale of City of Houston, Texas, Public Improvement and Refunding Bonds, Series 2001A and City of Houston, Texas, Public Improvement Forward Refunding Bonds, Series 2001B; including authorizing the Finance Working Group to proceed with the sale of such bonds, approving and authorizing distribution of the Preliminary Official Statement related to such bonds, approving matters incidental to the issuance and sale and making various findings and provisions related thereto; and declaring an emergency – was presented and tagged by Council Members Robinson and Vasquez. Council Member Galloway absent.

Council Member Robinson moved to suspend the rules to hear from the City's financial advisor, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2001-0565 ADOPTED.

Council Member Robinson asked that assuming all the assumptions underlying Item No. 13 were correct, could they sustain a \$1.5 billion bond issue over a 10 year period, and Mr. Mike Bartalotta, First Southwest, stated that timing was critical to when the bonds were issued and over a 10 year period yes they could, that a billion dollars they could do and a billion and a half he had not run the numbers, but if they had to meter out within the first 5 years about \$650 million because of the shape of the debt service curb so at the back end of the debt service curb they would have some capacity, and Council Member Robinson asked that he run those numbers for him and stated that they had a

chartered cap at 50 cents, the maximum amount they could spend on O&M and the 2002 budget was at 48 cents right now at O&M, and Mr. Bartalotta stated that was correct, and Council Member Robinson asked if they were to get the 49 cents how would the rating agencies look at that if they started spending 49 cents on O&M, and Mr. Bartalotta stated that as they started to get closer and closer to the 50 cents limit it reduced their flexibility with their taxes and rating agencies looked at that as a negative factor. Council Members Galloway and Todd.

Upon questions by Council Member Robinson, Mr. Haines stated that he was not sure of the numbers he was referring to, but talking about those that were in the debt service at 17.5 cents was probably correct, however they did know that this year their spend rate was about \$7 million less than revenue, in other words their revenue growth was about \$7 million greater than expenditures and thought what they would need to produce for him, based on his question, was an annual level of what would they project to be that expenditure rate against revenue. Council Members Galloway and Todd absent.

Council Member Vasquez stated that they had a very good discussion in Fiscal Affairs yesterday but he was not able to stay past twelve and did not get a chance to have all his questions answered and stated that he would like a visit from Mr. Haines and First Southwest as well. Council Members Galloway and Todd absent.

Upon questions by Council Member Quan, Mr. Bartalotta stated that they had been averaging on the CIP side about \$130 million per year, that as to the bond issue it would be a maintenance type of CIP against the amount of expenses in the past, that they did know what the projection of growth for the City was for the next five years but the obvious answer was that it would be greater than a maintained \$130 million bond issue, and Mr. Haines stated that they were extending the refinancing of the bond for five years and they had an informal rule that they did not extend over 12 years, that there was a City ordinance that required that the average life of the assets of the City not be in excess of 12 years relative to the bonds that were outstanding, that the Mayor had directed in the preparation of the CIP for this next five year cycle to zero base as much as they could but to focus on the priorities of basic infrastructure being streets and drainage and if they could leverage, for example, their funds against County, Metro or TXDOT funds is what they were going to do, and so what they would try to show them was not only the \$130 million, but also what other additional sources may be available for projects. Council Member Galloway and Todd absent.

Council Member Tatro stated that he would reiterate to the administration to move forward as required in the ordinance under policies and procedures and submit to Council its five year projections along with the agenda item on its policies for the budget. Council Members Goldberg, Todd and Castillo absent.

Mayor Pro Tem Boney stated that the financial structure and strategy that was presented did not bring that additional revenue stream into the operating budget it raised the amount of monies that were available for the CIP there was not that much of a significant operating budget increase from the refinancing of debt and Mr. Haines stated that was correct, and Mayor Pro Tem Boney stated that in fact it did establish a rainy day fund with cash, and Mr. Haines stated that he believed it did call for \$2 million but it was not part of the restructuring, that part of the operating budget did freeze some of the

money to actually capitalize in cash at least \$2.5 million of the rainy day fund, and Mayor Pro Tem Boney asked Mr. Bartalotta if there was absolutely no strategic rationale not to refinance the City's debt right now, and he stated that it made sense to do it in this low interest environment because they had present value savings, and Mayor Pro Tem Boney stated that it made the best fiscal sense to at least authorize the City to go forward, and the working group was in agreement on this, the Controller, F&A and all of their associated financial advisors, to take advantage of this rather unique and very low interest rate opportunity and be engaged as soon as possible. Mayor Brown, Council Members Goldberg, Todd, Castillo and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Ellis stated that he agreed with him from that standpoint that they did need to be set in place to where the underwriters felt it was time to go to the market they had the option to do so and he thought a number of the Council Members around the table had been calling for that, not only from the General Fund refinancing but also for the refunding of the water and sewer enterprise funds and the bonds that were out there, that he did understand his position and did not know why some of the Council Members had tagged it, but would urge that they approve it and put it in the hands of the financial advisors and underwriters and let them go to market when they thought it was appropriate, but he would also urge the administration to go ahead and move forward on the approval of the refunding of the water and sewer enterprise fund. Mayor Brown, Council Members Goldberg, Todd, Keller and Vasquez absent. Mayor Pro Tem Boney presiding.

Council Member Robinson stated that his concern was echoed by Council Member Tatro that they did not have a five year forecast and all he could do was cobble together comparisons, that there was talk about restoring the one cent penny and asked Mr. Bartalotta if they restored the penny now they had taken up 49 cents of a 66.5 tax rate on the operation side and that was one penny less then the 50 cent cap under the City Charter and asked if they had any experience of spending 49 cents on Operation and Maintenance in terms of how the bond rating agencies had looked at that in past history, and Mr. Bartalotta stated that in 1992 when the refunding was executed the rating agencies made a statement about getting close to the 50 cent cap and the limitations under the tax flexibility that the Council would have, that they lowered their bond rating from AA to AA minus. Council Members Todd and Vasquez absent.

Mayor Brown stated that the matter had been tagged. Council Members Todd and Vasquez absent.

Council Member Galloway moved to suspend the rules to consider Item Numbers 24, 25, 27 and 28 out of order, seconded by Council Member Quan. All voting aye. Nays none. Council Members Todd and Vasquez absent. MOTION 2001-0566 ADOPTED.

24. ORDINANCE approving and authorizing acceptance of Grant Agreement No. 3-48-0111-3701 in the amount of \$23,000,000.00 by and between the City of Houston, Texas and the **FEDERAL AVIATION ADMINISTRATION** for Projects 509, 521 and 522, CIP A-0008, A-0024, A-0058, A-0204, A-0304, A-0444 and A-0475) at George Bush Intercontinental Airport/Houston **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Members Todd and Vasquez absent. ORDINANCE 2001-0474 ADOPTED.

25. ORDINANCE approving and authorizing acceptance of Grant Agreement No. 3-48-0111-3801 in the amount of \$4,000,000.00 by and between the City of Houston, Texas and the **FEDERAL AVIATION ADMINISTRATION** for Project No. 556, CIP A-0374 and A-0378 at George Bush Intercontinental Airport/Houston - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Members Todd and Vasquez absent. ORDINANCE 2001-0475 ADOPTED.
27. ORDINANCE appropriating \$1,200,000.00 out of Airport System Bonds 2000B NONAMT Construction Fund; CIP A0184; \$21,890,993.00 out of Airport System Bonds 2000B NONAMT Construction Fund; CIP A0392; and \$360,000.00 out of Airport System Bonds 2000B NONAMT Construction Fund CIP A-0431; awarding construction contract to **CHAMPAGNE-WEBBER INC, TEXAS** on low bid of \$21,319,084.15 and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING AND ENVIRONMENTAL SERVICES, INC** in the amount of 426,382.00 for the Taxiway “SD” Bridge at George Bush Intercontinental Airport/Houston (IAH); Project No. 558A - **DISTRICT B – GALLOWAY** – was presented, and tagged by Council Member Keller. Council Member Todd absent.

Council Member Keller stated that he wanted to know who was the project manager that the City had hired, and who was the project engineer that the project manager was using, and who was overseeing this for HAS, that it said Eric and Charles for additional information but he did not know, that he wanted to know who Champagne-Webber was specifying for their team members as far as the mechanical contractor, electrical contractor and plumbing contractor for the general contractor. Council Member Todd absent.

28. ORDINANCE appropriating \$21,812,884.00 out of Airport System Consolidated 2000 AMT Construction Fund, CIP A-0203, awarding construction contract to **MANHATTAN CONSTRUCTION COMPANY** on low bid of \$19,405,329.00 and approving and authorizing professional services contract for engineering testing services with **TERRA-MAR, INC** in the amount of \$242,000.00 for Utility Tunnel to Terminal E, FIS Foundations and Excavation and Site Utilities at George Bush Intercontinental Airport/Houston, Project No. 500J - **DISTRICT B – GALLOWAY** – was presented, and tagged Council Member Keller. Council Member Todd absent. Council Member Todd absent.

Council Member Keller stated that he wanted to know who was the project manager for the project was on behalf of the private sector, and the project engineer that they had hired and who was handling it for HAS, that as far as Manhattan Construction he would like to know who they had selected to be on their team or the mechanical contractor, electrical contractor and plumbing contractor. Council Member Todd absent.

Council Member Ellis moved to reopen Item No. 14 and hear from Mr. Jerry Wood, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Todd absent. MOTION 2001-0567 ADOPTED.

14. ORDINANCE establishing the boundaries of Single Member Districts from which District Council Members are elected under the provisions of Article V, Section 3 of the City Charter; making other provisions related to the subject; containing a severability provision; and declaring an emergency – was again presented.

Council Member Ellis stated that there had been a number of motions to amend Item No. 14, that he and Council Members Keller, Vasquez, Castillo and Tatro had made motions and asked if Mr. Wood had a chance to evaluate the motions to amend on the redistricting and if so what was his opinion. Council Member Robinson absent.

Mr. Jerry Wood, Planning and Development, stated that they had a chance to evaluate some of the amendments ahead of time and in between the time that Council started and now they had also had a chance to evaluate those that had been presented just today, that starting with Council Member Ellis's amendment and he presumed they were talking about Precincts 283, 685 and 687 transferring to District C and Precinct 314 transferring to District F, that the net affect was to bring District C's population down so that it was not quite as close to the allowable range, that it narrowed the range and raised his population slightly also, that the net affect as far as the ethnicity of their districts was very small and thought that Mr. Heath would be in a better position to comment on the ethnicity, and Mr. Heath stated that the ethnicity changes about 1% or less among all the groups and those groups were pretty well balanced, generally he thought Hispanics were about 40% and the others were in the 20% range so it was a fairly minimal change and thought it was unlikely that it would have an adverse Section 5 impact, that there might be some but it was pretty remote, and Mr. Wood stated that one affect that he would like to see them also address was that these precincts were the product of the 1990's redistricting of the House, State Senate and Congress and in many cases these precincts do not adhere to neighborhood lines and they discussed earlier of the possibility of City Council requesting that this County in redoing their precincts for 2002 that they make changes in the precincts so that it would make it easier to cleanup those neighborhood boundary lines for 2003, that the County had to use what the State uses in the way of district lines, that the district lines that the State lays down have to be used by the County as precinct lines, but they could also use major thoroughfares, for instance, in order to accommodate the City's needs, that they would have to try and eliminate those problems in 2003, and Council Member Ellis asked if in his amendment, in both of their opinions, would not cause for any alarm from any groups out there that might want to appeal the redistricting plan, and Mr. Heath stated that he did not think there was substantial voting rights problems. Council Member Robinson absent.

Mr. Hall stated that he wanted to make a comment to the Council Members before they start so there was no difficulty later, that the plan that had been laid out was the plan against which these amendments were made and they would certainly appreciate it if the amendments that people had were submitted now so that Mr. Wood and Mr. Heath would have a chance to evaluate them against the principles which Council had already adopted and be able to offer their comments so they would not be in a position at the last moment not to know what the impact of an amendment was, and Mr. Heath stated that in talking about this amendment that was what they were talking about, that if for example, in District F, there was another amendment to District F and then they had this amendment the situation might be different because District F would be different

because of the other, that if there were multiple amendments some of this might change. Council Member Robinson absent.

Council Member Todd moved to remain in session beyond the scheduled 12 noon recess to complete the meeting, seconded by Council Member Bell. All voting aye. Nays none. Council Member Robinson absent. MOTION 2001-0568 ADOPTED.

Council Member Todd stated that in regard to the amendments that had been put in he had similar thoughts as did Mr. Hall about logistically how to handle them and asked from a pure voting rights act stand point in terms of crunching the numbers and the procedure they had to go through to get a plan approved by the Justice Department it was extremely important for them, correct, that they do their due diligence before they vote on any sort of plan, and Mr. Heath stated that was correct, that the Justice Department, in addition to looking at the numbers, looks at the procedure and how the Council went through the process as a means to show that there was no intent to discriminate, and Council Member Todd asked if they were going to do an analysis of the amendments for how it would affect the entire City in all of the districts or simply as it affected those particular districts, and Mr. Wood stated that at this point where they had specific changes proposed they had analyzed those changes and in some cases the specific changes proposed also required additional changes in other districts, that they had identified that but had not presumed to make those changes, and Council Member Todd requested that Mr. Wood provide him with the numbers that show that he would like to see that too, that as to the deadline to submit this to the Justice Department, Mr. Heath stated that the filing deadline for filing for office was about September and the Justice Department had 60 days in which to make a decision and they could extend that to about 120 days, that their goal was to get it done as soon as possible after Council passes it and that should give them ample time assuming it was passed in the next two to three weeks, that they would anticipate getting it in sometime during June, that they had not gotten any demand letters that this plan was being watched by any groups. Council Members Goldberg, Quan and Robinson absent.

Mayor Brown stated that the item had been tagged earlier and now they were just going through some discussion as they had agreed earlier. Council Members Goldberg, Quan and Robinson absent.

Council Member Boney asked if Mr. Wood had a chance to prepare the materials they had talked about earlier in his office, and Mr. Wood stated that their technical people had to talk to each other to make that transfer, and Council Member Boney asked Mr. Heath if he had a chance to pursue any more information regarding electronic voting systems, and Mr. Heath stated that they pulled some information together from the State and got it to the City Attorney's Office and got it to him, and Council Member Boney requested that he make sure that information was in his office, that there may be some action that was being contemplated legally with regard to new systems and its impact potentially with relationship to voting rights in the November election. Council Members Galloway, Goldberg, Vasquez, Quan and Vasquez.

Council Member Keller stated that he wanted to point out that his amendment was not really a change but a clarification, because they had a stated plan and then they had an amended plan, that he was agreeing with the backup that came to Council but it was

just generally worded and wanted Mr. Wood to confirm what he was saying was that all he really did with his amendment was put the numbers to the words as far as the precinct numbers, and Mr. Wood stated that what they had before them was the staff plan and the report and was afraid that upon rereading it with Mike Howard he got a better understanding in which it could be read by someone other than himself, that he did not specify all the precincts involved in Council Member Keller's proposed changes and amendments to the plan, that he did go over it with Mike and would like to restate for him in public, that in analyzing the changes, Memorial Park back in his district, in a very general way he described the proposal that Council Member Keller had made or that Council had before it and so when Council Members were looking at the report he had produced that was in the backup the reference to Memorial Park in District G referred to exactly the amendment that he proposed. Council Members Goldberg and Robinson absent.

Council Member Castillo stated that they had discussed the amendment that he and Council Member Vasquez had submitted with Mr. Wood and had basically explained to him what it was that they were doing and what he turned in this morning was actually the motion with homework on it including the table of precincts to be transferred in between various districts, that within the last few minutes he distributed another one that had his initials in the upper right hand corner because they found a typo error down in the lower table and he would see it when he compared them, that it made no significant difference in the bottom line but it was more correct. Council Members Goldberg, Sanchez and Robinson absent.

Mayor Brown stated that completed the discussion on the item and it had been tagged and stated that they would return to the agenda, and Mr. Wood stated that just for the record what they had before them was the staff plan that was submitted on April 27, 2001, that no amendments were included in the staff plan that was before them at this time, that amendments had been proposed by Council Members and those had been tagged along with the staff plan. Council Members Goldberg, Sanchez and Robinson absent.

16. ORDINANCE approving and authorizing contract between the City and the **ASSOCIATION FOR THE ADVANCEMENT OF MEXICAN AMERICANS, INC (AAMA)** for the Juvenile Accountability Court Program - \$27,610.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0476 ADOPTED.
17. ORDINANCE approving and authorizing a lease agreement between **EMPLOYMENT & TRAINING CENTERS, INC** as landlord and the City of Houston, Texas, as tenant, for space at 2103 N. Main Street, Houston, Texas, for use by the Mayor's Anti-Gang Office - \$22,400.00 Grant Fund – **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0477 ADOPTED.
18. ORDINANCE approving and authorizing contract between the City and **WORKERS ASSISTANCE PROGRAM, INC** for Prevention Counseling/Partner Elicitation (PCPE) Training Classes; providing a maximum contract amount - \$118,954.00 -



- Grant Fund – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0478 ADOPTED.
19. ORDINANCE approving and authorizing contract between the City and **E-HEALTH SOLUTIONS, INC** for a National Electronic Disease Surveillance System; providing a maximum contract amount - \$570,000.00 - Grant Fund – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0479 ADOPTED.
  21. ORDINANCE approving and authorizing Termination of Tax Abatement Agreement between the City of Houston, Texas, **QUIET WATERS DEVELOPMENT, LTD** and **R. LAY-SU & ASSOCIATES, INC - DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0480 ADOPTED.
  22. ORDINANCE approving and authorizing lease agreement with Right of Entry between the City of Houston, as landlord and **LOCKWOOD VENTURE, INC** as tenant, for approximately .2726-acre of land, located at 5400 Clinton Drive to be used for Parking, Access and Landscaping **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0481 ADOPTED.
  29. ORDINANCE appropriating \$200,000.00 out of Street and Bridge Consolidated Construction Fund; approving and authorizing contract between the City of Houston and **PARSONS TRANSPORTATION GROUP, INC** for On-Call Transportation Engineering Services, CIP N-0650-04-2; providing a maximum contract amount - Total not to exceed \$400,000.00 – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0482 ADOPTED.
  30. ORDINANCE approving and authorizing Waste Disposal contract between the City of Houston and **HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT NO. 96** – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0483 ADOPTED.
  31. ORDINANCE appropriating \$7,819,500.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** on low bid of \$6,754,525.00 and approving and authorizing professional services contract for engineering testing services with **QC LABORATORIES, INC** in the amount of \$120,000.00 for Kingwood and Northbelt Wastewater Treatment Plant Improvements, GFS R-0265-15-3 (WW4760-02); providing fund for construction management and contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and E - TODD** – was presented. All voting aye. Nays none. Council Members Goldberg, Sanchez and Robinson absent. ORDINANCE 2001-0484 ADOPTED.

32. ORDINANCE appropriating \$6,769,600.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **INDUSTRIAL TX CORPORATION** on low bid of \$5,780,900.00 and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICE INDUSTRIES, INC** in the amount of \$170,000.00 for Greenridge Wastewater Treatment Plant Improvements, GFS R-0265-18-3 (WW4759-01); providing fund 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 Members Sanchez and Robinson absent. ORDINANCE 2001-0485 ADOPTED.
33. ORDINANCE appropriating \$629,700.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **R & B GROUP, INC** on low bid of \$526,706.00 and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** in the amount of \$16,000.00 and approving and authorizing professional services contract for Construction Management and Inspection Services with **SADEGHPOUR & ASSOCIATES, INC/DBA SCIENTECH** in the amount of \$50,033.00 for Green River Lift Station Rehabilitation, GFS R-0267-68-3 (4276-28; providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Members Sanchez and Robinson absent. ORDINANCE 2001-0486 ADOPTED.
34. ORDINANCE appropriating \$3,723,500.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **CALCO CONTRACTING, INC** on low bid of \$3,264,214.00 and approving and authorizing professional services contract for engineering testing services with **GEOSCIENCE ENGINEERING AND TESTING, INC** in the amount of \$100,000.00 for Sanitary Sewer Improvements East Lake Houston Unserved Areas Project Package 1, GFS R-0801-07-3 (WW4744-01); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT E – TODD** – was presented. All voting aye. Nays none. Council Member Sanchez absent. ORDINANCE 2001-0487 ADOPTED.
35. ORDINANCE appropriating \$2,072,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **KINSEL INDUSTRIES, INC** on low bid of \$1,816,958.00 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$55,000.00 for Rehabilitation of Sanitary Sewers in the FWSD #23 Service Area; GFS R-2011-24-3 (WW4761-1); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Member Sanchez absent. ORDINANCE 2001-0488 ADOPTED.

36. ORDINANCE appropriating \$1,950,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **GARVER CONSTRUCTION, LTD** on low bid of \$1,711,273.00 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$50,000.00 for Infiltration and Inflow Correction in the FWSD #23 and Red Gully Service Areas, GFS R-2014-02-3 (WW4795-1); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2001-0489 ADOPTED.
37. ORDINANCE appropriating \$1,468,000.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **RWL CONSTRUCTION, INC** on low bid of \$1,287,287.00 and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICE INDUSTRIES, INC** in the amount of \$39,000.00 for Water Main Replacement in an area bounded by Westheimer, Fountainview, U.S. 59 and Chimney Rock, GFS S-0035-50-3 (WA10578); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. ORDINANCE 2001-0490 ADOPTED.
38. ORDINANCE appropriating \$1,562,900.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **INTRA CONSTRUCTION CORPORATION** on low bid of \$1,371,010.25 and approving and authorizing professional services contract for engineering testing services with **COASTAL TESTING LABORATORIES, INC** in the amount of \$41,000.00 for Water Line Replacement in Ashton Village Subdivision, GFS S-0035-66-3 (WA10581); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER** – was presented. All voting aye. Nays none. ORDINANCE 2001-0491 ADOPTED.
39. ORDINANCE appropriating \$9,254,933.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **CONTRACTOR TECHNOLOGY, INC** on low bid of \$7,843,418.82 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$235,000.00 for 48-inch and 54-inch water line along Westview from Gessner to Campbell and 24-inch Waterline along Blalock from Old Katy Road to Westview, GFS S-0900-46-3 (WA10602); 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. ORDINANCE 2001-0492 ADOPTED.
40. ORDINANCE appropriating \$4,876,089.00 out of Water & Sewer System Consolidated Construction Fund; awarding construction contract to **REDDY ENGINEERS AND CONTRACTORS, INC** on low bid of \$4,145,950.00 and approving and authorizing professional services contract for engineering testing

services with **MACBRIDE-RATCLIFF & ASSOCIATES, INC** in the amount of \$124,000.00 for Acres Homes High Service Pump Station No. 2, GFS S-1000-23-3 (WA10689); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. ORDINANCE 2001-0493 ADOPTED.

41. ORDINANCE appropriating \$4,071,053.13 out of Storm Sewer Consolidated Construction Fund and \$621,946.87 out of Water and Sewer Consolidated Construction Fund awarding contract to **TOTAL CONTRACTING LIMITED** on low bid of \$3,943,402.02 and approving and authorizing professional services contract for engineering testing services with **PROFESSIONAL SERVICE INDUSTRIES, INC** in the amount of \$118,000.00 for construction of Conrad Sauer Drainage and Paving Improvements, GFS M-0221-01-3 (M-0221-01); providing funding for contingencies relating to construction of facilities financed by the Storm Sewer Consolidated Construction Fund and Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** – was presented. All voting aye. Nays none. ORDINANCE 2001-0494 ADOPTED.
42. ORDINANCE appropriating \$2,361,000.00 out of Water and Sewer Consolidated Construction Fund awarding contract to **KINSEL INDUSTRIES, INC** on low bid of \$2,072,854.20 and approving and authorizing professional services contract for engineering testing services with **EARTH ENGINEERING, INC** in the amount of \$60,000.00 for Neighborhood Sewer Rehabilitation in Sims Bayou, GFS R-2011-25-3 (WW4764-1); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund and Water and Sewer System Consolidated Construction Fund - **DISTRICTS D - BONEY; E - TODD and I – CASTILLO** – was presented, and tagged by Council Members Quan, Tatro, Keller, Castillo, Todd and Boney.

Council Member Robinson stated that when they got to the end of the agenda he wanted to lift his tag on Item 12 and wanted to thank Ms. Stein, Mr. Haines and Mr. Tollett for visiting with him and answering his questions.

Council Member Tatro stated that on Item No. 42 they had received some information on the bid and in the next week he would like to get an analysis from Mr. Tom Rolen, that the analysis on the bid had to do with the bid documents and the drawings and discrepancies between the two and the manner in which a very shrewd contractor looked at the work to be done and saw that some of the items actually within the bid document did not need to be done because they had already been done and bid those low, and then there was an item for manholes in which the drawings, it was his understanding, clearly reflected 14 manholes to be done on the drawings yet the bid specifications and the bid documents had 3 and the shrewd contractor bid those significantly high, that they needed to know and understand the affect of going through with this contract in light of the fact that the bid documents did not agree with the drawings, and would they by letting this contract be actually incurring more expenses because of those errors and he thought that was a significant issue. Council Member Vasquez absent.

Council Member Castillo stated that in addition to that it was important to know in the Water Wastewater Division those egregious omissions and commissions happened to come about and it seemed like it was fairly serious and it may look to some as if they had some throw down items in some of these bids, and Mayor Brown stated that he would make sure that Public Works would visit with everyone and give an answer to the questions. Council Member Vasquez absent.

Council Member Todd stated that he shared his colleagues over this and would like to reflect to this also, and Council Member Boney stated that he wanted to add his tag also. Council Member Vasquez absent.

44. ORDINANCE appropriating \$3,862,000.00 out of Water and Sewer Consolidated Construction Fund, Fund No. 755, awarding contract to **T & C CONSTRUCTION, INC** on low bid of \$3,389,000.00 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$100,000.00 for construction of Westmont and Northshore Lift Stations, GFS R-2011-03-3 (4713-2); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund and Water and Sewer System Consolidated Construction Fund - **DISTRICTS E - TODD and I - CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2001-0495 ADOPTED.
45. ORDINANCE appropriating \$1,523,500.00 out of Water and Sewer Consolidated Construction Fund; awarding contract to **R J CONSTRUCTION COMPANY INC** on low bid of \$1,275,000.00 and approving and authorizing professional services contract for engineering testing services with **Q C LABORATORIES, INC** in the amount of \$38,000.00 and approving and authorizing professional services contract for Construction Management and Inspection Services with **SADEGHPOUR & ASSOCIATES, INC/DBA SCIENTECH** in the amount of \$121,120.00 for Goodyear and Scoot No. 1 Lift Stations Rehabilitation, GFS R-0267-66-3 (4276-26); providing funding for contingencies relating to construction of facilities financed by the Water and Sewer System Consolidated Construction Fund and Water and Sewer System Consolidated Construction Fund - **DISTRICTS E - TODD and I - CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2001-0496 ADOPTED.
46. ORDINANCE appropriating \$1,602,500.00 out of Water and Sewer Consolidated Construction Fund; awarding contract to **BL TECHNOLOGY, INC** on low bid of \$1,395,000.00 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount of \$10,000.00 for Miscellaneous Wastewater Treatment Plant Automation Improvements, GFS R-0512-08-3 (4278-01); 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; G - GALLOWAY and I - CASTILLO** – was presented. All voting aye. Nays none. ORDINANCE 2001-0497 ADOPTED.

**MATTERS HELD** - NUMBERS 51 through 57

51. 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 – (This was Item 22 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBER QUAN)** – was presented. All voting aye. Nays none. ORDINANCE 2001-0498 ADOPTED.
52. 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 – **(This was Item 33 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBERS ROBINSON, TATRO, SANCHEZ, ELLIS, TODD, BELL, GOLDBERG and KELLER)** – was presented, and tagged by Council Member Boney.
53. 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 – **(This was Item 35 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBERS TODD, QUAN and VASQUEZ)** – was presented.

Council Member Vasquez moved to postpone Item No. 53 for one week, seconded by Council Member Boney. All voting aye. Nays none. MOTION 2001-569 ADOPTED.

54. 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 – (This was Item 49 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBERS QUAN and KELLER)** – was presented.

Council Member Quan stated that he had a chance to meet with the principals of Heyl Construction and this was the first job they would be doing in the City of Houston and they had assured him that they had made a definite commitment to be here and

would open an office in Houston as well, that he was satisfied that they were responsible bidders on this contract and supported this one.

A vote was called on Item No. 54. All voting aye. Nays none. ORDINANCE 2001-0499 ADOPTED.

55. 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 – (This was Item 50 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBER QUAN)** – was presented. All voting aye. Nays none. ORDINANCE 2001-0500 ADOPTED.
56. 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 – (This was Item 51 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBER QUAN)** – was presented. All voting aye. Nays none. ORDINANCE 2001-0501 ADOPTED.
57. 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 – (This was Item 52 on Agenda of May 23, 2001, TAGGED BY COUNCIL MEMBER QUAN)** – was presented. All voting aye. Nays none. ORDINANCE 2001-0502 ADOPTED.

12. RESOLUTION of the City Council prescribing the date, time and location of a public hearing on the City Budgets for the time period July 1, 2001 through June 30, 2002; authorizing notice of such public hearing and making other provisions related to the subject -  
**HEARING DATE - 1:30 P.M. - TUESDAY - JUNE 12, 2001**  
- was again presented. All voting aye. Nays none. RESOLUTION 2001-0025 ADOPTED.

### **Matters Postponed to the End of the Agenda**

2. REQUEST from Mayor for confirmation of the following to the **BOARD OF PUBLIC TRUSTS (HOUSTON FOUNDATION) BOARD OF DIRECTORS**, for terms ending March 22, 2003:
- Position 2 - **MR. ROBERT A. STANFORD**, reappointment
  - Position 4 - **MS. LYNNE H. NGUYEN**, appointment
  - Position 6 - **MR. GROVER JACKSON**, reappointment
- was again presented, moved by Council Member Castillo, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2001-0570 ADOPTED.

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

Council Member Galloway stated that she wanted everybody to know that the problem they were having out on Homestead was resolved this past Sunday and she wanted to commend the police officers because they did a fantastic job in working with the community to eradicate this problem and on Sunday evening she was able to go to the detail shop who was having the party and those young men decided to cooperate with her and closed the place up that evening and did not even have a party, that there was no traffic and the constituents of the Homestead area were able to get into their neighborhood without any problems, and Mayor Brown stated that he wanted to commend Council Member Galloway for handling that, that she demonstrated a real leadership and walked up and down the street talking to all the business owners and did a really tremendous job. Council Member Boney absent.

Council Member Quan stated that he wanted to thank all of the citizens who participated in the barbeque yesterday to raise funds for the families of Officer Alfredo Vasquez and Deputy Sheriff Joseph Dennis, that he understood that over \$32,000 was raised, that he saw a lot of long lines and a lot of community spirit in supporting the families of the slain officers. Council Member Boney absent.

Council Member Quan stated that he had noticed in the recent edition of US News and World Report that Houston was listed as having the fastest inner city growth rate of any city in the United States. Council Member Boney absent.

Council Member Quan stated that he wanted to thank them again for their support of the fishing tournament, that Academy donated rods and reels and tackle boxes and they had a great time yesterday as they concluded Older Americans Month. Council Member Boney absent.



Council Member Tatro stated that he wanted to talk about the Rosslyn Street bridge, that it had been a long time neighborhood issue and dated back to 1992, that he understood that Mayor Brown had met with the Planning and Development and the Legal Department to discuss the southern abandonment which they pushed forth since last September, that he thought it was an important issue and was a significant neighborhood issue, that they needed to move the issue forward so the neighborhood could address it and so they could address it at Council to find out where they stood and find out what next steps to take, so he would appreciate in writing or verbally what the administration's position would be on the support of southern abandonment. Council Member Goldberg absent.

Council Member Boney stated that he knew that while he was out of town there were some tragic deaths of some law enforcement personnel, both at Harris County Sheriff Department and the Houston Police Department and wanted to extend his sympathies to those families and their loved ones.

Mayor Brown stated that there was a telethon going on at Channel 2 raising funds for the 100 Club, that as they knew the 100 Club provided support to the survivors and encouraged all the people who were viewing this that if they could to go by Channel 2 anytime today and participate in helping those officers families.

Council Member Sanchez stated that in driving the streets he had noticed that a number of contractors appeared to be complying with the Street Cut Ordinance in that they post the company name, the title of the project and the permit number, but not all of them were doing it and did not know if they had the requisite number of inspectors, that he still happened to notice a number of contractors who were setting up shop at night and then in the morning they were gone, that he would like an update from Public Works and Engineering if they had the requisite number of inspectors to try to keep up with the contractors in the right of way and Mayor Brown stated that he would have Public Works give him that update.

There being no further business before Council, the City Council adjourned at 12:20 p.m. upon MOTION by Council Member Galloway, seconded by Council Member Tatro. All voting aye. Nays none. 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