

City Council Chamber, City Hall, Tuesday, June 5, 2001

A Regular Meeting of the Houston City Council was held at 1:30 p. m. Tuesday, June 5, 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. James Cameron-Stewart, Senior Assistant City Attorney; Mr. Richard Cantu, Director, Citizens Assistance Office; Ms. Martha Stein, Agenda Director present.

At 2:06 p.m. Mayor Brown stated that they would start with Council presentations and the first would be Council Member Galloway. Council Members Goldberg, Boney, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Council Member Galloway stated that she wanted to introduce to Council and the Mayor the wonderful team who was in the heart of her district, the Forest Brook High School Jaguar Boys Track Team, that they had four State championships consecutive each year and invited the team and their coach, Mr. Joseph Richard along with the principal Mr. Flynn to the podium and read a proclamation that proclaimed that Lee P. Brown, Mayor of the City of Houston proclaimed June 5, 2001, The Forest Brook High School Jaguar Boys Track Team Day in Houston, Texas, and Council Member Galloway stated that her office was very proud of the young men as well and each one of them had received a certificate of recognition from her. Council Members Goldberg, Boney, Todd, Ellis, Keller, Vasquez., Parker and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown recognized Mr. Tom Rolen, Director, Public Works and Engineering, for a presentation. Council Members Goldberg, Boney, Todd, Ellis, Keller, Vasquez., Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. Rolen stated that it was a great pleasure to be present to recognize one of their employees in Public Works and Engineering who had gone above and beyond to help a citizen, that on May 17, 2001, while Mr. Gary Hutchinson and a colleague were having lunch, they noticed that a fellow restaurant patron had passed out, fallen to the floor, severely lacerated his head and was going into convulsions, that the first aid training that Mr. Hutchinson had received as a Public Works supervisor and a reserve Harris County Deputy Constable made his response automatic, that after taking control of the situation and directing a waiter to call 911 Mr. Hutchinson was able to keep the unconscious man from further injuring himself while he was having convulsions until they subsided, that he then applied direct pressure to the man's forehead and was able to stop the bleeding before the paramedics arrived, that it was indeed an honor to recognize Gary at this time and asked Mayor Brown to present the proclamation. Council Members Galloway, Goldberg, Boney, Ellis, Keller, Vasquez., Quan and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that based on what Mr. Rolen had stated the proclamation read in part that recognizing his willingness to help others the City of Houston was proud to commend Mr. Gary Hutchinson for his inspiring lifesaving efforts and extended best wishes for continued success, therefore, Lee P. Brown, Mayor of the City of Houston, proclaimed June 5, 2001 as Gary Hutchinson Day in Houston, Texas. Council Members Galloway, Goldberg, Boney, Ellis, Vasquez. and Robinson absent.

At 2:14 p.m. Mayor Brown convened the meeting of the City Council and Council Member Tatro led everyone in the prayer and pledge of allegiance. Council Members Galloway, Boney, Todd, Ellis, Vasquez and Robinson absent.

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

Council Member Sanchez and Castillo moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Members Boney, Todd, and Vasquez absent.

Mayor Brown recognized Council Member Robinson for a presentation. Council Members Boney, Todd, and Vasquez absent.

Council Member Robinson stated that Houston Media Source had a number of young people involved in their programming this year and one of them was an award winning TV producer, that Ms. Pat Garlinghouse, Houston Media Source, was going to introduce him and several other young folks and thought they had a tape of a 30 second commercial that was award winning. Council Members Goldberg, Boney, Todd, Ellis, Keller, Vasquez., Castillo and Parker absent.

Ms. Garlinghouse stated that the commercial they were about to see was a version of high school students shooting high school students with cameras, that a group of students from their youth production program won an award for the best PSA from her varsity TV out of 3,000 applicants, that they were passing out, to all Council Members, a little press release and their own video tape to take home as well. The video clip was displayed for all present, and Ms. Garlinghouse stated that the one student who did the camera work and the editing, Mr. Justin Simien, they found out just won the similar award from the NAACP and another student, they found out yesterday, won a PBS American Height Contest as well, that their program was producing some wonderful videographers and each of the students came forward and introduced themselves. Council Members Goldberg, Boney, Ellis, Keller and Vasquez. absent.

Mayor Brown requested the City Secretary to call the speakers list. Council Members Goldberg, Boney, Ellis, Keller and Vasquez. absent.

Ms. Minnette Boesel, 2504 Stanmore Dr., Houston, Texas 77019 (713-225-1889) appeared and stated that she was present to encourage Council's approval of the Historic Property Tax Exemption for the Commerce Tower Condominiums located at 914 Main Street in downtown Houston, that maintaining the integrity of Houston's remaining historic buildings was very important, that in order to qualify for this exemption developers/owners must pass, muster with and receive a permit from the City of Houston Archeological Historical Commission, that without the tax incentive developers may not be as inclined to go through this additional time and application process, that the historic buildings downtown and elsewhere might be compromised and/or demolished instead, that she hoped they would help maintain the integrity of the process of the ordinance that they had already passed, that having personally been committed to preservation for well over 15 years she was the proud co-owner of the 1889 Foley Dry

Goods building just off of Market Square and opened the first residential real estate office in downtown, that their company had sold over 100 condominium units out of a total of approximately 150 sold in downtown to date, that all of those had been in historic buildings, that the development of those projects usually became time consuming and often hidden with hidden construction items they did not know about in the beginning and expensive, that it was important to provide some sort of incentive to these developers to encourage them to make these buildings come to life again, that similar types of ordinances had been passed in other Cities and States around the Country so it was not a new type of incentive, that voting no on the commerce tower may send a message to other developers that it was not worth preserving these significant structures, that it was not worth taking the time to do it right, that they still had a long way to go in downtown in terms of its revitalization and they urged Council to help encourage these owners to preserve their structures rather than destroy them and enhance Houston's quality of life. Council Members Goldberg, Boney, Ellis, Vasquez and Robinson absent.

Upon questions by Council Members, Ms. Boesel stated that if these types of abatements were not being offered she thought that first of all the owners would not take the time to have their building designated historic and as part of that historic designation, to redevelop it, they must go before the Archeological and Historical Commission and have their design for the outside of the building approved and that would also add into the qualifications for the exemption, that her fear would be that those buildings could be altered and changed substantially and not maintained the integrity of them or perhaps even demolished, that these small incentives really did mean a lot in maintaining the character of these buildings, that she did not believe that this was a case of an unfair incentive, that she helped apply for the exemption for the Herman Lofts, for example, and it was a small added incentive to encourage the developers to do the right thing, that the numbers on these developments became very expensive and time consuming, that they were over budget and it took longer because of the things that were found in the building after they got in, so she thought it was well worth encouraging people to retrofit these buildings into something viable, and it helped all of downtown and other historic areas, that there were spin off effects afterwards, that she was not involved in this particular deal, that she was present personally to support it, that she was not aware of the details of the deal as it was originally structured, that as to the Herman Lofts, they were under the old ordinance, which was the 5 year exemption, and it took about 4 to 6 months to get the designation, between the time they submitted the numbers that Finance and Administration required and also for them to determine that the restoration had been done properly and then to bring to Council for approval, that as to the historic factors that the City looked at, she recalled the expenses that were included, in terms of part of being credited, had to do with the restoration and rehabilitation, that the building had to be designated by the City of Houston as a historic landmark, that was stop one, that the 4 to 6 months that she was talking about was only for the exemption part, that the other part was the historic designation and in the case of that the Herman Lofts was part of a larger historic district which she and several others worked on for about 8 to 10 months, working with the neighborhood to get the neighborhood to have the whole thing designated, that it took a year to do that. Council Members Galloway, Goldberg, Boney, Ellis, Keller, and Robinson absent.

Ms. Ramona Davis, 712 Main #110, Houston, Texas 77002 (713-216-5000) appeared and stated that she was the Executive Director of Greater Houston

Preservation, that she was also present to speak on behalf of the Commerce Building on Main Street, that about 3 months ago Council passed an incentive ordinance for historic preservation and it was appropriate to do so and it was increased incentives for historic preservation and once given she thought it was vital that they follow through with that process, that historic preservation had been a big part of the revitalization of downtown, there was not doubt about that, that City Council was wise to recognize historic preservation as an important piece of what was happening around the City in terms of rebuilding the City and people were starting to do these kinds of projects, that they needed this kind of development downtown, such as the Commerce Building, that they had to create a residential community downtown of people who were there shopping and patronizing the restaurants and clubs, not only for people who were coming in from out of town as a designation, that they needed people who were living there, that it had to become a neighborhood, that the developers of the Commerce Building went through the process, took the process at face value, and they deserved this exemption, that this building could be another catalyst in this part of town, much like the Rice was in the part of town that it was in, that it spawned revitalization of other buildings around it and new businesses that were established because of it, that she picked up an article from the Houston Business Journal for the week of May 14, 2001, that it talked about Cingular Wireless leaving Houston after 17 years and going to Midland, Texas because they were given a 10 year tax abatement on a 105,000 square foot building, that they were going to employ 1,000 people by the end of the summer, that they were leaving Houston because they got a tax abatement, that she was appalled as a preservationist that this process might not be followed because she knew that this was going to be really serious for historic preservation in Houston, that most of the areas in town that needed revitalizing had historic buildings and the people who went into those areas were pioneers and needed to be encouraged, that they did create a new energy in the areas they went into and did create new businesses so she encouraged Council to follow the process that they established and encourage preservation of this building and of other buildings around the City. Council Members Galloway, Boney, Ellis, Keller, Bell and Robinson absent.

Council Member Parker stated that they had the tax exemption ordinance for historic properties for some time, but when they amended it they suddenly got a flurry of interest in the ordinance and asked if people were not just interested before or was the ordinance so onerous that they did not use it, and Ms. Davis stated that it was both, that the ordinance was so onerous that they could not use it and the process was so cumbersome and the incentives were not enough to justify going through a cumbersome process, that with the increased incentives some people were encouraged to apply for the incentives, that the incentives that they could give the developers for the projects were really important, that as to changes to the ordinance, she would like to see greater incentives, and projects such as these encouraged because they had to do high end projects, that they could not just encourage projects that get small tax incentives, that it was going to take a large developer to do a large building. Council Members Galloway, Boney, Ellis, Keller, Bell and Robinson absent.

Mr. Ed Wulfe, 12 Greenway Plaza, Suite 1500, Houston, Texas 77046 (713-621-1700) appeared and stated that he was present as the Chairman of the Main Street Coalition and as a real estate developer and would like to address the Chamber of Commerce Building item on the agenda for tomorrow, that he urged Council to positively

consider granting the ad valorem tax exemption to the Commerce Building, that Commerce Towers, as the building was now named, was a bold and creative revitalization of an obsolete but historic office structure into residential condominiums and retail on Main Street in the heart of downtown, that it was an exciting and innovative redevelopment effort, with the developers working to preserve the architectural integrity of the building and at the same time creating value and enhancing downtown and Main Street, that at issue here was a matter of a developer following a process for two years only to now having to face a possible change of rules midstream, that marketing the project would be challenging enough, for both the residential and retail, especially while Main Street was rapidly transforming and the streets adjacent to the building were under construction for the next couple of years, that he thought they had to be concerned about any message that they sent to the development community offering incentives and giving a stated process because the development community needed to have reasonable certainty that if a project qualified it would receive those incentives and if for some reason the City changes the process after the fact developers needed to believe that they would be treated fairly and equitably under the changes, that if developers did not believe in the integrity of the process then they would find other cities in which to invest and for sure they would rethink taking a risk in downtown Houston, that they had a way to go in transforming Main Street and downtown and many older and historic structures needed to be preserved and restored whenever possible, that these structures gave character to Main Street and downtown and they needed developers to be interested and motivated to invest in our community and to take those risks in downtown to make it happen and urged Council to grant the exemption. Council Members Galloway, Todd, Bell and Robinson absent.

Council Member Parker stated that she knew the ordinance did not require a but/for statement, that unless they gave this exemption they would not develop the project and asked if in his opinion was this sort of tax exemption essential for completion of this kind of project, and Mr. Wulfe stated that he would very definitely think that this exemption was critical, and Council Member Parker stated that some of her colleagues had questioned that this was not really a risky project because there was so much new activity going on and asked Mr. Wulfe if he would disagree with that, and Mr. Wulfe stated that one of the big factors was the fact that they were selling these units, which was quite different from renting or leasing all the loft projects in the downtown area and thought that was one part that made this work, that the other part was that this had retail and most of them did not, that it was a riskier venture but had every possibility of being successful, and Council Member Parker asked if he honestly thought that if Council started changing the rules on developers after they had already begun a project that it would have a chilling effect on development activities in Houston, and Mr. Wulfe stated that more than a chilling effect, that it would have a deep freeze effect, that they could not change the rules once they started, and Council Member Parker stated that whether or not they would agree that the ordinance was a good one it was in place and they should let those people who were abiding by the rules proceed and Mr. Wulfe stated absolutely. Council Members Galloway, Todd and Robinson absent.

Council Member Ellis asked Mr. Wulfe how much money did he think they had been put into the downtown area for the revitalization of downtown, not just from the City, but from Metro, the City, the County and the State and the recent history, present time and in the near future and asked if it would equate to about \$2.5 billion, and Mr. Wulfe stated that

he would say whatever they had done was not enough, a vibrant, dynamic downtown was the core of the City and it had to be that way and they needed invest in it to make it happen, that they figured they spent along the Main Street Corridor alone, which went all the way from Loop 610 South on the south to north to Quitman, there was about \$3 billion worth of construction going on just along the Main Street Corridor, that it was not primarily from the private sector, it counted everything, and Council Member Ellis stated that he was not really opposed to the Historical Preservation Ordinance when it came out, but what he did have some opposition to was the amount of tax dollars that were going in to the revitalization of downtown and then for a developer to come to them and ask for tax abatements, with that said, since the City had committed to this project and offered the developer a tax abatement which he pushed forward with that in mind, that he was going to vote for the item from that standpoint that the City negotiated that and that the City was steering the developer down the road where he could receive tax abatements, but he was opposed to offering tax abatements in the downtown area when they were already pumping in so much tax dollars from different entities, and asked who else was offering tax abatements, and Mr. Wulfe stated that he did not know to what extent the Federal Government did because they had several programs. Council Members Galloway, Todd and Robinson absent.

Council Member Keller stated that he agreed with Mr. Wulfe on a number of things and disagreed with him on a number of other things, but regardless of the fact a deal was a deal, that what they were doing in committee on this ordinance were some fine tuning and some modifications which may affect something to this magnitude or not, that he thought it was incumbent upon Council to adhere to previous agreements. Council Members Galloway, Todd and Robinson absent.

Council Member Quan stated that the concern that was raised last week was the fact that this exemption ran with the property, and asked if they marketed the fact that they did not have to pay taxes on that incremental value increase for the next 13 to 14 years and did that play a role in the buyers mind when they looked at that property, and Mr. Wulfe stated yes, very much so, that they were paying some taxes but that was a reason to buy it, that was the advantage to making the investment and to be able to broaden the number of people who could afford it. Council Members Galloway, Todd and Robinson absent.

Council Member Boney stated that it was not the incremental increase in value it was 100% of the value of the property, that the land was taxable but 100% of the build out if it was 100% of the value of the property, yes there were no property taxes paid on the building and the improvements for 15 years; that the challenge he had with the item was that the developer was able to pass the abatement through to market housing for people who could afford to buy a million dollar condo, that if they could afford a million dollar condo they could afford to pay taxes, that they might not have been able to afford as the developer to do the kind of renovation that would have made the property valuable and even worth selling and asked if there was a way in the future that they could tweak this ordinance in some way that would either put a cap on it or not allow to pass through to some subsequent owner after it was sold or would some way wade it back toward the medium, that he did not know how to do it, and Mr. Wulfe said he did not know how to do it either, but nothing existed that could not be improved upon and thought they ought to look at those various aspects of it and question it, that if it could not stand the questions

then something was wrong and he would say that he would encourage them to go back and look at it, and Council Member Boney stated that he had already talked to Mr. Litke from that department and a little bit to Legal but he would like to talk to the Historical Committee, because he did want to incentivize historical preservation, that he was fully in support of that, that he wanted to see in future efforts they could still have incentives that got historical preservation done, but not necessarily have the wealthy benefit from someone else's sweat equity and work. Council Members Galloway, Todd, Keller, Sanchez and Robinson absent.

Council Member Castillo asked if Mr. Wulfe thought amending the ordinance to prevent passing through the tax abatement to subsequent owners if he thought it would be could or would it neutralize the impact of the original development and what effect did he think it would have on the development, and Mr. Wulfe stated that he would rather do a lot more homework on it before he would pass what he thought would think the effect it would have, that he had not studied it to any great degree or been on any of the commissions or meetings about, but anything was worth revisiting, that they could not send the message to a developer that they agreed to something here and when he goes and develops it they yank the rug from him, that he did not think that was the way to do business. Council Members Galloway, Todd, Keller, Sanchez and Robinson absent.

Mr. Bob Eury, 1111 Bagby, Suite 2600, Houston, Texas 77002 (713-650-1470) appeared and stated that he wanted to underscore what his colleagues had already said, that as Council knew they worked a lot with developers in the redevelopment of downtown and he thought this issue of consistency of process was a significant issue; that the other thing was that they could argue a little bit that downtown was done and did they need more incentives, that he did a little bit of unscientific work and would say that there were about a couple of dozen more buildings that might be "historic", that there were going to have some that they still wanted to do but would not be easy to do and they were good buildings, that they could ask how important was all of this to them at a time when he thought they could really begin to feel that downtown was coming together, that the reality was that a lot of the reason why it felt good was because of the historic structures and sort of what it does for the street environment, in that regard he thought there was a lot of value in the redevelopment of these buildings, and he urged them to support the matter largely on the issue of fairness and consistency. Council Members Galloway, Goldberg, Boney, Sanchez and Robinson absent.

Council Member Keller stated that he still believed that when they do these the incentive should be to preserve what they actually believed to be pure in its value of historic preservation and not for economic development. Council Members Galloway, Goldberg, Boney, Castillo, Sanchez and Robinson absent.

Mr. Jerry Wanye Lofton, 8108 W. Montgomery, Houston, Texas 77088 (281-931-4030) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Castillo, Sanchez and Robinson absent.

Ms. Heather Byrd, 826 Oak, Houston, Texas 77018 (713-884-1610) appeared and stated that the woman they bought their house from worked as a reviter while her husband served in World War II, and they built their house on Oak Street in 1948 and raised a family, that if it had not been for Mrs. Berger being afraid of retribution from the

gangs, drug dealers and problems that stemmed from an apartment complex next door to and across the street Ms. Byrd and her family would never have owned this home, that ever since and possibly before the police station moved from North Shepherd onto West Montgomery this particular neighborhood of Laurel Heights had been rapidly declining, that today she felt safer going into Acres Homes to the police station on West Montgomery than she did on her own street right now, that there was a lot of resentment because she was a pretty vocal person, that she had picked up all kinds of drug paraphernalia in her ditch and yard and other waste and garbage, that the visitors of Villa Nueva and the tenants would go into the empty lots next door to their apartments to defecate, that the smell of stale urine and beer permeates her yard, that she smells it on her dog, that she was given a top five priority list in the Near North Section Coordinators Meeting and it was a reading list of the apartment complex, that she had talked to over 100 people since moving there and they definitely needed more police and they needed more resources, that they definitely needed more outreach and she was trying to start a neighborhood association or join in with another one, that she was asked by a lieutenant in the narcotics division what about this bothers her and it was when she sees a man drive up in a nice car and children come running to him and he sells them crack. Council Members Galloway, Goldberg, Boney, Castillo, Sanchez and Robinson absent.

Mayor Brown stated that Assistant Chief Dennis Richards was present and would meet with her, that she might want to get involved with her Positive Interaction Program, the PIP program, and Ms. Byrd stated that she had been there. Council Members Galloway, Goldberg, Boney and Sanchez.

Upon questions by Council Member Tatro, Ms. Byrd stated she had been told they only had two inspectors for Neighborhood Protection and that was not enough, that they definitely needed more resources so any help, tips and advice was greatly appreciated, that they did not have a neighborhood association and there were no deed restrictions, and Council Member Tatro stated that what they did need were the resources available to concentrate their efforts in the area, that these places alone could be the cause of an entire neighborhood coming down and correcting them could be the benefit of the entire neighborhood coming back. Council Members Galloway, Goldberg, Boney, Sanchez and Robinson absent.

Mr. Scott Hancock, 10555 Turtlewood Ct., Houston, Texas 77072 (281-658-8007) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Sanchez and Robinson absent.

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

Ms. Pat Garlinghouse, 3900 Milam, Houston, Texas 77006, had reserved time to speak, but was not present when her name was called because she had appeared at an earlier presentation with Council Member Robinson. Council Members Galloway, Goldberg, Boney, Sanchez and Robinson absent.

Mr. Damone Stewart, 8414 Pannel, Houston, Texas 77088 (281-448-6633) had reserved time to speak, but was not present when his name was called. Council

Members Galloway, Goldberg, Boney, Sanchez and Robinson absent.

Mr. Joseph Omo Omuari, 15 Charleston Park, No. 1107, Houston, Texas 77025 (713-664-8256) appeared and stated that he was with the Democratic Black Nationalist Party, that he was present regarding the Fire Department situation, that when he had observed a Council meeting one time Council Member Boney had stated that the funding from the Convention and Entertainment Department could not be used for anything else besides entertainment projects, that he thought that was very wasteful situation when they needed firefighters to be paid and they were reluctant to take any luxury money from that particular department to put firefighters in fire trucks, that by having that exclusively it limits the ability for the City to diversify its economic situation, that they should prioritize what was important to the City of Houston, entertainment or having firefighters for the City, that he thought the entertainment money should be used to fulfill any drastic needs that the City may have, that the City might have a terrible national disaster, that it was more important that they think about other things going on in Houston besides entertainment. Council Members Galloway, Goldberg, Boney, Keller, Vasquez, Sanchez and Robinson absent.

Ms. Regina Garcia, 2425 University, Houston, Texas 77019 (713-522-9306) appeared and stated that one of the major goals of the Houston Bicycle Advisory Committee was to help them to build the City where people were not afraid to bicycle and where they were not afraid to cross the street, that all the time when she tells people that she rides her bike to work they look at her with great concern and then she starts to get lectures so it was wonderful that they were able to help out with the "Bike to Work Day", that she greatly appreciated their being there, that they had about 70 people who rode from Rice University to downtown, that it meant a lot to the people who were there and to her also, that she was glad that they were able to see a good usable route and to see that people actually could bike to work; that they had an interim bike map that was ready to be distributed and they were very excited about that because their committee were the only people who had even seen a bike map of the system they were building in Houston; that the new website was going up, HoustonBikeways.org and that should be ready in the next couple of days, so they were making a lot of tremendous progress which they greatly appreciated; that she knew that tomorrow Council would have the opportunity to vote on the statewide transportation enhancement project and six of those projects were bicycle projects, that four of them came from the community and one was an educational package, which she was sure that motorists and cyclists alike would agree they desperately needed, and another was the Columbia Tap Rails to Trails Project, which had been on the drawing board for about seven to eight years, that it was a unique project, that she encouraged them to vote for the projects because the funding may not be there in future years, that she knew they had a lot of growing pains with this and was glad that they had stuck with it and stuck through it and knew they were going to have great rewards in the future, walk able and bike able cities were something that everybody enjoyed and was something that added to the street life in the City. Council Members Galloway, Keller and Robinson absent.

Upon questions by Council, Ms. Garcia stated that the new bike coordinator, Ms. Willie Beth Andre, was wonderful, that she jumped in and started running; that they go out and ride the trails or the street routes by bicycle and just do the inspection, that they could not redesign them at this point, but at least they could make notations of things that

were going to have to be reworked and also to make sure that the subcontractors did their job properly, that the very most important thing that they could do was go back and look at the design of how they built their streets and look at the right of ways and decide what they could do that did not cost anything; that they could get to the website through the City of Houston's webpage or they could go in directly to HoustonBikeways.org, that it would be active tomorrow, that it would be worked on and improved. Council Members Galloway, Parker, Keller and Robinson absent.

Mr. Robert Guthrie, P.O. Box 262694, Houston, Texas 77207 (713-471-7111) appeared and stated that he was present to let the City Council know that he had initiated a lawsuit against the City of Houston and the two officers that were involved in the shooting, that Officer B. Hall had not recognize the service of the paperwork that his lieutenant gave to him, that he had yet to send notification to him and to the court, that the basis of the lawsuit that he had was amended from the original petition, that he was submitting to the City of Houston, Mayor and City Council, a copy of the paperwork for Officer B. Hall, that they may like to look through it, that he was also submitting to all of the Members of City Council the first amended petition, that he asked Ms. Wilder, who was handing this for the City Attorney's office, that he wrote a letter on May 15, 2001 and had yet to hear any requests from seven points that he requested assistance on, that the City Attorney's office had not been dealing in good faith, that he had not yet had a reply, that he was being ignored, that when he did show up he was refused any information, meeting or exchange, that he would like to know that he could get his letter answered. Council Members Galloway, Ellis, Keller, Castillo and Robinson absent.

Mr. Josey Wales, 5915 St. Augustine, Houston, Texas 77021 (713-946-4378) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Ellis, Keller, Castillo and Robinson absent.

Mr./Coach Bobby Taylor, 3107 Sumpter, Houston, Texas 77026 (202-FA3-4511) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Ellis, Keller, Castillo and Robinson absent.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that June 5, 2001, www.galvan.org, that today was the full moon in Sagittarius, fire sign and communicator of the fire sign, that as a Virgo, earth sign and communicator of the earth sign and a candidate for Houston City Council he would galvanize for a citizens review board as part of his 2001 platform, that also included in his platform was introducing legislation moving the historic Westheimer Street Festival back to Westheimer, that he would also vote to rename Eleanor Tinsley Park to Elizabeth Spates Park and would vote to change the way that Houston parks and building were named, that they should be name after deceased people like his mother, Gilberta Torres Galvan who passed away on Mothers Day 2001, that he thought it was very rude for Council Member Bell to be talking while he was giving his speech, that if they had to speak they could go out of the room. Council Members Galloway, Ellis, Keller, Castillo and Robinson absent.

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

Mr. Trent Winters, 7967 W. Airport Blvd., Houston, Texas 77071 (713-781-2260) appeared and stated that he still had not gotten answers to the request for information about Council Member Boney, that his point was that if he gave the man the \$20,000 it was not good government, that was one of the points he made a long time ago, that he did not believe he gave it to him but if he did \$20,000 to talk to somebody about a computer was just not where the money should be going and he really needed to apologize to the people, that he knew he did not want to hear about it, that he still did not know who picked the Ethics Committee, that the letter that he got did not explain that, that he did not need the letter because he was there when they came up with that decision, and Mayor Brown stated that they would send him out a copy of the letter again and would make sure to tell him who picked out the Ethics Committee. Council Members Galloway, Ellis, Keller and Robinson absent.

At 3:26 p.m. upon motion by Council Member Todd and seconded by Council Member Vasquez, City Council recessed until 9:00 a.m., Wednesday, June 6, 2001. Council Members Galloway, Ellis, Keller and Robinson absent.

City Council Chamber, City Hall, Wednesday, June 6, 2001

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, June 6, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise D. Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll G. Robinson; Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director present.

At 8:20 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:13 Mayor Brown reconvened the meeting of the City Council. Council Members Galloway, Goldberg, Boney, Keller, Castillo and Sanchez absent.

MAYOR'S REPORT

CONSENT AGENDA NUMBERS 1 through 51

MISCELLANEOUS - NUMBERS 2 through 6

2. REQUEST from Mayor for confirmation of the reappointment of the following to the **COASTAL WATER AUTHORITY**, for terms to expire March 31, 2003:

Position Three - **MR. DIONEL E. AVILES**
Position Four - **MR. KURT F. METYKO**

- was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller, Castillo and Sanchez absent. MOTION 2001-0571 ADOPTED.

4. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **HOUSTON READ COMMISSION**:
- Position 3 - **MS. MARLENE McCLINTON**, appointment, completing an unexpired term ending 1/1/2002
 - Position 4 - **MS. LAUREN VAN WAMBECK**, appointment, completing an unexpired term ending 1/1/2003
 - Position 5 - **MR. DAVID JONES**, reappointment, for a term to expire 1/1/2004
 - Position 8 - **MR. CHASE UNTERMAYER**, reappointment, for a term to expire 1/1/2004
 - Position 9 - **MS. KIM A. RUTH**, appointment, for a term to expire 1/1/2004
 - Position 10 - **MR. EDWARD DOUGLAS HODO**, appointment, completing an unexpired term ending 1/1/2003
 - Position 11 - **MS. BEATRIZ DE ALVARADO**, appointment, for a term to expire 1/1/2004
 - Position 14 - **MS. SANDRA R. WILLIAMS**, reappointment, for a term to expire 1/1/2004
 - Position 17 - **MS. HELGA MATTEI**, reappointment, for a term to expire 1/1/2004
- was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0572 ADOPTED.
6. REQUEST from Mayor for confirmation of the reappointment of the following to the **WASTEWATER CAPACITY RESERVATION REVIEW BOARD**, for terms to expire March 1, 2003:
- Position 1 - **MR. MURDOCK SMITH, JR.**
 - Position 3 - **MR. RICHARD RICE**
- was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0573 ADOPTED.

ACCEPT WORK - NUMBERS 7 and 9

7. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$345,057.31 and acceptance of work on contract with **DURWOOD GREENE CONSTRUCTION, INC** for Construction of the Neighborhoods to Standard, Tier VI Oak Forest/Mangum Manor Overlay Project, GFS Q-1149-01-3, File/Project 249-99/Q-1149 00.91% under original contract amount - **DISTRICT A- TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0574 ADOPTED
9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$202,858.33 and acceptance of work on

contract with **TOTAL CONTRACTING LIMITED** for Construction of 1999 Safe Sidewalk Program, GFS N0610A-R4-3, File/Project N0610A-73 01.38 % under original contract amount - **DISTRICT A- TATRO** – was presented, moved by Council Member Quan, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0575 ADOPTED

PROPERTY - NUMBERS 12 and 13

12. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Steven L. Guy of Martinez, Guy & Maybik, Inc., on behalf of TelCom Central Partners, a Texas General Partnership (Kevin J. Matocha, managing partner), for encroachment agreement for a ±1.94-foot and a ±0.7-foot building encroachment into North Main Street, adjacent to a 2.52-acre tract, out of the John Austin Two League Grant, Abstract 1, Parcels ENY1-05A and ENY1-05B - **DISTRICT H - VASQUEZ** – was presented, moved by Council Member Sanchez, seconded by Council Member Quan. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0576 ADOPTED
13. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel A97-337, located at 7517 Ley Road, owned by Barbara J. Ivory, for the **LEY ROAD PAVING PROJECT from Homestead Road to North Wayside Drive**, CIP N-0587B-00-1 \$21,171.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Sanchez, seconded by Council Member Quan. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0577 ADOPTED

PURCHASING AND TABULATION OF BIDS - NUMBERS 16 and 19

16. **DASIBI ENVIRONMENTAL CORP.** for Nine Dilution Calibrators for Health and Human Services Department - \$89,100.00 - Grant Fund – was presented, moved by Council Member Sanchez, seconded by Council Member Quan. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0578 ADOPTED
19. **SCIMETRICS, INC** - \$46,578.00, **FISHER SCIENTIFIC CO., L.L.C.** - \$127,473.17 and **HACH/AMERICAN SIGMA** - \$220,891.00 for Laboratory Equipment for the Police and Public Works and Engineering Departments - General and Enterprise Funds – was presented, moved by Council Member Sanchez, seconded by Council Member Quan. All voting aye. Nays none. Council Members Galloway, Goldberg, Boney, Keller and Castillo absent. MOTION 2001-0579 ADOPTED

RESOLUTIONS AND ORDINANCES - NUMBERS 27 through 49

27. ORDINANCE appropriating \$8,100.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing interlocal agreement between the

City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT)** for the Reconstruction of Greens Road from Aldine Westfield to JFK Boulevard, CIP N-0686-01; providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund **DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Council Members Galloway, Boney, Keller, Castillo and Quan absent. ORDINANCE 2001-0503 ADOPTED.

28. ORDINANCE releasing territory in Montgomery County in the vicinity of the City of Shenandoah, Texas, from the extra territorial jurisdiction of the City of Houston – was presented. All voting aye. Nays none. Council Members Galloway, Boney, Keller, Castillo and Quan absent. ORDINANCE 2001-0504 ADOPTED.
31. ORDINANCE authorizing the City of Houston to disclaim, release and relinquish the City's Right, Title and Interest in and to a parcel of land containing 0.0252 acres (1,098 square feet), more or less, in exchange for **FINGER-FSC MEMORIAL, LTD** (1) Conveying by Quitclaim to the City a parcel of land containing 0.0139 acres (607 square feet), more or less, for right-of-way purposes for the **MEMORIAL DRIVE/WAUGH INTERCHANGE** and (2) Granting to the City 1,076 square foot combination Water Line and Sanitary Sewer Easement, all located in the John Austin Two League Grant, Abstract No. 1, Houston, Harris County, Texas - **DISTRICT H – VASQUEZ** had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Galloway, Boney, Keller, Castillo and Quan absent.
37. ORDINANCE approving and authorizing an amended and restated Legal Services 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 Aquasource Utility, Inc., of the Ratemaking Decision of the City of Houston Pending before the Texas Natural Resources Conservation Commission and related matters; providing a maximum contract amount - \$75,000.00 had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Galloway, Boney, Keller, Castillo and Quan absent.
43. ORDINANCE appropriating \$793,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **ENVIRONMENTAL ENGINEERS AND CONSTRUCTORS, INC** on low bid of \$720,448.00 and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** in the amount of \$22,000.00 for Windswept Lift Station Replacement, GFS R-0267-67-3 (4276-27); 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. Council Members Galloway, Boney, Keller, Castillo and Quan absent. ORDINANCE 2001-0505 ADOPTED.
44. ORDINANCE appropriating \$2,723,300.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **LEM CONSTRUCTION**

CO., INC on low bid of \$2,291,450.00 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$69,000.00 and approving and authorizing professional services contract for Construction Management and Inspection Services with **MONTGOMERY WATSON AMERICAS, INC** in the amount of \$202,424.00 for West District Wastewater Treatment Plant Improvements, GFS R-0512-07-3 (WW4768-01); 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. Council Members Galloway, Boney, Keller, Castillo and Quan absent. ORDINANCE 2001-0506 ADOPTED.

48. ORDINANCE appropriating \$617,100.00 out of Street and Bridge Consolidated Construction Fund, awarding contract to **DCE CONSTRUCTION, INC** on low bid of \$516,435.82 and approving and authorizing professional services contract for engineering testing services with **BANDY & ASSOCIATES, INC** in the amount \$18,000.00 for Safe Sidewalk Program in North Houston, GFS N-0610A-G6-3 (SB9007-1); providing funding for construction management and contingencies relating to construction of facilities financed by the Street and Bridge Consolidated Construction Fund - **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Members Galloway, Boney, Keller, Castillo and Quan absent. ORDINANCE 2001-0507 ADOPTED.

49. ORDINANCE appropriating \$418,000.00 out of Street and Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** on low bid of \$349,275.15 and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING, INC** in the amount \$12,000.00 for Safe Sidewalk Program GFS N-0610A-S9-3 (SB9048-2); providing funding for construction management and contingencies relating to construction of facilities financed by the Street and Bridge Consolidated Construction Fund - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Members Galloway, Boney, Keller, Castillo and Quan absent. ORDINANCE 2001-0508 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **AUTOMOTIVE BOARD**, for terms to expire January 2, 2002:
 - Position 1 - **MR. WILLIAM C. SMITH**, reappointment
 - Position 2 - **MR. BILLY JONES**, reappointment and as Chair
 - Position 3 - **MR. ELVIN HAYES**, appointment
 - Position 4 - **MR. MANUEL CANO**, appointment
 - Position 5 - **MR. HUSSEIN ABDELLATIF**, reappointment
 - Position 6 - **MS. TRACIE L. CARTER**, reappointment
 - Position 7 - **MR. JAMES ANTHONY**, reappointment

- was presented, moved by Council Member Sanchez, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Galloway, Boney, Keller, Castillo and Quan absent. MOTION CARRIED.

Council Member Vasquez stated that he wanted to recognize that this would be the first appointment ever for a Hispanic on this board and wanted to thank them for doing that, and recognized Mr. Manuel Cano for his participation in City government. Council Members Galloway, Boney, Keller, Castillo and Quan absent.

Council Member Goldberg stated that he wanted to recognize that Mr. Allen Helfman had not served on this board and had removed his name for consideration, that instead for Position 3 they had Mr. Elvin Hayes and was glad to have a board member who led the NBA in rebounding in 1974. Council Members Galloway, Boney, Keller, Castillo and Quan absent.

A vote was called on Item No. 1. All voting aye. Nays none. Council Members Galloway, Boney, Keller and Quan absent. MOTION CARRIED

Council Member Robinson moved to suspend the rules to consider Item No. 29 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Galloway, Keller and Quan absent. MOTION 2001-0580 ADOPTED.

Council Member Goldberg moved to suspend the rules to consider Item No. 36 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Galloway, Keller and Quan absent. MOTION 2001-0581 ADOPTED.

Council Member Parker moved to suspend the rules to consider Item No. 61 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Galloway, Keller, and Quan absent. MOTION 2001-0582 ADOPTED.

29. **ORDINANCE** declaring the City's support of and consent to the creation of the **WEST HARRIS COUNTY REGIONAL WATER AUTHORITY** – was presented.

Council Member Tatro stated that this was for the City's approval of the creation of the West Harris County Regional Water Authority and he whole heartily supported this and hoped the administration would move forward with it in light of the fact that the North Region Water Authority's contract to purchase water out of Chocolate Bayou had proven to not be a viable option to them, that they should move forward to pass the same resolution on the North Harris County Regional Water Authority so they could proceed with the north plant to have a partner at least for the purchase of water so they would have a supply partner in that purchase. Council Members Boney and Keller absent.

Council Member Robinson stated that like Council Member Tatro he wholeheartedly supported the item and hopefully in the next couple of weeks they would see in the greater context all the effort that the City had made in the area of water and the fact that they were working to be a regional partner with all the MUD's out there inside and outside the City and this was the beginning of what ought to be a very successful partnership together, not only on the west side but hopefully, like Council Member Tatro said, with those in the north authority and the independent ones who were not affiliated with either of

the two. Council Members Boney and Keller absent.

A vote was called on Item No. 29. All voting aye. Nays none. Council Members Boney and Keller absent. ORDINANCE 2001-0509 ADOPTED.

36. ORDINANCE approving and authorizing Engagement Letter between City of Houston and **MAYOR, DAY, CALDWELL & KEETON, L.L.P.**, to provide Environmental Legal Services for the Department of Aviation; providing a maximum contract amount - \$450,000.00 - Enterprise Fund **DISTRICTS B - GALLOWAY and E – TODD** – was presented, and tagged by Council Members Bell and Robinson.

Council Member Bell stated that he was going to tag the item and his major question had to do with how the firm was selected, that they relied on a 1997 RFQ based on the backup which Council had been provided and according to Ms. Susan Taylor they were told that this field of law was relatively small and no new players have formed up so that was why they relied on a 1997 study instead of going out with a new request for qualifications, that it did not make any sense in this particular case either, that there were a lot of different firms that provided environmental law services, that Mayor, Day, Caldwell and Keeton certainly had an excellent reputation in this area of the law but other firms did as well. Council Members Boney and Keller absent.

Council Member Tatro stated that in that week he wanted to get a list of the environmental issue they would be looking at as it pertained to the airport and asked if it was a 3 year contract and renewable, that he would just like to know that this firm would be utilized or could be utilized in efforts moving forward on the west side airport issue as it pertained to the airport.

Council Member Quan stated that while he believed that Council Member Bell brought some very valid points and he had some similar concerns, his concern also was that he understood they had some issues coming up very shortly in which the Legal Department needed assistance on this environmental issue, that the firm they used before ceased operation at the end of 2000 and the department had been trying to handle this in house but had some complex matters coming up, so he would like to see also if there was some way that while they could address their immediate needs they could look to the RFQ that Council Member Bell had asked about on a longer term basis and asked Mr. Hall to investigate that, that it was his understanding that there was an issue coming up in 30 days that they needed their assistance on and Mr. Hall stated that he could have one of the attorney's who was handling this matter give him more details, that it was not quite 30 days but there was a 90 day response time and the clock had already started to run already on at the TNRCC that they would expect this firm to handle, that it was certainly possible that it would take 6 months before they could get the RFQ process completed, that again, as the Request for Council Action suggested to them, there were 13 firms identified as having particular expertise in this very narrow field of law and 10 of those responded, that this was the second competitor in that process, that they could certainly go through that again, he heard Council Member Bell's concerns, but they were comfortable that the expertise that was submitted to them in 1997 was still in place at this firm and they could certainly provide the level of services that they indicated then. Council Member Tatro absent.

Council Member Robinson stated that he also shared Council Member Bell's concerns, that this was a recurring pattern, especially in the Aviation Department where they had seen aged documents being revitalized to justify the retention of professional service contractors, that his only concern was how come they did not keep track of the timeline on when things were going to come to an end, or if they had no idea that the pre existing firm was going to go out of business, or if they did not deal with the attorney's there, that it was just amazing to him that the issue was that they had a big piece of litigation, the law firm disappears, they did not know the contract was going to expire so they went back to 1997 and revitalized that, that they had taken away the market competition and he did not think it was fair, and asked that they add his tag too and have someone come and visit with him. Council Member Tatro absent.

Council Member Keller moved to suspend the rules to take Item Numbers 64A through 64D out of order, seconded by Council Member Ellis. Council Member Tatro absent.

Council Member Castillo stated that he would urge a vote against moving Item No. 64A, that he was going to make a motion to make it the last item because they were still trying to work out some details with Mr. Wood and other Council Members, and Council Member Keller stated that he would withdraw his motion at this time. Council Member Tatro absent.

61. 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 50 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER BONEY) – was presented. All voting aye. Nays none. Council Member Tatro absent. ORDINANCE 2001-0510 ADOPTED.

A vote was called on Item No. 1. All voting aye. Nays none. MOTION 2001-0583 ADOPTED. (Note: motion carried previously)

3. REQUEST from Mayor for confirmation of the reappointment of the following to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for terms to expire March 1, 2003:
- Position One - **MS. TEXAS ANDERSON**
 - Position Three - **MR. GRAHAM LUHN**
 - Position Five - **MR. ALBERT L. WONG**
 - Position Seven - **MR. J. KYLE LEFEVERS**

Council Member Parker moved to delay Item No. 3 to the end of the agenda, seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2001-0584 ADOPTED.

5. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **MIDTOWN REDEVELOPMENT AUTHORITY BOARD OF DIRECTORS:**

- Position Three - **MR. ROBERT D. SELLINGSLOH**, reappointment, for a term ending 12/31/2002
- Position Four - **MS. NICOLE CAO**, reappointment, for a term ending 12/31/2002
- Position Five - **MR. LONNIE BLANCHARD**, reappointment, for a term ending 12/31/2002
- Position Eight - **MS. MICHELLE CLAYTON**, appointment, representing Harris County, for a term to expire 12/31/2001

- was presented, moved by Council Member Castillo, seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2001-0585 ADOPTED.

ACCEPT WORK

- 8. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$733,733.35 and acceptance of work on contract with **SCI CONSTRUCTORS, INC** for Construction of the Neighborhoods to Standard, Tier VI Oaklawn/Fullerton Overlay Project, GFS Q-1150-01-3, File/Project 250-99 - 09.01% under original contract amount - **DISTRICTS H - VASQUEZ and I – CASTILLO** - was presented, moved by Council Member Sanchez, seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2001-0586 ADOPTED.
- 10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,183,062.93 and acceptance of work on contract with **PELTIER BROTHERS CONSTRUCTION, INC** for Construction of Westheimer No. 1 Lift Station Rehabilitation, GFS R-0267-12-3 (4276-6R) - 00.34% over original contract amount - **DISTRICT G – KELLER** – was presented, moved by Council Member Sanchez, seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2001-0587 ADOPTED.
- 11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$839,079.00 and acceptance of work on contract with **BOYER, INC** for Construction of Interim Variable Frequency Drive Repair/Replacement, GFS S-0012-20-3 (10484) – was presented, moved by Council Member Boney, seconded by Council Member Castillo. All voting aye. Nays none. MOTION 2001-0588 ADOPTED.

PURCHASING AND TABULATION OF BIDS

- 14. **AMEND MOTION #99-1587, 9/8/99, TO INCREASE** spending authority by \$159,062.00 from \$636,250.00 to \$795,312.00 for Equipment, Special Truck Body Contract for Various Departments awarded to **DAVIS TRUCK AND EQUIPMENT OF SAN ANTONIO, INC-HOUSTON** General Fund– was presented, moved by Council Member Boney, seconded by Council Member Castillo.

Council Member Sanchez stated that the question he had was that the funds for the purchase of the items was coming out of the General Fund versus the Equipment Acquisition Fund and asked if there was a reason for that, and Mayor Brown stated that this was an item that dealt with routine maintenance & repair, spark plugs, etc., and so it would not be appropriate to take it out of the Equipment Acquisition Fund. Council Member Parker absent.

A vote was called on Item No. 14. All voting aye. Nays none. Council Member Parker absent. MOTION 2001-0589 ADOPTED.

15. **GOMEZ FLOOR COVERING, INC** to Furnish and Install Ceramic and Porcelain Tiles for the Houston Fire Department - \$112,245.00 and contingencies for a total amount not to exceed \$117,857.25 - Fire Department Revolving Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2001-0590 ADOPTED.
17. **CASCADE INTERNATIONAL TECHNOLOGY, INC** for Automated Notification System Software for Health & Human Services Department - \$34,250.00 - Grant Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2001-0591 ADOPTED.
18. **STANDARD AERO, INC** for Rolls-Royce Helicopter Turbine Engine Replacement Parts, Overhaul & Exchange for the Police Department - \$1,529,000.00 - General Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. MOTION 2001-0592 ADOPTED.
20. **ALSAY, INCORPORATED** for Abandoned Water Well Plugging for the Department of Public Works and Engineering - \$796,600.00 and contingencies for a total amount not to exceed \$838,530.00 - Enterprise Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Galloway absent. MOTION 2001-0593 ADOPTED.
21. **IDEXX DISTRIBUTION CORPORATION** - \$565,777.00 and **QUALITY AEROSPACE INTERIOR, INC** - \$29,601.00 for Water Kits, Colilert for Health and Human Services and Public Works and Engineering Departments - General and Enterprise Funds – was presented, moved by Council Member Boney, seconded by Council Member Sanchez, and tagged by Council Member Sanchez. Council Member Galloway absent.

RESOLUTIONS AND ORDINANCES

22. RESOLUTION designating certain properties in the City of Houston as Historic Landmarks (Henke's Fifth Ward Grocery Building, The Building at 1204 Nance Street and the Fifth Ward Hotel Building) - **DISTRICT H – VASQUEZ** – was presented.

Council Member Sanchez stated that he was inclined to support this but did not want to get into the quagmire they did earlier with the properties that came to Council last

week and one this week, that he wanted to know whether or not the intention of the property owners seeking the status was that they would ultimately expect a tax abatement from this body. Council Members Galloway and Castillo absent.

Council Member Sanchez moved to suspend the rules to hear from Mr. Bill Calderon, Planning and Development, at this time. All voting aye. Nays none. Council Members Galloway and Castillo absent. MOTION 2001-0594 ADOPTED.

Upon questions by Council Member Sanchez, Mr. Calderon stated that to his knowledge neither of these projects had yet filed for an exemption from the City, that those applications were traditionally filed with the Finance & Administration Department, Mr. Jim Gill in the Tax Office, that he thought that generally they could assume that if people were assuming the designation that it was likely they would submit an application for an exemption, but he did not know if they had filed it or not, that to his knowledge the City had not approached the property owners and offered a potential tax abatement at some future point and time, and Council Member Sanchez stated that in this particular case, just because he happened to approve this particular item it did not mean that was a natural yes vote on a future tax abatement and he just wanted to be on the record saying that. Council Member Castillo absent.

Council Member Keller stated that he was going to tag the item. Council Member Castillo absent.

Upon further questions and discussion by Council, Mr. Calderon stated that it was correct that they had a number of property owners who had sought historic designation for their properties that had not gone through the separate step of seeking tax abatements or tax exemptions for those properties, that there were two separate application processes, both of which had to come to City Council for their approval, that there were clearly more designations than there were people receiving exemptions at this point, which he thought supported the contention that it did not necessarily guarantee that they would come in and seek tax relief through the form of a tax exemption, that they would go back and look at these and see if in fact applications had been submitted to the City and give that information to the City Council; that it was true that properties that were designated as historical had the potential of availing themselves of other types of funding other than the City, that as a matter of fact in some instances designees would often pursue federal tax credits as part of the financing mechanism, that for those that were in the CBD they were also eligible for a Section 108 financing and for those that happened to be within a TIRZ under certain circumstances it was conceivable that tax increment revenues could also be utilized to improve the level of financial aid that a project might receive from the City; that per a conversation that he had with Mr. Jim Gill, he understood that there were four applications on file that had yet to come to City Council at this time, that when they brought the exemption amendments to Council for their consideration and approval a couple of months ago they did look at that issue and Randy Pace, in the Planning Department, his best guesstimate was that there were likely about half a dozen that might come forward in the central business district and there were approximately 90 or so potential properties in the City, primarily residential, that might also pursue the designation and exemption, but he did not really think that there would be very many coming forward, that he gathered it would be about half a dozen maximum; that there were two different ways that they could get tax relief from the City, one was through the

abatement ordinance and the other was through historic tax exemption, that under the exemption ordinance if the applicant's property meets all of the eligibility criteria within the ordinance they could petition City Council to approve an exemption for the time periods subscribed in the ordinance, even if they were residential, under the City's Tax Abatement Ordinance there was a provision within the ordinance that was added in 1997 that did allow for Council to consider residential properties for tax abatements, the properties that were located in any one of the City's enterprise zones, those were shorter scale, 7 year, average 42% abatement and the ordinance was amended in 1997 to enable Council to consider such incentives to help stimulate and catalyze residential development in the inner City, that to date they had brought no such projects before the City Council; that he did not see any reason why they could not set up a committee review process for the historic exemptions that would be filed with them. Council Member Robinson absent.

Council Member Vasquez moved to suspend the rules to consider Item No. 62 out of order, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Robinson absent. MOTION 2001-0595 ADOPTED.

62. 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 52 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER BONEY)

Council Member Bell stated that he had given quite a bit of thought to this item and was going to support it, but would hope in the future they would give a little bit more thought how they go about expanding technology in the City of Houston, that he would take Mr. Danny Piper at his word that it was important that they move forward at this time and this was the only most practical course and that he had at his disposal, but it seemed to him that in trying to build the City's technology base that they do so in the most efficient manner and he was not convinced completely that they might not have been able to get a little bit more for the money had this been handled in a different manner.

Council Member Boney stated that he wanted to echo Council Member Bell's comments and thought that with the cuts they were contemplating and administrative matters that they had to use technology if they expected to expand or keep up with the productivity they needed, that it was probably the best way that they could enhance City services while at the same time cutting costs, so he would be supporting the item.

Council Member Goldberg moved to suspend the rules to hear from Mr. Danny Piper, F&A Department, at this time, seconded by Council Member Keller. All voting aye. Nays none. MOTION 2001-0596 ADOPTED.

Upon questions by Council Member Goldberg, Mr. Piper stated that every time they made a large purchase for any kind of computer equipment they did look at other alternatives, that this was a Compaq deal, but they looked at Dell and Gateway to keep

them honest and make sure that they were getting a price that was below market, and every time they had done that thus far Compaq had come to the table, that the prices either continue to go down or stay the same and the City gets better technology; that the City did not buy leading edge technology, they were not buying the state of the art newest chip in the PC, they usually backup one generation, which was usually two or three months and so they were getting a break in the PC's that they buy, because the City (1) did not need that technology and (2) could not afford that technology, that the current standard for the City was the 866 megahertz machine and in a month or two it would be a gigahert machine and a month or two from that it would be a 1.2 gigahert machine, that today they could buy those machines but the City does not; that they were trying to get on a cycle because the City was not really on a cycle at all, that it was going to be 24 to 36 months on a refresh of the desk tops and that was based on the business requirements that the City had, that the City right now had about 13,262 PC's so every 36 months they would see a refresh of those, so about 4,000 per year. Council Members Galloway and Boney absent.

Council Member Robinson stated that one of the things he would like somebody in the administration do was to track the cost savings, that somebody had to develop some kind of system to track that kind of savings and what they were doing with the savings that they were realizing from the increased use of technology and the delivery of City services, that for instance in the Mayor's base budget there was a 3% administrative savings and if they looked at his numbers they tracked out to about \$73 million in expenses that did not relate to the direct delivery of services, what he calls administrative services and when would they start seeing some reduction in that kind of outlay as a result of investing in technology, that hopefully they would see some kind of documentation, some kind of tracking system and some reports to Council on a fairly frequent basis about where they were realizing cost savings and what they were doing with those savings to reinvest them in the delivery of City services.

Council Member Keller asked Mr. Piper to name 3 cut and dry ways that this is saving the taxpayers money today, and Mr. Piper stated that for example a new e-mail system that they had just deployed over the last few four or five months, that they had 14 e-mail systems in the City prior to that and there was little or no communication electronically across the different departments and part of the spin going to Compaq was (1) upgrade the desktop, put in servers to build the infrastructure to support that centralized e-mail administration, that historically those 14 e-mail systems were being supported by 25 FTE's, pieces of people around the City in the different departments and today that e-mail administration was being done by 5 FTE's in one department, another example was just the mechanism that they used in the contract with Compaq it saved the City money, that the way they buy with Compaq was 6% below the government rate, and a third example was with services, that they were creating systems all the time and Public Works had a permitting system they created to do street cuts and there was an investment they had to make with infrastructure associated with doing that.

Council Member Boney stated that what he thought they would like to be able to see was some pre impulse survey where they were demonstrating either a reduction in the amount of time through the process and a greater productivity by the same number of FTE's.

Council Member Sanchez stated that they had someone come to his office and announce that there was a shipment of computers for his office and he asked who ordered them because they did not need any computers and he found out that it was a decision made somewhere along the line that everybody got new computers in their offices, that he did not need them, so what was the rationale behind that and why did a wholesale replacement of computers in Council Member's offices have a priority of ambulances or flying squad cars or other pressing issues in the City, and Mr. Piper stated that they went to each individual department and asked a representative what did they need on their desktop, and over and beyond that they had a business requirement that requires them to refresh some of their PC's, so they looked to the departments to make those decisions and they were just the facilitator to give it to them, and Council Member Sanchez stated that they did not need them, and Mr. Piper stated that it was his understanding that when they went to the departments if somebody said they did not want them there were plenty of other places in the City where they could re-deploy those PC's because everybody did not get what they needed because there was a fixed amount of money, and Mayor Brown asked if they could replace Council Member Sanchez's computers and give the new ones to someone else, and Mr. Piper stated yes they could. Council Member Robinson absent.

Council Member Bell stated that Mr. Piper had mentioned the new e-mail system and asked if the newer computers required for that system or not, and Mr. Piper stated a piece of the new computers were and some of them were upgrades in specific departments based on their business needs over and beyond that, if each Council Member had a different kind of PC and if they did not have the minimum requirement for e-mail they would not have e-mail rolling to their desktop and would not be connected to the global address book to be able to communicate which was a giant advantage, that if the question was could he put e-mail out without putting the new PC's in place and the answer to that was no. Council Members Todd and Robinson absent.

Council Member Parker stated that she did not know why Council Member Sanchez had problems keeping his technology, that many of the people in her office liked oversize monitors and their monitors were better than the ones offered and they kept the monitors and simply declined and they upgraded the hard drives and left the monitors; and stated that the items on the agenda were from the Equipment Acquisition Fund and asked how that was funded because the inference was that they could take these monies and provide salaries for firefighters, and Mr. Haines stated that it was a bond based fund and therefore could not be used for recurring or operational activities in the City, and Council Member Parker stated that Mr. Piper had mentioned that he thought that the hardware ought to turn every three years and asked if that was an industry standard, and Mr. Piper stated that he did not think it was an industry standard, that he thought it was a standard that the City could afford to move to today, that the industry standard was more like 18 to 24 months, that they do not just give people a new PC if they do not have a business need, but they have to set a minimum standard at the City so they could support that because the total cost of ownership of supporting a PC needed a standard, that they only replaced a third of the number of PC's in the City and there were still a lot of folks underneath that minimum standard. Council Members Goldberg and Robinson absent.

After further discussion a vote was called on Item No. 62. Council Members Tatro and Sanchez voting no, balance voting aye. Council Members Goldberg and Robinson absent. ORDINANCE 2001-0511 ADOPTED.

23. RESOLUTION urging the Harris County Commissioner's Court to adopt new voting Precinct Boundaries using major thoroughfares, bayous, railroads and other natural or manmade geographic features; providing for severability – was presented.

Council Member Boney stated that it was his understanding that Harris County was contemplating the purchasing of new electronic voting equipment and they were negotiating a contract now, that he still had some deep concerns about the implementation of that in the November election and voting outreach and some other things regarding the industry, that he would support the item rather than tag it, but there were still some matters that trouble him that at some point they would have to discuss and make some judgments on.

Council Member Tatro stated that he was going to tag the item because they had yet to go with redistricting.

Council Member Robinson stated that he wanted to echo some of the same concerns that Council Member Boney had, that it was a new technology. Council Member Bell absent.

Council Member Keller stated that he understood some of the concerns, but his understanding in a conversation with them was that they were going to have a couple of pilot ones set up for people at their own will to see, and Council Member Boney stated that it was different, that what had been decided was to implement the electronic voting in the early vote all throughout the City and then to use the punch card ballots for the general election on election day, that troubled him because that was not really the kind of timeline that he would like to see for the voter education for electronic voting.

Council Member Robinson stated that he hoped the administration would consider having a public hearing or something, so they could get the opportunity to be exposed, because he heard the same thing and did not know which version they had.

Mayor Brown stated that there was enough interest amongst Council Members and he would schedule a mechanism to bring someone from the County to Council to brief them on what was being proposed and answer their questions.

Council Member Todd stated that he also would like to tag the item, and requested that they have someone from the County meet with them and explain what methodology they were using for their precinct lines, that a lot of the discussion had been on voting machines, which as he read the item, did not really have anything to do with the item, that he thought it was important that the County, in setting these lines, get input from the municipalities that were within the County so that they could establish communities of interest and find out what boundaries were appropriate to consider, that for the record he had not been asked for his input on anything out in District E and what lines would be appropriate to follow, although he did frequently hear from his constituents that they would like for their precinct lines to be drawn differently; and asked Mr. Hall just for some clarification for the voting machine item were there any implications for the actual machines in this item, and Mr. Hall stated that no, that he was certainly not expressing an opinion about all the comments made about the voting process and procedure, that this

resolution was not a required resolution, that it was a resolution that they were advised to undertake for one reason alone, and that was all it spoke to, and that was when they actually drew and adopted the plan for Council districts in the City the County would in fact draw precinct lines and they were asking them to look at the decisions that the Council had made in drawing the district lines so that the precinct lines did not cut across those if possible. Council Member Vasquez absent.

Council Member Castillo stated that he supported the resolution, that he thought their biggest challenge would be when the Legislative Redistricting Board draws the legislative districts to use natural boundaries, because that was where the biggest problems were and it was usually the County that winds up having to cope and deal with those; that he looked at the voting machines and they did not pick the one he would have suggested and thought that part of any major change in voting procedure, which this was, required a lot of public education and would like to know and have a public explanation from the County Clerk just how much and what their plan of action was for educating the public.

Mayor Brown stated that he was going to ask the County to come before Council and explain what they were proposing to do and be prepared to answer any questions that Council may have, and stated that the matter had been tagged, and Council Member Boney stated to add his tag to.

24. RESOLUTION authorizing submittal of the Parks Department and Planning & Development Department's Candidate Projects listed on Exhibit "A" attached hereto to the Texas Department of Transportation ("TXDOT") for nomination under the Statewide Transportation Enhancement Program and Federal Funding under the Transportation Equity Act for the 21st Century to be administered by TXDOT and approving local matching funds for such projects - **DISTRICTS D - BONEY and I - CASTILLO** - was presented.

Council Member Boney moved to suspend the rules to hear from Ms. Willie Beth Andre, Bikeway Coordinator, at this time, seconded by Council Member Robinson. All voting aye. Nays none. MOTION 2001-0597 ADOPTED.

Council Member Boney stated that in the Third Ward area it was his understanding that the bikeways were currently planned to utilize the abandoned railroad tracks and asked if that was the case, and Ms. Andre stated that was correct, that they had the Columbia Tap Rails to Trails Project that was coming up and they were going to be meeting with the community, that they sent out a newsletter inviting them to an open house on June 26, 2001 and would be meeting in the Tiger Room of TSU and the meeting would be from 6:00 p.m. to 9:00 p.m., that they would have information concerning the project and were open to discussion to hear questions and concerns from everyone, that this would be on the actual rail and would be from Dixie to Polk and they would look at that area and see if they could bring this on if everyone was willing to, and Council Member Boney asked if the potential existed for changing part of the route should there be a good enough rationale presented, and Ms. Andre stated that if they needed to yes they would probably look at it, and Council Member Boney stated that the president of Texas Southern University had indicated that she had great concern that she had not been pre contacted about this route and the route actually went through Texas

Southern University's campus and she was concerned about joggers and bikeways driving through the campus, that she had expressed at least a desire that so far as TSU was concerned they go around the campus, and Ms. Andre stated that they made a call to their staff and was in the process of scheduling a meeting, and Council Member Boney requested that she report back to his office after she had laid out her plans to TSU. Council Members Todd, Vasquez and Castillo absent.

A vote was called on Item No. 24. All voting aye. Nays none. Council Members Todd, Vasquez and Castillo absent. RESOLUTION 2001-0026 ADOPTED.

25. RESOLUTION authorizing submittal of the Public Works and Engineering Department's Candidate Projects listed on Exhibit "A" attached hereto to the Texas Department of Transportation ("TXDOT") for nomination under the Statewide Transportation Enhancement Program and Federal Funding under the Transportation Equity Act for the 21st Century to be administered by TXDOT and approving local matching funds for such projects - was presented, and tagged by Council Member Tatro. Council Members Todd, Vasquez and Castillo absent.

26. RESOLUTION authorizing **GREATER GREENSPPOINT MANAGEMENT DISTRICT, GREATER EAST END MANAGEMENT DISTRICT and HARRIS COUNTY IMPROVEMENT DISTRICT #1 (UPTOWN HOUSTON IMPROVEMENT DISTRICT)** to nominate the projects listed on Exhibit "A" attached hereto ("The Projects") to the Texas Department of Transportation ("TXDOT") for nomination under the Statewide Transportation Enhancement Program and Federal Funding under the Transportation Equity Act for the 21st Century to be administered by TXDOT; supporting the implementation of the proposed projects; and recommending the Projects' consideration for funding by TXDOT - **DISTRICTS B - GALLOWAY; G - KELLER; H - VASQUEZ and I - CASTILLO** - was presented. All voting aye. Nays none. Council Member Todd absent. RESOLUTION 2001-0027 ADOPTED.

Council Member Castillo stated that he wanted to recognize that they had several directors of the various districts in the audience and they had worked very hard to bring them to this level and would like for them to stand up and be recognized. Council Member Todd absent.

30. ORDINANCE consenting to the addition of 178.179 acres of land to the **WOODLANDS METRO CENTER MUNICIPAL UTILITY DISTRICT**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Todd absent. ORDINANCE 2001-0512 ADOPTED.

Council Member Castillo moved to suspend the rules to take Item Numbers 64 through 64D out of order, seconded by Council Member Galloway. All voting aye. Nays none. MOTION 2001-0598 ADOPTED.

Council Member Castillo stated that if they considered 64, 64a, 64b or 64c before they call 64d, which was the main item, so what happens is they call 64, 64a, 64b and 64c and then they adopt the ordinance as amended.

Mayor Brown stated that the standard procedure would be to vote on the amendments and then vote on the main item as amended and asked if Council Member Castillo was requesting to do it differently, and Council Member Castillo stated that the way he saw it was that the main item had to be called up so that they could amend it, and Mayor Brown stated that would be the standard, to bring it up and then vote on the amendments.

64d. 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 – **(This was Item 14 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented

64. Written motion by Council Member Keller to amend Item 64d below relating to Precincts in Districts A, F, G and H - **TAGGED BY COUNCIL MEMBER GALLOWAY** – was presented as follows:

“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 this item was presented as an amendment last week by Council Member Keller and that was what was before them now.

Council Member Tatro stated that his amendments and his impact and what he had tried to do was try to affect his district as little as possible and keep it on geographic boundaries, that he had proposed two amendments and the affect of those amendments was to give both to Council Members Vasquez and Galloway if needed, that he was concerned and wanted to speak directly about the amendment posed by Council Members Vasquez and Castillo and looked back at what he tried to accomplish and the principals behind what he tried to accomplish in his amendment, that they tried to keep communities of interest together and tried to make the impact on the district as little as possible, that when he looked at their amendment he was concerned about what drives their amendment and what were the principals behind their amendment, that his district was not consulted with what possibilities, what districts or what precincts might be easily moved over, that if Council Member’s districts were going to be impacted, rather than a plan to simply come in and take from a Council Member’s district they should be contacted and worked with to identify communities of interest so as to affect that district as little as possible, that Council Members Vasquez and Castillo’s districts did not do that, that they were not consulted about that and that was a cause of concern on his part and the constituents that he had, that the word gerrymander came to mind quite

significantly when he saw the proposal of coming into Spring Branch and actually coming across Spring Branch and dissecting Spring Branch, that was a significant issue, that they did not have Spring Branch residents down here, but he would tell them that if this plan went through he would think that the Spring Branch residents voices were going to be strong in this because it dissected Spring Branch and was bad policy.

Council Member Ellis stated that there were a number of amendments that were on the table and when they looked at each of the amendments and their adjustments he did not think that Council Member Keller's amendment and his amendment really had any significant changes to other districts than the Council Member's that they discussed it with, that his was C and F and Council Member Keller's they had talked about, and asked if they were to adopt those two amendments did he think that everything would be in place and that there would not be any conflict from his standpoint, that was just based on the amendment put by Council Member Keller and himself, and Mr. Wood stated that the only conflict he could see was that Council Member Keller's amendment was not in conformance with Council Member Tatro's amendment, that Council Member Tatro's amendment would affect Council Member Keller's amendment, and Council Member Ellis asked if they were to adopt 64, 64a as amended and 64c would that cause any conflict and Mr. Wood stated no, and Council Member Ellis asked if they were to adopt 64, 64a and 64b would that cause conflict, and Mr. Wood stated yes, because 64b as it was currently written would need to be amended to change the population of a couple of districts that were outside of the range of the variation that was allowable, and Council Member Ellis stated that they could not adopt all of the amendments as they were stated and asked which amendments were compatible, and Mr. Wood stated that 64, 64a as amended or as originally submitted and 64c were compatible, that 64b would have to be further amended to become compatible. Council Members Todd, Quan and Robinson absent.

Council Member Ellis stated that Council Member Tatro had stated that Council Members Vasquez and Castillo had not consulted with him on their redistricting plan and asked if he had consulted with any of the other district Council Members that his plan would affect, and Council Member Tatro stated yes, that much like the original plan they consulted with Council Member Galloway about just substituting, rather than the precincts that the administration they swung them up a little more north to make it a little more contiguous for hers and their districts, and Council Member Ellis stated that he was concerned because he had an amendment on the table that Council Member Tatro's amendment affected and Council Member Keller had an amendment on the table that Council Member Tatro's amendment affected and Council Members Vasquez and Castillo had an amendment that Council Member Tatro's amendment affected and stated that if they excluded Council Member Tatro's amendment everybody else's amendment would pass. Mayor Brown absent. Mayor Pro Tem Boney presiding.

Council Member Tatro stated that he thought that Council Member Keller's amendment would support that and that Council Member Ellis's amendment was a small minor amendment which dealt with his area and would be happy to accept those and then work from there on that, however it was the nature of the Castillo and Vasquez amendment that was so broad and encompassing and actually shifted greater population than ever need be and that was what they were trying to prevent the substantial shifting of population, and as they stated and passed out at the table, there was a substantial

amendment to that even, so he anticipated a delay. Mayor Brown absent. Mayor Pro Tem Boney presiding.

Council Member Ellis stated that this was a substitute amendment to their amendment and was assuming that they could tag the amendment now, and Mr. Hall stated yes, when it came up it was taggable. Mayor Brown absent. Mayor Pro Tem Boney presiding.

Council Member Vasquez stated that Council Member Tatro did come and speak to him and he went and spoke to him about his changes and they disagreed and once that occurred he sought other avenues to fix the situation in terms of bringing the districts closer to the ideal population, keeping the communities of interest together and basically responding to the testimony they heard at the public hearings and also just making sure that the numbers worked, that unfortunately with Council Member Tatro's numbers the situation did not work and so that was the position they were in. Mayor Brown and Council Member Goldberg absent. Mayor Pro Tem Boney presiding.

Council Member Castillo stated that the reason there were large population changes was that District B was so under populated and that together with the fact that they must, number one, not dilute minority voting strength and combined with trying to keep minority community of interest together, necessitated moving large populations through H to B since that was the only source of population over and above the ideal, that the amendment that they intended to submit at the proper time brings Council District A slightly above the ideal population, brings Districts H, B and I within the population ranges so it accomplishes all of the requirements of balancing the populations within the range of the ideal population, maintains communities of interest and does not dilute minority strength, that Council Member Tatro would like to keep the populations that he had and give away the populations that he did not like, and he did not think that was one of the requirements of the exercise, that he supported amendments 64, 64a and 64c, and Council Member Ellis stated that the only portion of the argument that Council Member Tatro stated was that they were going to split up Spring Branch, that Sharpstown was a big base in District F and he would strongly be opposed to somebody coming in and splitting up Sharpstown, and Council Member Castillo stated that if they looked at the Spring Branch that Council Member Tatro was trying to preserve it was not the Spring Branch of 10 years ago, that if they looked at the populations and communities of interest now in Spring Branch they had combined the communities of interest that were Spring Branch with adjoining communities of similar demographics including economics, so it was not like they were taking a pristine area as it was 10 or 20 years ago and splitting it down the middle, and Council Member Ellis asked if it was one subdivision or a number of subdivisions, and Council Member Castillo stated that Council Member Vasquez could speak more to that and yielded to him.

Council Member Vasquez stated that it was a number of precincts that were all a community of interest in terms of demographics, that those particular precincts basically engulfed those subdivisions, that it was a number of subdivisions that were represented by the precincts.

Council Member Galloway stated that she was in support of the substitute amendment that they had passed out this morning because it did bring her total

population up more so as well as there were more commonalities of interest in the area that had been incorporated from District H, that she had no problem with it and had spoken with Council Member Tatro on a couple of precincts, but they had the same commonality and thought it was best that the community remained intact. Council Member Sanchez absent.

Council Member Todd asked that in the substitute amendment that had been made the term community of interest had been used over and over again by the Council Members and asked Mr. Heath if he had really analyzed whether or not what they were talking about really was legally a community of interest, that he had heard a statement earlier that based on the demographics of the area, and stated that demographics alone was not a community of interest, and Mr. Heath stated that it was true that demographics alone was not a community of interest that could contribute to being a community of interest, but he had not made an independent analysis of the communities of interest, that he had talked to Mr. Wood and had heard what the Council Members had said in representing that there were communities of interest in the particular subdivision and precincts, and Council Member Todd asked Mr. Heath if he did not think it would be important for them to get his opinion on whether or not it was a community of interest before they voted on it, and Mr. Heath stated that there were lots of communities of interest and in his conversations with Mr. Wood and all it had been represented that these represent communities of interest and he accepted that, that if Council wanted to explore that further it certainly could but he accepted what he had heard in that regard, and Council Member Todd asked Mr. Heath that as of today he as the outside legal counsel for the City had not done any sort of independent analysis of whether or not it was a community of interest and Mr. Heath stated that he had listened to City staff on it just as they had throughout other districts in the City, and Council Member Todd asked Mr. Wood if he had analyzed these changes to see if the comments made about Spring Branch, that it was not the Spring Branch today that it was 10 years ago and the comment that based on demographics it was a community of interest, was there any more meat behind the sizzle to demographics on these lines, and Mr. Wood stated if they had precincts, for instance, that were drawn along major thoroughfares then they would probably have a better example of there being an identifiable split in the communities of interest that did exist in the Spring Branch area, that there was a significant economic difference between the single family residential areas like Binglewood and the apartment areas like the Pittner apartment area, that apartment areas in precincts that were immediately adjacent to Hempstead Highway had a completely different socio economic characteristic without regard to the demographics and very different from what it was 20 years ago when at that time they were essentially middle class and now they were lower income with a large immigrant population, so there were characteristic that were very distinct between the single family residential areas in Spring Branch and the apartment areas, that the precincts as they were currently drawn did not draw that distinction between those areas in other words the lines did not run cleanly between the areas that were middle class and the areas that were immigrant low income and he thought that was a concern in any kind of analysis, that they also had a lot of testimony about the community of interest in District A and the Inwood area and that had to be another concern in looking at this, and Council Member Tatro asked Mr. Wood if he was comfortable that the substitute amendment that had been proposed was indeed a community of interest and Mr. Wood stated that he thought that it imperfectly identified a community of interest because of the shape of the interests, because they did have

precincts that while they may group most of that low income immigrant population, which he regarded as a community of interest separate and apart from the single family residential area, it did not do so without some splitting of single family residential areas, and Council Member Todd asked if when Mr. Wood was saying the word imperfectly he was assuming that he was really not recommending that they pursue that, and Mr. Wood stated that Council had to make a judgment as to whether that imperfection was sufficient to make it not acceptable. Council Members Keller, Castillo, Sanchez and Robinson absent.

After further discussion and questions by Council, Mr. Heath stated that he had reviewed the amendments and looked at the numbers with Mr. Wood, that he depended on Mr. Wood to talk about the particular neighborhoods and subdivisions and that sort of thing, that he certainly depended on his expertise in that area; that if they had problems getting clearance through Washington, under Section 5 and if they were setting themselves up for a Section 2 lawsuit, under the Voting Rights Act, and if they were setting themselves up for a Shaw versus Reno lawsuit, and the latter he had to depend more, throughout the City, on Mr. Wood who was intimately familiar with every bit of the City, and whether they comply with standards; that any week they delay would delay them in the pre clearance, were they passing a drop dead date, no they were not, that obviously the sooner the better and they were in the State guidelines but it was delaying them a week, that it would be useful to get it in today if they could. Council Member Sanchez absent.

Council Member Bell asked Mr. Wood how big a portion of the Hispanic population were they taking out of the Spring Branch neighborhood under the Castillo and Vasquez amendment, and Mr. Wood stated that the amendment proposed by Council Members Vasquez and Castillo takes apartment complexes as well as some single family residential areas on the Hempstead Highway corridor, that there were obviously apartment complexes throughout Spring Branch and there were concentrations of Hispanic population throughout Spring Branch, that this happened to be the heaviest concentration of Hispanic population that was identifiable in Spring Branch and that along with that Hispanic population was the fact that it was the highest concentration of low income immigrant population in Spring Branch, that it would move those precincts into District H, that it would raise the Hispanic population in District H slightly, that District H was already at 66% Hispanic, that it did not take in citizenship, with the addition of the Spring Branch population it would become 66.8% Hispanic, that it was a small change, that the assertion that the amending Council Members would make was identifying the fact that they had community of interests here and it was up to Council to make a judgment if it was true or not, that they should look at the total affect of the amendment and part of it was to put the areas of greater Inwood, that they had testimony from them earlier during the hearings, back into District A which they were asking to remain, that in the staff plan he narrowly defined community of interest in that area as identifying with the subdivisions alone. Council Member Sanchez absent.

Council Member Bell moved to postpone Item 64 for one week, seconded by Council Member Boney and after further discussion Council Member Bell stated that he would withdraw the motion to delay until they got the rest of the amendment. Council Members Parker, Sanchez and Robinson absent.

After further discussion Council Member Castillo moved to call the question on Item 64, seconded by Council Member Keller. All voting aye. Nays none. Council Members Sanchez and Robinson absent. MOTION 2001-0599 ADOPTED.

A vote was called on Item No. 64. All voting aye. Nays none. Council Member Todd voting no, balance voting aye. Council Members Sanchez and Robinson absent. MOTION 2001-0600 ADOPTED.

Council Member Goldberg moved to consider Item 64c out of order, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Sanchez and Robinson absent. MOTION 2001-0601 ADOPTED.

64c. Written motion by Council Member Ellis to amend Item 64d below relating to Precincts in Districts C and F - **TAGGED BY COUNCIL MEMBER GALLOWAY** – was presented as follows:

“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 Castillo requested that Council Member Ellis explain his amendment, and Council Member Ellis stated that his amendment only affect Districts C and F, that he and Council Member Goldberg got together and took a look at it and what they were doing was that Council Member Ellis was picking up and consolidated all of Sharpstown, that he was taking a portion of a park that was kind of unusual, that the park stuck into his district and it was actually in Council Member Goldberg’s district and the people all across the street were Council Member Ellis’s constituents, so they were going to bring it into his district, that they were also going to transfer a portion of the Gulfton area over to Council Member Goldberg to even it up, that they were basically transferring Precinct 314 from District C to F and in exchange they were moving Precincts 283, 685 and 686 from District F to C, that they talked to Mr. Wood and he stated that there was no problem with this and he and Council Member Goldberg both discussed it and were in agreement that it would be the best thing for both of their districts. Council Members Sanchez and Robinson absent.

Council Member Todd asked Mr. Wood if he could confirm that conversation, and Mr. Wood stated yes, that the net effect on the population change was a slight variation in the ethnicity of the two districts, that it did bring both districts closer together in population so that District C was no longer at the allowable maximum population which it was very close to before this, and Council Member Todd asked if Mr. Wood was comfortable with it from a due diligence standpoint, and Mr. Wood stated that he believed while the boundaries were not perfect again, that they had a higher archy of issues, pulling together one neighborhood and splitting another neighborhood may not be the best answer but if they in the long run intended to resolve that question then he thought it was a reasonable thing to do. Council Members Sanchez and Robinson absent.

Council Member Boney asked what ethnicity population changes were, and Mr. Wood stated that the area changes between the two all had a Anglo minority and the net effect was to slightly raise the African American percentage of District F and slightly raise the Hispanic percentage of District C, but make very little change in the Anglo percentage of either district, that in District C the African American percentage under this plan would be 25.15% and the Anglo percentage would be 40.29% and the Hispanic 26.37%, that in District F the African American percentage was 21.98%, the Anglo percentage 17.48% and the Hispanic 42.9%, and he added that it made no difference in the Asian percentage, which in District F it was particularly important, that he did not have the percentages of the staff plan, but expected that it was a slight variation and all less than 1%.

A vote was called on Item No. 64c. All voting aye. Nays none. Council Member Sanchez absent. MOTION 2001-0602

Council Member Castillo moved to consider Item 64a out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sanchez absent. MOTION 2001-0603 ADOPTED.

64a. Written motion by Council Member Castillo and co-signed by Council Member Vasquez to amend Item 64d below relating to Precincts in Districts A, B, H and I – **(TAGGED BY COUNCIL MEMBER GALLOWAY)** – was presented as follows:

**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 this was the one as amended, that it was the one bearing the three signatures on the cover sheet, and Council Member Vasquez asked if Council Member Castillo was making the motion to amend, and Council Member Castillo stated that they were substituting the amendment that contained the three signatures dated June 6, 2001 of Council Members Vasquez, Castillo and Galloway and substituting it for the substitute of last week, seconded by Council Member Galloway.

Council Members Bell and Tatro stated they would tag the substitute amendment, and Mr. Hall stated that they had not voted on the substitution, and Council Member Bell stated that he would withdraw the tag and Mayor Brown stated that what they needed at this time was a motion to allow the substitute motion.

Council Member Robinson moved to allow a substitute motion for Item 64a, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sanchez absent. MOTION 2001-0604 ADOPTED.

Motion by Council Member Castillo, seconded by Council Member Galloway to amend Item 64d was before Council as follows: (this is a motion offered as a substitute for Item 64a)

**TRANSFERS OF PRECINCTS
AMENDING 2001 STAFF REDISTRICTING PLAN**

<u>PC</u> <u>T</u>	<u>FROM</u>	<u>TO</u>	<u>PC</u> <u>T</u>	<u>FROM</u>	<u>TO</u>
43	A	H	323	H	A
82	A	H			
179	A	H	846	H	A
299	A	H			
610	A	H			
			11	H	I
			122	H	B
			192	H	B
			195	H	B
			325	H	B
322	B	A	367	H	B
450	B	A	502	H	B
			838	H	B
357	B	H			
852	B	H			

Council Members Bell and Tatro tagged the substitution motion. Council Member Sanchez absent.

Council Member Vasquez moved to suspend the rules to consider Item 64b out of order, seconded by Council Member Parker. All voting aye. Nays none. Council Member Sanchez absent. MOTION 2001-0605 ADOPTED.

64b. Three written amendments (1A, 2A, 3A) by Council Member Tatro to amend Item 64d below relating to Precincts in Districts A, B, G and H - **TAGGED BY COUNCIL MEMBER GALLOWAY** – was presented as follows:

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 Tatro asked if it would be appropriate, because of the substitute motion to withdraw the amendment, if appropriate, or a motion to refer back so that based on their amendment they could make other changes, and would it be proper just to remove it because it was not a comprehensive amendment.

Council Member Castillo stated that if he allowed them to just vote against it and if they had an amendment next week it would be taggable.

Council Member Tatro asked if it would be proper to withdraw the amendment and Mr. Hall stated that in an effort to make certain that Council was fully aware and they were not playing any games, if his amendment was not considered this week it would be taggable next week, and Mayor Brown asked if he could just withdraw the amendment and Mr. Hall stated yes.

Council Member Tatro withdrew his amendment listed as Item No. 64b.

Mayor Brown stated that Council Member Tatro withdrew his amendment on 64b and now they were on 64d.

Council Member Robinson requested a point of order and stated that he wanted to make sure they were clear, that they passed Item No. 64, 64a had been amended with a substitute amendment and tagged, 64b had been withdrawn and 64c had passed, and Mayor Brown stated that was correct.

64d. 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 – **(This was Item 14 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was again presented as amended.

Council Member Parker moved to delay Item 64d as amended for one week, seconded by Council Member Vasquez.

Council Member Todd asked Council Member Parker if she would accept as a friendly amendment for two week delay on that, and Council Member Parker stated no, and Council Member Todd asked if there was a deadline they had coming up from the Justice Department that meant they had to do this within the next 7 days, and Mr. Heath stated that every week delay was something of a problem, that it was not fatal, but it pushed them up and hurt them on the other end, that last time the plan was passed this week, June 5 of that year, 1991, and the submission went in about July 1 and they were trying to cut that down a little, but there ended up being a problem at the Department of Justice, that it would not keep it from being approved before the election, but every week they were just getting closer and closer, that he would anticipate they would get the pre clearance back by the election.

Mr. Hall stated that Ms. Stein had reminded him of a technical problem they had if a two week delay was actually implemented, that they would have pursuant to Council Member Bell's tag of the substituted amendment for 64a on today's agenda up without the main item being up, that it was a technical problem, that the main item would not be up if the amendment passed and a tag was good just for a week.

A vote was called on the motion to delay Item No. 64d for one week. Council Member Todd voting no, balance voting aye. MOTION 2001-0606 ADOPTED.

32. ORDINANCE approving and authorizing special warranty deed conveying to **GEORGE POLYDOROS CO., INC**, a parcel of land containing 54,213 square feet, more or less Parcel S98-023, located at 1200 Enclave Parkway, Houston, Texas in consideration of George Polydoros Co., Inc's payment of \$273,784.00 and other consideration to the City - **DISTRICT G - KELLER** - was presented, and tagged by Council Member Keller. Mayor Brown and Council Member Vasquez absent. Mayor Pro Tem Boney presiding.
33. ORDINANCE approving and authorizing the City of Houston to Submit the 2001 Consolidated Annual Plan to the United States Department of Housing and Urban Development, including the following 2001-2002 Grant Applications: 1) **27th YEAR COMMUNITY DEVELOPMENT BLOCK GRANT** in the amount of \$38,421,000.00; 2) **HOME INVESTMENT PARTNERSHIPS** in the amount of \$13,690,000.00; 3) **HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS** in the amount of \$4,393,000.00; and 4) **EMERGENCY SHELTER GRANTS** in the amount of \$1,234,000.00; and to accept the aforementioned grant funds, if awarded - was presented, and tagged by Council Member Sanchez. Mayor Brown and Council Member Vasquez absent. Mayor Pro Tem Boney presiding.

34. ORDINANCE approving and authorizing agreement between City of Houston and **PH CRESCENT PARK LLC**, to provide a loan of Federal "Home" Funds in the amount of \$1,850,000.00 to acquire 436-Unit Apartment Building located at 2310 Crescent Park Drive to provide Housing for Low-Income Persons - **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Mayor Brown and Council Member Vasquez absent. ORDINANCE 2001-0513 ADOPTED. Mayor Pro Tem Boney presiding.
35. ORDINANCE approving and authorizing Loan Agreement between City of Houston and **HOLLISTER ROAD INVESTMENTS, LTD** to provide \$3,528,000.00 in Community Development Block Grant Funds to be used for the acquisition of a 588 Unit Multi-Family Apartment Complex known as the Summercrest Apartments located at 3950 Hollister Road and 8655 Pitner Road **DISTRICT A - TATRO** - was presented, and tagged by Council Member Tatro. Mayor Brown and Council Member Vasquez absent. Mayor Pro Tem Boney presiding.

Council Member Tatro stated that he wanted to thank the principals of the organization for responding so quickly, that there were some concerns and questions to be answered from some of the people in the neighborhood and they had agreed to meet with them tomorrow night. Mayor Brown and Council Member Vasquez absent. Mayor Pro Tem Boney presiding.
38. ORDINANCE approving and authorizing acceptance of Grant Agreement No. 3-48-0110-22 in the amount of \$1,875,000.00 by and between the City of Houston, Texas and the **FEDERAL AVIATION ADMINISTRATION** for Preparation of an Airport Masterplan at William P. Hobby Airport, CIP A-0442 - **DISTRICT E - TODD** - was presented, and tagged by Council Members Quan, Goldberg and Keller. Mayor Brown and Council Member Vasquez absent. Mayor Pro Tem Boney presiding.
39. ORDINANCE approving and authorizing acceptance of Grant Agreement No. 3-48-0290-13 in the amount of \$1,350,000.00 by and between the City of Houston, Texas and the **FEDERAL AVIATION ADMINISTRATION** for Preparation of an Airport Masterplan at Ellington Field, CIP A-0368 - **DISTRICT E - TODD** - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0514 ADOPTED. Mayor Pro Tem Boney presiding.
40. ORDINANCE appropriating \$357,282.71 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for a cost sharing contract between the City of Houston and **MEMORIAL VILLAGES WATER AUTHORITY** for construction of a 24-inch surface Water Transmission Line along Piney Point Road for the Old Katy Road to Green Bay Road; (approved by Ordinance No. 97-861, (10416) - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0515 ADOPTED. Mayor Pro Tem Boney presiding.
41. ORDINANCE appropriating \$1,622,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing second amendment to professional services contract between the City of Houston and

- POLYTECH, INC d/b/a PTI, INC** for Design of Sludge Facilities Improvements and Expansion at the East Water Purification Plant (EWPP) Complex, CIP S-0056-Y8-2 (10536); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - was presented, and tagged by Council Member Keller. Mayor Brown absent. Mayor Pro Tem Boney presiding.
42. ORDINANCE appropriating \$3,821,600.00 out of Street & Bridge Consolidated Construction Fund, \$674,400.00 out of Water & Sewer System Consolidated Construction Fund and awarding contract to **COLT UTILITIES, INC** on low bid of \$3,748,246.30 and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING, INC** in the amount of \$185,000.00 and approving and authorizing professional services contract for Construction Management and Inspection Services with **EMPIRE CONSTRUCTION SERVICES, INC** in the amount of \$300,000.00 for construction of NSR 434-02 and NSR 432A, Phase IV - Ford Street, GFS N-0366-02-3 (N-0366-02 & N-0366-04); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; B - GALLOWAY and I - CASTILLO** - was presented, and tagged by Council Member Tatro. Mayor Brown absent. Mayor Pro Tem Boney presiding.
45. ORDINANCE appropriating \$1,519,900.00 out of Water and Sewer Consolidated Construction Fund, awarding contract to **REDDY ENGINEERS & CONTRACTORS, INC** on low bid of \$1,271,600.00 and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** in the amount of \$38,000.00 and approving and authorizing professional services contract for Construction Management and Inspection Services with **MONTGOMERY WATSON AMERICAS, INC** in the amount of \$121,278.00 for Improvements at MUD #203, WCID #76 and Easthaven Wastewater Treatment Plants, GFS R-0512-09-3 (WW4768-02); providing funding for 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. Mayor Brown absent. ORDINANCE 2001-0516 ADOPTED. Mayor Pro Tem Boney presiding.
46. ORDINANCE appropriating \$560,000.00 out of Street and Bridge Consolidated Construction Fund, awarding contract to **CAAN CONSTRUCTION SERVICES, INC** on low bid of \$468,661.72 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount \$16,000.00 for Safe Sidewalk Program GFS N-0610A-G1-3 (SB9029-1); providing funding for construction management and contingencies relating to construction of facilities financed by the Street and Bridge Consolidated Construction Fund - **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0517 ADOPTED. Mayor Pro Tem Boney presiding.

47. ORDINANCE appropriating \$447,000.00 out of Street and Bridge Consolidated Construction Fund, awarding contract to **DCE CONSTRUCTION, INC** on low bid of \$373,295.52 and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** in the amount \$13,000.00 for Safe Sidewalk Program in Southwest Houston, GFS N-0610A-G2-3 (SB9029-2); providing funding for construction management and contingencies relating to construction of facilities financed by the Street and Bridge Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; F - ELLIS and G - KELLER** - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0518 ADOPTED. Mayor Pro Tem Boney presiding.
50. ORDINANCE appropriating \$3,575,050.00 out of Water & Sewer System Consolidated Construction Fund; awarding contract to **REDDY ENGINEERS & CONTRACTORS, INC** on low bid of \$2,974,746.00 and approving and authorizing professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** in the amount of \$90,000.00 and approving and authorizing professional services contract for construction management and inspection services with **CARTER & BURGESS, INC** in the amount of \$302,073.00 for improvements at Various Ground Water Pumping Stations, GFS S-1000-RW-3 (10564); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; F - ELLIS and G - KELLER** - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0519 ADOPTED. Mayor Pro Tem Boney presiding.
51. ORDINANCE granting to **ETS CABLEVISION, INC**, a Texas Corporation, the right, privilege, and franchise to erect, maintain, and operate a cable television system in the City of Houston, Texas, containing other provisions relating to the foregoing subject; and providing for severability **FIRST READING** - was presented. All voting aye. Nays none. Mayor Brown absent. Mayor Pro Tem Boney presiding. ORDINANCE 2001-0520 PASSED FIRST READING IN FULL.

NON CONSENT AGENDA - NUMBER 52

MISCELLANEOUS

52. MOTION to set a date not less than seven (7) days from June 6, 2001 to receive nominations for Positions One and Two, and Alternate Positions One and Two of the Houston-Galveston Area Council Board of Directors, the one year terms to expire December 31, 2001 - was presented. Council Member Castillo moved to set June 13, 2001 to receive nominations, seconded by Council Member Quan. All voting aye. Nays none. Mayor Brown absent. MOTION 2001-0607 ADOPTED. Mayor Pro Tem Boney presiding.

MATTERS HELD - NUMBERS 53 through 64D

53. MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt 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 – (This was Item 5 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER KELLER)** - was presented. All voting aye. Nays none. Mayor Brown absent. MOTION 2001-0608 ADOPTED. Mayor Pro Tem Boney presiding.

54. MOTION by Council Member Boney/Seconded by Council Member Sanchez to adopt **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 – **(This was Item 6 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER TODD)** - was presented.

Council Member Todd moved to refer Item No. 54 back to the administration, seconded by Council Member Sanchez. All voting aye. Nays none. Mayor Brown absent. MOTION 2001-0609 ADOPTED. Mayor Pro Tem Boney presiding.

55. MOTION by Council Member Boney/Seconded by Council Member Tatro to adopt **IPI SECURITY, INC** for Installation of Safety and Security Systems for the Planning and Development Department - \$57,538.46 - Building Inspection Fund – **(This was Item 7 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER SANCHEZ)** was presented. All voting aye. Nays none. MOTION 2001-0610 ADOPTED. Mayor Pro Tem Boney presiding.

56. 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 – **(This was Item 13 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBERS ROBINSON and VASQUEZ)** – was presented.

Council Member Robinson stated that he wanted to thank the City financial advisors and Mr. Haines for visiting him on this item and appreciated the analysis that when into it, that as a result he was going to be very supportive of it. Mayor Pro Tem Boney presiding.

Council Member Vasquez stated that he also want to thank Mr. Haines and Mr. Bartalotta, First Southwest, for being responsive. Mayor Pro Tem Boney presiding.

A vote was called on Item No. 56. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0521 ADOPTED. Mayor Pro Tem Boney presiding.

57. 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 – (This was Item 23 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBERS SANCHEZ and KELLER) - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0522 ADOPTED. Mayor Pro Tem Boney presiding.

58. 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 – (This was Item 27 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER KELLER) - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0523 ADOPTED. Mayor Pro Tem Boney presiding.
59. 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 – (This was Item 28 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBER KELLER) - was presented. All voting aye. Nays none. Mayor Brown absent. ORDINANCE 2001-0524 ADOPTED. Mayor Pro Tem Boney presiding.
60. 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 – (This was Item 42 on Agenda of May 30, 2001, TAGGED BY COUNCIL MEMBERS QUAN, TATRO, KELLER, CASTILLO, TODD and BONEY) – was presented.

Council Member Todd moved to postpone Item No. 60 for two weeks, seconded by Council Member Vasquez. All voting aye. Nays none. Mayor Brown absent. MOTION 2001-0611 ADOPTED. Mayor Pro Tem Boney presiding.

Council Member Robinson requested that someone visit him, that he had received various pieces of communications and wanted to be clear on what was going on. Mayor Brown absent. Mayor Pro Tem Boney presiding.

63. 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 53 on Agenda of May 30, 2001, POSTPONED BY MOTION #2001-569)**

Council Member Tatro stated that he passed out at the table a summary of the historical cost of the bike program and this was part of the bike program, a particular contract for engineering management, that since coming to Council what had been reiterated to Council was that this program was funded 80% by TXDOT through federal money and 20% by the City, that they had been going along and seen changes to the program, that they had approved some today, but they had not been able to get their hands around it and say okay where were they and was it truly 80% and 20% and were they proceeding under those rules, that what they had seen was individuals come and go and thought it was time they stopped and took a look at the bike trail again and look at the amount of funding they were going to be getting into rather than just do the ones and twos, that what he passed out had been a concern of his and it was the funding, appropriations and the percentage split between the City and the other jurisdictions, that if they looked at the summation of the bike program again and basically the same number of miles but the funding had drastically changed, the construction costs had drastically changed and they find that the City was no longer just putting out 20% of the cost, they find that they City, if the four phases move forward today, they would be funding almost 54% of the cost. Mayor Brown, Council Members Goldberg, Vasquez, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Tatro moved to refer Item No. 63 back to the administration, seconded by Council Member Keller. Mayor Brown, Council Members Goldberg, Vasquez, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Ellis moved to suspend the rules to hear from Mr. Tom Rolen, Director, Public Works and Engineering, seconded by Council Member Quan. All voting aye. Nays none. Mayor Brown, Council Members Goldberg, Vasquez, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding. MOTION 2001-0612 ADOPTED.

Upon questions by Council, Mr. Rolen stated that the history was that when the major of these projects funding was set up they were of such a nature that the initial federal participation was capped, in other words they would not pay but so much and if there were overruns the sponsor, in this case the City, had to absorb it, that the initial agreements and the way it was arranged was that there was a nomination amount, and that was the initial estimate of what the project cost was, that it was 80% - 20%, that a large percentage of the federal funds were tied to the condition that if there was an overrun or an increase in cost the sponsor would have to absorb that and the City agreed to that at the time, that what had happened over time, he was told, was that the initial

estimates were lower than they probably should have been plus the City was being required to design to a different level than they anticipated when these estimates were developed so that gave them a higher cost as well, so what had happened was that the costs had come in higher, that as part of the agreement they had to complete Phases I and II, that Phase I was almost complete and Phase II was under design and would be moving forward, that the concern that the Council Member raised about on street and shared lanes and everything was primarily a concern that they were faced with in Phase I and somewhat in Phase II, that in Phase III and IV they should not be facing that to any significant degree at all, if any, because most of that was trails, that he would indicate that in regard to Phase III they spent some money on the front in and had an agreement with the federal government, then the rules changed in the designing criteria so they had to go and redo it, that they had looked at the program and tried to come up with a way to make it more cost effective, that they were constantly looking at that and had worked with TXDOT, who was the agent for the government and who administered these funds and they think they had gotten every exception that they possibly could, that they were looking at other alternatives, for example that it may be prudent for them to fund one project totally themselves and do it their way, and then use the federal funds on the other way, that there was a plan in place and they were proceeding that way, that it did cost more, but he would also say that he did not know if he totally agreed with the Council Member that the people would not be receptive of this because as recently as night before last he was at a town hall meeting with the Mayor and Council Member Vasquez was there and a very important subject that came up was a trail that hopefully they would be coming to Council for approval of the design within the next month or so, that what he was saying was that there was a lot of community interest on these trails, that the bikeways, yes, they were a lot of concern but they were getting to the point now where they were going to start building the trails and this was something that there seemed to be a tremendous amount of interest in the community. Mayor Brown, Council Members Goldberg, Todd, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney asked if the numbers on the document prepared by Council Member Tatro accurate, Phase I and II total estimated cost of \$22.4 matching \$10.5, \$11.9 local funds, and Phase II \$7.8, matching federal monies to \$12.4 City money, and Mr. Rolan stated that he did not have the document in front of him, but thought the Council Member said that he took it from Shawri's memo and if those were the same numbers than it was correct, and Council Member Boney stated he understood it was a popular program and asked if it was coming out of the CIP funds, and Mr. Rolan stated yes, and Council Member Boney stated that it seemed to him if they were bearing over 50% of the cost for bikeways out of the CIP funds it may make some sense to review their priorities and strategies and see if that was where they wanted to do it. Mayor Brown, Council Members Goldberg, Todd, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Bell stated that he was pro bike, and the bike lanes had provided an opportunity for a lot of people to ride on the streets that would not have before and he did not have a problem with it, but he thought it was a good example and thought it was an appropriate time to review of where they were, that they were going over the history of the program and if he recalled the history correctly the real reason that the City decided to engage in this process and start creating the bike lanes was because of the carrot that was dangled before them by the federal government with the offer of a huge sum of

money to create the bike lanes, and Mr. Rolan stated that there were funds made available under the T21 and the ISTEA Funds, and yes it was represented that there would be federal money and capability for the City to create the bike lanes with a very proportionately minimal expenditure on its part, that he thought that the utilization of bikes was a very integral component of the interim mode of transportation scheme, that they see cities all over the Country employing and implementing and expanding the programs and he would like to think that Houston being the progressive City that it was would have done that. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney stated that he was disturbed by the validity of the numbers and it seemed to him if they were going to have to take on such a onerous burden then they ought to pick and choose where it made sense, that the abandoned rail line that went through Third Ward made a lot more sense than putting up a stripe down a street that they were not even widening if it was going to cost them this kind of money, and stated that along with the design they had to factor in what it was going to do to other traffic in the neighborhood, and asked if they had any discussions with the administration in Washington to determine whether or not they would grant Houston some more flexibility, that he doubted they would get any more money but if they would grant more flexibility in terms of the design standards that might save them some money. Mayor Brown, Council Members Galloway, Goldberg, Todd, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Mr. Rolan stated that not recently, that Phase III and IV and a good portion of Phase II were going to be the trails and would be off road, and a lot of the problems they were talking about in regard to that those problems were behind them, and Mayor Pro Tem Boney stated that if the percentages and dollars were going to remain the same they ought to know it in the front end and if it was not going to be an 80 - 20 split and if they were going to spend 50% plus of the money on 400 miles of bikeways out of the CIP money than maybe they ought to scale back the bikeway program and put it where it really was creating a trail and not putting a stripe along a street that was not widened or improved and it did not look to him like they had done that kind of review or analysis at this point, and Mr. Rolan stated that these were federal funds and they had certain time periods in which they had to be spent, that some of these funds were special set asides that members of the congressional delegation had secured and they had certain likes, so what he was trying to say was that if they pick and choose he did not know if they would have the luxury of that in all cases. Mayor Brown, Council Members Goldberg, Todd, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Parker stated that she thought they all shared the concerns that had been expressed by Council Member Bell and Tatro and Mayor Pro Tem Boney and before she voted to refer this back she wanted to confirm what he just said, which was that for the federal dollars there was no realistic opportunity to reprogram them, and Mr. Rolan stated that they could reprogram some of them, that what he was talking about was the timing, that they expected them to spend the money within certain time frames, and they were bumping up against that, that they could take a weeks delay, and Mayor Pro Tem Boney stated that was what he was wondering, that he hated to lose federal money if it was on the table and maybe in the course of a week they could take the information that Council Member Tatro presented and see if there were other

opportunities and if they still considered that a majority of the Council wanted to refer it back they could do that next week. Mayor Brown, Council Members Goldberg, Todd, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

After further discussion by Council, Council Member Tatro moved to delay Item No. 63 one week, seconded by Council Member Ellis. All voting aye. Nays none. Mayor Brown, Council Members Goldberg, Todd, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding. MOTION 2001-0613 ADOPTED.

37. ORDINANCE approving and authorizing an amended and restated Legal Services 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 Aquasource Utility, Inc., of the Ratemaking Decision of the City of Houston Pending before the Texas Natural Resources Conservation Commission and related matters; providing a maximum contract amount - \$75,000.00 - was presented. Council Member Ellis voting no, balance voting aye. Mayor Brown, Council Members Goldberg, Todd, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding. ORDINANCE 2001-0 ADOPTED.

31. ORDINANCE authorizing the City of Houston to disclaim, release and relinquish the City's Right, Title and Interest in and to a parcel of land containing 0.0252 acres (1,098 square feet), more or less, in exchange for **FINGER-FSC MEMORIAL, LTD** (1) Conveying by Quitclaim to the City a parcel of land containing 0.0139 acres (607 square feet), more or less, for right-of-way purposes for the **MEMORIAL DRIVE/WAUGH INTERCHANGE** and (2) Granting to the City 1,076 square foot combination Water Line and Sanitary Sewer Easement, all located in the John Austin Two League Grant, Abstract No. 1, Houston, Harris County, Texas - **DISTRICT H - VASQUEZ** - - was presented. All voting aye. Nays none. Mayor Brown, Council Members Goldberg, Todd, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding. ORDINANCE 2001-0 ADOPTED.

3. REQUEST from Mayor for confirmation of the reappointment of the following to the **HOUSTON ARCHAEOLOGICAL AND HISTORICAL COMMISSION BOARD OF DIRECTORS**, for terms to expire March 1, 2003:
 - Position One - **MS. TEXAS ANDERSON**
 - Position Three - **MR. GRAHAM LUHN**
 - Position Five - **MR. ALBERT L. WONG**
 - Position Seven - **MR. J. KYLE LEFEVERS**- was presented, moved by Council Member Parker, seconded by Council Member Tatro. All voting aye. Nays none. Mayor Brown, Council Members Goldberg, Todd, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding. MOTION 2001-0614 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Castillo stated that he knew that the topic of general discussion was the congestion downtown and his complaint in particular was that it did not appear to be anyone from either Metro or the Police Department directing traffic during the peak

hours in the afternoon, that he had an occasion to try to get back to City Hall by 5:00 p.m. the other day and the traffic was backed up on Walker all the way to the George R. Brown Convention Center, that there was no one directing traffic, particularly at the Main Street light rail construction, that the intersections of all the east west streets, where there was construction going on at the intersections of Main and the various east west streets, there was no one directing traffic to keep the intersections from being blocked, that he suggested that the administration write a letter to Metro and ask them to at least, where their construction sites were located, have Metro Police officers to direct traffic. Mayor Brown, Council Members Goldberg, Todd, Keller, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Castillo stated that on the other intersections like Bagby and Walker the police officers that were directing traffic were directing traffic off of Bagby onto the I45 ramp and all the other streets were being backed up so there was no coordination between officers, the few that there were, controlling traffic with one another, so they were working at cross purposes and so they never move the traffic. Mayor Brown, Council Members Goldberg, Todd, Keller, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney stated that they would address that, that he knew that he had seen law enforcement directing traffic at the intersections but sometimes it seemed inconsistent, that he knew they had an extraordinary situation yesterday with the weather but their intention was to have police at their major intersections and they may need to review their plan and make sure they had adequate staffing and were coordinating with Metro and the Metro Police Department should be contributing as well, that was the only way they were going to manage the traffic particularly during the peak hours downtown. Mayor Brown, Council Members Goldberg, Todd, Keller, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Bell stated that he was glad that Council Member Castillo brought up traffic, that he wanted to follow up on one of the topics of discussion at yesterday's police budget workshop for those who were not present they had spent a great deal of time talking with the chief of police on the subject of the City engaging in an organized program or study and spending the money that would be necessary to come up with a plan to try to cut down on the number of people running through red lights in the City, that he wanted to thank Chief Bradford for agreeing at the end of the meeting to try to go forward to develop that sort of program, that he thought it was incumbent upon the City to take this action, as was pointed out yesterday it led to other problems in addition to the incredible safety risk, that he thought it was fascinating yesterday that he said there had been a study of the 50 deadliest intersections in the City of Houston and that in and of itself would suggest that they needed to do something when they were having to conduct studies about the 50 deadliest intersections in their City, that in addition to the safety risk they also had a slow down in traffic because of people having to wait at intersections for those who might run the red lights, that it had become habitual with many drivers in the City of Houston and they had to build the perception in the City that if they ran the red lights there was a very good chance that they would be ticketed and he did not think that the belief existed as they sat there today and thought that it would take a coordinated program, that as Chief Bradford pointed out yesterday they could not have police officers at every corner and because of the Legislature's action this time they could not have

cameras mounted at the various intersections, but they were going to have to come up with a program whereby they moved officers around the City in a strategic manner and start cutting down on the number of people running red lights and build this perception that there was a greater chance that they would get caught, that he thought it would take some planning and some coordination and was hoping that the police department would be willing to spend the money to come up with an effective program and looked forward to seeing it in the coming future. Mayor Brown, Council Members Galloway, Goldberg, Todd, Keller, Castillo, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he wanted to point out that the American Heart Association was having its First Annual Community CPR and AED Training Day at Enron Field on June 30, 2001, that Members of Council had been asked to participate and it appeared that Mayor Brown and Judge Robert Eckels would be leading baseball teams that day made up of elected officials, that he had passed out information for everybody's attention and encouraged people to attend, that the goal was to train 500 people in CPR training that day. Mayor Brown, Council Members Galloway, Goldberg, Todd, Keller, Castillo, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Vasquez stated that for a number of weeks he had been concerned about the level of ethical behavior by City employees and appointed City officials on the Sports Authority and at the Port, that it was clear to him now that the individuals in question did not see their behavior as unethical nor did they see a conflict of interest by their actions, that for him the issue was the conduct of executive City employees and influenced peddling by both Sports Authority and Port Authority members, that when they looked closely at this issue they would see that it had been getting worse with each election cycle, that in 1999 there was actually a firefighter that took a six month leave of absence or six months comp time, not leave of absence but comp time, and ran for District H, that there was also a chief of staff that ran for District H as well, that when they looked at some of the members running this time around and looked at who they were being supported by almost every member of the Sports Authority was championing a candidate for Council, that if the Mayor and Council Members thought back to their own experience they would clearly realize it was impossible to run a campaign after 5:00 p.m. and on weekends, that meetings occurred during business hours and not after business hours or on weekends, that he knew it was a tough issue because what was at the heart of the issue, besides the ethical concerns, was a personal conflict between being loyal to a friend or taking the ethical high road and doing what was best for the citizens of Houston, that he knew that the Mayor in his dealings with him had been very ethical and full of integrity and hoped that he would give his request full consideration, that Council Member Bell had been an advocate for ethics in his term and also championed the Revolving Door Ordinance as well, if he was Mayor would he take the ethical high road for the citizens of Houston or would he be loyal to a friend, that Council Member Sanchez had been very principled in terms of his actions here on Council and the question to him again, would he take the ethical high road for the citizens of Houston or would he be loyal to a friend, that in light of these growing concerns of executive staff running for Council and the fact that the individuals involved chose not to see their actions as unethical thus it was Council's duty to set the ethical standards for this election, that he was asking the Mayor to put on next weeks agenda these revisions to Chapter 18, Section 18-3 and

Section 18-33, and further if the Mayor should decide not to put these revisions on next weeks agenda he would ask Council Member Bell to call an emergency meeting of the Ethics Committee to address these issues, and Council Member Bell asked Council Member Vasquez to put the question to Council Member Robinson as well, and Council Member Vasquez stated that Council Member Robinson, since he was running for Mayor the basic question was would he take the ethical high road for the citizens of Houston or would he be loyal to a friend. Mayor Brown, Council Members Galloway, Goldberg, Todd, Keller, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Parker stated that she wanted to acknowledge her summer intern from the Leadership Rice Program, that he had stayed and watched them during the very long and involved Council session and it was going to be a crash course in politics for him over the next couple of months, that Mr. Philip McDaniel would be a junior at Rice University next year, that she had great success with the Leadership Rice interns she had and she looked forward to working with Mr. McDaniel and asked that they welcome him on board. Mayor Brown, Council Members Galloway, Goldberg, Todd, Keller, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Vasquez stated that he had just received a call from Council Member Robinson and he said that he would take the ethical high road, that he would be loyal to a friend but not to the detriment of the citizens of Houston. Mayor Brown, Council Members Galloway, Goldberg, Todd, Keller, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding.

There being no further business before Council, the City Council adjourned at 12:04 p.m. upon MOTION by Council Member Tatro, seconded by Council Member Quan. All voting aye. Nays none. Mayor Brown, Council Members Galloway, Goldberg, Todd, Keller, Sanchez and Robinson absent. Mayor Pro Tem Boney presiding. MOTION ADOPTED. COUNCIL ADJOURNED.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary