

City Council Chamber, City Hall, Tuesday, July 31, 2001

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, July 31, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Rob Todd, Mark A. Ellis, Bert Keller, John E. Castillo, Annise Parker, Gordon Quan, Chris Bell and Carroll Robinson; Mr. Paul Bibler, Assistant City Attorney; Mr. Richard Cantu, Director, Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Council Member Jew Don Boney, Jr. absent on city business. Council Members Gabriel Vasquez and Orlando Sanchez absent on personal business.

At 2:00 p.m. Mayor Brown convened the meeting of the City Council and stated that they would start with a presentation from Council Member Quan. Council Members Tatro, Galloway, Todd, Ellis, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Council Member Quan stated that as many of them were aware the Houston Galveston Diocese had been without an Auxiliary Bishop for quite a bit of time and they were happy to learn that the Vatican had named Monsignor Vincent Rizzotto to that Bishop, that Monsignor Rizzotto had served the community very well and as a member of the Associated Catholic Charities Board he knew of his work and also as a member Saint Cecilia's Parish and invited Bishop Rizzotto to the podium to present a proclamation to him that stated that with steadfast reverence Monsignor Vincent Rizzotto, longtime Pastor of Saint Cecelia's Catholic Church had willingly and unselfishly committed countless hours for the interest and welfare of his church, that he had guided little children, led teens through turbulent times, and challenged adults to use their talents to serve their church and community; ordained into the priesthood in 1956 Monsignor Vincent Rizzotto had received numerous accolades for his outstanding service and religious and community affairs, as a selfless spiritual leader, dedicated teacher and willing volunteer he has ministered faithfully to those seeking direction and cared for the elderly, comforted the dying and provided strength for those who battled for justice, through the vitality and warmth exhibited by this devoted Christian, he had earned the respect and admiration of those who had been privileged to know and work with him, that Monsignor Rizzotto was recently named the new Auxiliary Bishop of the Roman Catholic Diocese of the Galveston Houston by Pope Paul II, that in a celebration of faith he would be ordained Bishop on July 31, 2001, tonight, at Saint Michael's Church, in recognition and appreciation of his many years of devoted service and exemplary leadership to his church and community the City of Houston congratulates Bishop Vincent M. Rizzotto on this milestone celebration and extends best wishes for a blessed and rewarding celebration, therefore Lee P. Brown, Mayor of the City of Houston hereby proclaimed, Tuesday, July 31, 2001 as Bishop Vincent M. Rizzotto Day in Houston, Texas. Council Members Tatro, Galloway, Todd, Ellis, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Bishop Rizzotto stated that it was a great honor for him to receive the proclamation today, that he was a native of Houston, that his parents came to Houston as immigrants back in the early part of the 20<sup>th</sup> Century, that he was the youngest of nine children and had served in the City of Houston for more than 40 years of the priesthood, that he had numerous opportunities to talk with many of the Council Members on different occasions about their church and things that were going on in the City, that he wanted to say that there was probably not a more dedicated Houstonian than he was, that he loved the City and had seen it grow and seen it progress and wanted to see it continue with offering men and women of all backgrounds, races and creeds an opportunity for a wonderful life in Houston, that he was extremely grateful to all of them and would cherish the proclamation wonderfully, and Mayor Brown congratulated Bishop Rizzotto. Council Members Galloway, Todd, Ellis, Castillo and Robinson absent. (NO QUORUM PRESENT)

At 2:06 p.m. Mayor Brown called to order the meeting of the City Council, and Council

Member Bell led everyone in prayer and the pledge of allegiance. Council Members Castillo and Robinson absent.

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

Council Members Tatro and Quan moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Boney absent on city business. Council Members Vasquez and Sanchez absent on personal business. Council Members Castillo and Robinson absent.

Mayor Brown requested the City Secretary call the list of speakers.

Mr. George Donnelly, 5110 Bering, No. 300, Houston, Texas 77057 (281-479-2421) appeared and stated that he was the Chairman of the World Trade Division Aviation Committee of the Greater Houston Partnership as well as President and CEO of the San Jacinto Museum of History, which was as all of them knew was the battlefield where Texas won its independence, that also present with him was Mr. Miguel San Juan, President of the World Trade Division of the Greater Houston Partnership, that they welcomed the opportunity to submit comments in advance on their vote of the Quito, Ecuador Agreement, that they were of the opinion that having a world class airport in Houston should be the primary concern of the Mayor, City Council and the Department of the Aviation, that the successful completion of the planned expansion would go a long way towards achieving that status, that they applauded the move on the part of the City and the airport system to become more entrepreneurial in their activities, that the Greater Houston Partnership and the City of Houston Aviation Department, collectively known as the Houston parties were working to advance the Houston Region as a transportation distribution hub to increase international air traffic and cargo development, that Houston was a major gateway for travel to South America, that Continental Airlines operated daily flights from both Houston to Quito and to Guayaquil, that moreover George Bush Intercontinental Airport had become the number four gateway to the South America and the U.S. in terms of departure and number six in terms of passengers, that the Houston's parties long term air service goals included the continued growth of nonstop and single plane services as well as coach air services to key destinations across Latin America, that Ecuador was a significant trade and cultural partner for the greater Houston area and 2000 airborne trade between Houston and Ecuador amounted to 450,000 kilograms with a value of over \$13 million, largely in exports of industrial machinery parts, that as the same time the sea borne trade between the Port of Houston and Ecuador was valued at over \$229 million, that more than 196 Houston based businesses transacted goods and services with Ecuador and 13 also had subsidiaries in Ecuador, that the Houston airport investments of almost \$2.6 billion would help to increase their international numbers, that as a Hispanic who knew the aviation well in Latin America and had worked closely over the years for international route development for Houston, he joined the Greater Houston Partnership support and urged passage of the Quito Airport agreement, that he knew the Houston Aviation Department had gained a recognition as it had worked very hard to develop all across Latin America with foreign governments as well as with private sector management companies. Council Members Castillo, Parker and Robinson absent.

Council Member Quan asked what pluses did Mr. Donnelly see in Houston entering this agreement, and Mr. Donnelly stated that he personally saw this as solidifying their objective of becoming more of an international city and the reputation that the airport system had gained and in reality the City Council and City government did not lose control of the management of this agreement, so therefore their ability to enter into a management agreement for the operations of this was a win win situation and he thought that governments were beginning to privatize their

systems across the board as they saw with Mexico earlier and would see in other parts of Latin America and the world, that he thought it was a very beneficial opportunity for Houston to really say they were truly an international city. Council Members Castillo, Parker and Robinson absent.

Mayor Brown asked Mr. Donnelly if he thought it also helped them in promoting the City in the Latin American countries, and Mr. Donnelly stated that absolutely, he thought it did nothing but help them in that regard and there was no question that as they continued to grow, thanks to Continental and other airlines, that visibility within their region alone was just going to be continuously enhanced. Council Members Castillo, Parker and Robinson absent.

Mr. Dennis Jones, 116 Hershey, Houston, Texas 77020 (713-410-4921) had reserved time to speak, but was not present when his name was called. Council Members Castillo, Parker and Robinson absent.

Ms. Joan Johnson, 901 Bagby, Houston, Texas 77002 (713-223-9595) appeared and stated that she was President of the Hotel and Motel Association of Greater Houston, that she wanted them to know that the association supported an ordinance they would see tomorrow regarding hotel locations in the City and some restrictions on distances from neighborhoods, that they believed that the ordinance would help eliminate some of the problems that the citizens and the neighbors were seeing and yet not restrict construction or development of hotels that had a justified market in the areas of corporate business, meeting planning business and tourism. Council Members Castillo and Robinson absent.

Mayor Brown asked Ms. Johnson if she was urging Council Members to vote in favor of the ordinance and Ms. Johnson stated yes. Council Members Castillo and Robinson absent.

Upon questions by Council Ms. Johnson stated that yes, she did have a chance to work with the committee when they were drafting the ordinance, that traffic was very difficult to control without impacting a lot of other types of hotels in the City and believed for the new construction part of it this would definitely cut down on hotels that were being built in neighborhoods that the citizens believed to be not the types of hotels they wanted in their neighborhoods, the restrictions as she read them and interpreted were basically distance restrictions and allowed for different size of hotels, that in other words they could have a 50 room hotel and it was 1,500 feet from a neighborhood or park, etc. and those restrictions were not unrealistic, that her concerns were on the other portion of the bill which was not going before Council tomorrow, that she thought tomorrow was only the hotel locations for new constructions, that her concerns still held and had not been addressed at this time, that she was not opposed to a four hour minimum, that they had talked about how it impacted a legitimate hotel business, that they had airline, trucking and several kinds of contracts that will use it, that in fact some companies came in and use what they call a day rate, and rent a room for interviewing or small minimums, that it was four hours minimum length of rental, so that she or any company could rent a room for six or seven hours, that as the hotel association they say four hours, that twelve hours would restrict the legitimate business that now rented rooms by the day, that it was not unusual for a corporation to come in and rent a room for a six hour period, from eight to two, for interviews, that it was very hard to differentiate the size of hotel in doing the restrictions, that it was an interpretation of a day, and Council Member Galloway asked for a list of the reputable hotels who rented at a day rate.

Ms. Ruby Mosley, 862 South Victory, Houston, Texas 77028 (281-447-6095) appeared and stated that since before 1998 they had been coming to Council with the same problem, and were still saying that they were hoping they would not be present at Council 10 years from now still trying to get the problem solved, that there was no way that they could establish, obtain or maintain safe, decent and sanitary oriented communities when they were steadily being invaded

with crime issues as those small motels in their residential areas, that they were not going to leave their homes, that there was one coming in four blocks from her house and some of the people who were closer to Shepherd it was two and three blocks from their house, that nobody in their right mind was going to leave their house and go to a crime infested hot sheet motel, that they were asking Council to really look at what was happening to their neighborhood areas, that these were crime items and had been proven, that they had been before Council before with stacks of the police department reports, that they were working around the clock trying to eliminate as much crime as possible and they were steadily being invaded with more crime problems, that right now they had one that was three blocks from the elementary school where their children were walking to and from, right across the street from a domed church and at night when they were trying to have church services the parking lot was full with those little hoochie mama rejects, that they were asking Council to seriously looking at what they were doing to the residents of the community, that constituents they served and the taxpayers, that if it was 300 or 1,500 feet and in a residential community they still had problems, they did not need or want those little one hourly motels in their residential areas, that was the bottom line and they were asking the Council to take into consideration that they did not buy homes to move overnight they bought their homes for safe places and communities for their children and grandchildren to grow up, that they could not believe that today they were still pleading for the same help, that she could talk another five minutes on this issue because they did not realize how serious this issue was to them, that when they had to come before Council and speak out, cry out and plead and beg for things that were important to them and their children and their communities and yet nobody seemed to care or be concerned at what was happening it was really beyond their imagination, that they were asking that they take into consideration what they were doing. Council Members Castillo, Parker and Robinson absent.

Council Member Galloway stated that in the proposal that would be on the agenda tomorrow it had a maximum of 1,500 feet and asked if that was sufficient, and Ms. Mosley stated that with 1,500 feet in a residential community it was still dangerous, that motels had no business in residential areas, that they asked that they be placed out on major thoroughfares, 1,500 feet from businesses and other residents that may be out there on those major thoroughfares. Council Member Castillo absent.

Council Member Goldberg asked if it was her objection with the one hour hot sheet motels or just any legitimate motel in a residential neighborhood, and Ms. Mosley stated that they had a very beautiful 80 room hotel that was sitting a block and a half from where this 25 room motel with thirteen parking spaces was coming in and they loved it, that it was the small hotels that were bringing in the crimes and prostitution that as they strived harder, built up burglar bars and became prisoners in their homes and they were steadily inheriting crime in their community, and Council Member Goldberg stated that during the committee hearings he tried to introduce some language that would regulate the motels and the problem was that it was very difficult for the police to go in and see how many hourly rooms they were renting, that the language had to do from restricting the amount of income from one hour rentals and making it a minimum of four hours versus one hour rentals, that if they made it a minimum of four hours he thought it would put these motels out of business, that the second thing was that they had a chief of the vice squad come in and testified that there was not a lot of crime coming out of the hot sheet motels, and Ms. Mosley stated that the chief did not live in any of the areas that were impacted by these problems and he had not communicated with the police department in their communities that were having to work night and day, that they could tell them how many crimes there were, how many rooms there were and how many hours, that they could go in as an individual and ask and the owner would tell them. Council Members Castillo and Robinson.

Mr. Homer Clark, 8019 Bridlington, Houston, Texas 77085 (713-729-0873) appeared and stated that he was Vice President of the South Houston Concerned Citizens Coalition, that about

two years ago they started to work on the hot sheet motel problem and after two years they had come up with a distance provision and were having problems with the 24 hour provision, that they felt that the 24 hour provision was the only thing that actually was going to slow the hot sheet motels down, that they felt that the distance provision just would not help, that they had too much area in their communities, that in his community they could possibly put about 5 or 6 motels within a four or five mile area and that was enough to impact their area, that they felt that these motels had an impact on their communities economic development, that they did a revitalization about a year ago and they felt that, especially the economic development, that they just would not be able to do it if they had those type of motels in their community that brought the crime, drugs and prostitution, that they felt they needed the hours provision, that it would be the only thing to work, that if they did not get they would probably be back next year with the same problem. Council Members Castillo and Robinson.

Ms. Evalyn Krudy, 2038 Milford, Houston, Texas 77098 (713-807-1787) appeared and stated that she represented University Place Association as their manager, which was Super Neighborhood Number 28, and a neighborhood that was comprised of eight large subdivisions, Southgate, Old Braeswood, South Hampton, Boulevard Oaks, Morningside Place, South Hampton Extension and Museum Area Municipal Association, that Rice University was at the center of their neighborhood, that they had all been experiencing overflow parking problems from primarily Rice University and the Texas Medical Center which began about 20 years ago, that this had been ongoing and so chronic that most areas had to impose no parking signs throughout their neighborhoods to restrict all parking, that it had become a real penalty to the residents because they had to get a permit and plan in advance even to have a workman come and repair their toilets so they were hoping that Council would support the test pilot program for decal parking and asked the 25 members of their community who were present and had taken off from work today to show their support to stand and be recognized.

Upon questions by Council, Ms. Krudy stated that this project came out of the Rice Village Parking Study which was in 1995, that it was divided off into two groups, one was the Off Street Parking Ordinance Committee and the other was decal parking, that they were waiting a good five to six years to happen, that she knew that Council Member Parker had worked real hard to get the Off Street Parking Ordinance passed, but was not sure why it was not implemented at the time, that it was the top priority of the super neighborhood; that President Gillis of Rice University had written in support of this ordinance, that they at Rice wanted to alleviate the problem they created by charging for parking, that it was not really the students there who could not afford to park on campus because they had noticed that a lot of the cars had the student decals, that they found they were people who found it a little more convenient to park in the shade, that Dr. Winnerdy from the Texas Medical Center had also written in support of it, that both institutions wanted to curb the problem they had created, and both did provide ample parking for the people who attended their institutions; that the proposal had been mentioned in just about every newsletter they had put out and they put out two to three a year, especially in the independent neighborhoods who have needed it the most, that it was the topic of every meeting, that she believed that anyone effected had been given the chance to sound off and as the ordinance was written it was only going to apply to those areas which were really inundated and had no other alternative, that it was a test period and if they did not like it, it could be overturned. Council Members Galloway and Castillo absent.

Mr. Richard Mensinger, 831 Studewood, Houston, Texas 77077 (832-489-3352) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Castillo and Robinson absent.

Dr. Robert Moore, 2342 Rice Blvd., Houston, Texas 77005 (713-522-8116) appeared and stated that as President of University Place he just wanted to say thank you for their listening and

attention to their manager, Ms. Evelyn Krudy, that they were very much in favor of this, that he actually had two roles, not only as President of University Place Association but as a pastor in the area, that their parishioners were also very much affected and he looked forward to the day when their parishioners could have parties for the church during the day without having to get permission from City Council for it, that he thought it would also increase the usefulness of the neighborhoods and the ability for their constituents to actually enjoy the homes in which they lived in. Council Members Galloway and Castillo absent.

Ms. Susan Ryman, 1740 Bolsover Street, Houston, Texas 77005 (713-993-0333) appeared and stated that she lived on Bolsover Street, which was the first street north of Rice Boulevard, which ran the perimeter of Rice University and was a nightmare because there were no parking signs in front of her house and she lived in a duplex and in her duplex, she lived downstairs and they had some people living upstairs, and they had four cars which meant two cars in the garage and two cars out on the street, that with the no parking signs, which were between the hours of 7:00 a.m. and 4:00 p.m., she had twice, in just the last six months, gotten a ticket, once because she had to park out front and did not leave until after eight, and the other time when she forgot something and ran inside and the lady who was evidently in a car and did the ticketing with a computer did it in just a flash, that it was extremely frustrating, they either had to pay the ticket or go and try to appeal to the department who gave out the tickets, that another problem was that it ended in almost a dead end and invariably everybody parks on the wrong side of the street and they can get a ticket for that also, that they get a ticket for no parking and a ticket for parking on the wrong side, so she was really in favor of whatever they could do to alleviate the problem. Council Members Galloway and Castillo absent.

Mr. Mark Davis, 5509 Ashley, Houston, Texas 77005 (713-526-6405) appeared and stated that he wanted to reiterate what everybody had said, that as a resident of the neighborhood for six years it was clearly a problem that affected a great number of people and clearly a problem of inconvenience and safety and was a win win situation, that the only apparent folks that this could adversely affect were the Rice University Community and the Texas Medical Center folks and they were a proponent of this, that there was a lot of support and appreciated very much their consideration in passing it. Council Members Galloway and Castillo absent.

Mr. Richard Merrill, 2003 Swift, Houston, Texas 77030 (713-961-0408) appeared and stated that in addition to being a resident of Southgate he was also President of the Southgate Civic Association, that Southgate as they knew was a neighborhood of about 600 families that was bounded by University, Holcombe, Travis and Greenbriar, that being in the shadow of the Medical Center they were tremendously impacted by the parking that would spill over onto their streets primarily from the Medical Center employees and as a result the vast majority of Southgate had no parking from 7:00 a.m. to 6:00 p.m., Monday through Friday, on just about all the streets and blocks, that they were in favor of the ordinance and in Southgate essentially every newsletter that they put out there was at least some comment about the Decal Parking Ordinance and had been for a number of years because it had been an interest to their residents, that they wanted to see some sort of relief from the problems that were created by the no parking anytime signs, that to give one example a few years back they had a resident on the 2000 block of Goldsmith who had a child with some special needs and he arranged to have some people come during the day to take care of his child and he thought it would be a good idea when the people would come to help his child that he would remove the no parking signs and he got all of the neighbors to agree to remove the no parking signs so the people who were coming to help with his child would have a place to park and in less than a week a later there was no place on the street for anybody to park because the employees of the Medical Center had found those spots and realized they were no longer no parking, that it took about another month for the no parking signs to go back up, that a petition was circulated to have them back up, that with the residential parking ordinance it would alleviate the problems of having people park on the street that were not

residents, and give residents some benefits for living in Southgate, that they ask that they go ahead and pass the ordinance as the other speakers had said, that it was on a temporary trial basis and if things needed to be changed or tweaked that opportunity would again present itself down the road. Council Members Galloway and Castillo absent.

Mr. Ewing Clemons, 2102 Swift, Houston, Texas 77030 (713-661-3364) appeared and stated that he just wanted to gripe about his particular situation on this issue, that he did not think it was unique for a lot of the neighbors, that they lived on the corner lot and the corner lots in the neighborhood had the driveways on the side where they only had room for two cars, one in the garage and one in the driveway, so if they were entertaining anything more than two cars in their family, and in their case they were, that it was a real problem, that he thought there were lots of houses that were similar to this situation where they had the driveways on the side with very limited parking and he appreciated their positive response on this. Council Members Galloway and Castillo absent.

Ms. Angela Perez-McGowen, 2234 Glen Haven Blvd., Houston, Texas 77030 (713-669-0125) appeared and stated that they heard a lot of the details about why they thought it was a good idea and she would add a couple more, that they had tremendous problems in the last couple of years with garbage pickup, recycling and heavy trash pickup because of nursing students cars blocking access to the garbage for the City workers as well as a high increase in litter along the easement of the street and in the street, that she had been in her home for 20 years, that after 18 ½ years of no violations in the last year and a half since they had cars lining both sides of the street she had her daughters and mothers car vandalized and burglarized, as well as many other neighbors down the street, that she was not saying that the nursing students were the ones committing these acts but with the increase of traffic and cars parked on the street, there had been an increase of strangers in the quite residential neighborhood that they lived in and also less visibility up and down the street so that it made it a little easier for people to get away with doing those sorts of things, that they had in the last few months had no parking signs during school days from 9:30 a.m. to 2:30 p.m. installed on their block and she was a block from South Main in Old Braeswood and this was a great improvement over the last two years, however it brought about its own problems and confusions, for example, what was a school day, when her daughter was out of her public high school and the nursing students were in she could not park on the street, what would they do in the summer, the nursing and medical students were at school during the summer so there was that confusion about what was and was not a school day, that there were just a lot of confusing issues and problems that had come about with the no parking signs as well, that although it had been better it had not completely solved the problem and she thought that giving the pilot program a chance in University Place really would be a welcome thing in their community and thought that it would help bring back the quite tree lined residential streets that they had sought in purchasing their homes there, that as Ms. Krudy stated it was a pilot program and thought that they should at least give it a chance for their sakes. Council Members Galloway and Castillo absent.

The City Secretary stated that she wanted to introduce her daughter who was present in the audience, Mrs. Janet Spencer, that she was present regarding the parking ordinance. Council Members Galloway and Castillo absent.

Ms. Joanna Pasternak, 2141 Colquitt, Houston, Texas 77098 (713-526-0428) appeared and stated that this idea had indeed been going around since 1995 because every time it came up and studied it was found to be so problematic and so ridiculous and caused so many problems that it was voted against, that usually it surfaces every time there was an election and new Council Members come on because the people who were pushing it hoped that those people were not educated on the issue and tried to put it past them, that this was already piloted in her neighborhood in 1995, that instead of having parking from the bars they had two trucks all night

long, that they also had neighbors since they had more cars than could park in their driveway paved their front lawn, that she and five volunteers put together a coalition and got thousands of signatures from people in the City against this, namely churches and school and little league associations, because how much park space were they going to have to turn into a parking lot to accommodate people who go to little league games, what were they going to do when a school decided to have a program and the parents could not all fit in the parking lot, that what were they going to do when someone had a death in the family and happened on the weekend and did not have time to get extra permits and by the way the extra permits for parties was already looked at by the City and decided it was too expensive, too hard to administer and the solution was that people would have to borrow permits from their neighbors to have a party, that the Medical Center did not spring up overnight like a mushroom, neither did Rice University, that when people talked about personal responsibility if they did not want to live next to commercial encroachment or the Medical Center then buy a house three blocks away and pay more for it, because for the people who live three blocks away, when these signs go up they would have pushed the parking back into their streets where they did decide to pay more to live away from those areas, and the people who decided to live close to those areas but did not want anybody else to park there, now wanted to push the parking further into the neighborhood, or deny other people the right to park on the street, that these were not private streets they were public streets and needed to remain with public parking. Council Members Galloway and Castillo absent.

Upon questions by Council, Ms. Pasternak stated that she knew this did not include her neighborhood but the problem was that she also drove into those areas and liked to park and those were public streets, that in 1997 when this was last proposed there was actually more parking in Rice Village than there was now because downtown had not become the Mecca for young night life, Rice University was at that time and it was voted down in committee, that when they turn it from a pilot program to a citywide program she did not know how much bureaucracy it was going to take to administer that and what the expense was going to be, that this was like speed humps and street closures revisited, that they wanted to live in the City but they wanted it to be like Kingwood, that she had found out about this when she picked up the newspaper, that most of the neighborhood parks did not have parking spaces and people parked on the street around the parks; that another thing that people may not have thought about, when these very popular areas were only be decal they may find that their windows were being smashed and people were stealing decals; that hopefully there would be a mechanism in place so they had to show that all of the neighbors had been notified and were able to give their input, because when it happened to her that is not what happened, that she saw it as an issue that would lead to less greenspace and more parking lot building, that in her neighborhood there were people who paved in their front lawn because they wanted to be able to park and not have to deal with permits and tow trucks when they had guests over. Council Member Ellis absent.

Council Member Robinson requested that someone visit with him on the item, that his only question was about the parks, that he was not a member of the committee and had gotten the package early this morning and had not had a chance to go through it, that he thought that was a legitimate question, and asked if there was a mechanism in there to allow for flexibility if something came up during the 18 months, that would it come back to Council to respond in terms of a fix or will there be something at the staff level.

Council Member Parker stated that the ordinance itself probably would not change during the pilot period, but a lot of what was in the ordinance would have to be worked out with Traffic Management, that there was the administrative side and that could change on the fly, how the paperwork was submitted and that was going to be kind of a work in progress, that it truly was a pilot, that the area was not going to change and the basic elements of the ordinance itself she would not imagine would change during the pilot, that the issue of the parks, they had to demonstrate a chronic and persistent problem and with a very high percentage of people parking



in the neighborhood, that there had to be a full traffic study and they had to see that there was a regular problem; that they did have a committee list where they notified anybody who expressed an interest and was sorry that Ms. Pasternak had to read about it in the paper, that she would put her on the notification list, and anybody who might be watching and wanted to know when neighborhood issues were coming up they did notify people about the committee meetings, that Houston Property Rights Association was on the list and got all of their notices and there were some watchdogs out there looking at them. Council Members Galloway, Todd and Ellis absent.

Ms. Jeanette Rash, 2104 Lyons Ave., Houston, Texas 77021 (713-228-8872) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Todd and Ellis absent.

Ms. Suzanne Poole, P.O. Box 1035, Missouri City, Texas 77489 (281-438-5427) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Todd and Ellis absent.

Mr. Rudy Bruhns, 1406 Hays, Houston, Texas 77009 (713-224-4445) appeared and read from a prepared stated which stated that it had been over 6 years and 10 months since the last meter rate increase requested by the Greater Houston Transportation Company, that they were granted a temporary fuel surcharge last year which was due to expire August 9, 2001, that the last meter rate increase was on September 2, 1994 yet there had been significant increases in direct cost and the cost of living, that the Greater Houston Transportation Company supported the recommendation of the Finance and Administration Department that the current surcharge of \$1.00 per trip be discontinued and that the current schedule of fares be amended to provide for a fare of \$2.50 for the first 1/11<sup>th</sup> mile and \$.30 for each additional 2/11<sup>ths</sup> of a mile, that the new rate increase recommendation raises the mileage rate from \$1.50 per mile to \$1.65 per mile or 10%, that the airport zone rates are increased in proportion to the increase in the mileage rate, that due to the expiration of the fuel surcharge on August 9, 2001 and the urgent necessity for these increased fares, particularly the need for Houston's taxicab drivers to meet their increased direct cost and the rise in the cost of living the Greater Houston Transportation Company respectfully asks for Council's support of the recommendation of the F&A Department. Council Members Galloway, Keller, Parker and Bell absent.

Council Member Todd stated that the Regulatory Affairs Committee met on this item earlier this week and passed it unanimously with recommendation that it be approved by Council and encouraged his colleagues to support the rate increase. Council Members Galloway, Keller, Parker and Bell absent.

Mr. Mengistu Demessie, 8915 Broadway, No. 9188, Houston, Texas 77061 (713-649-4145) appeared and stated that he was the President of National Cab Company, that he was present to support the recommendation of the Finance and Administration Department for the increase of the taxicab rate, that the director and his colleagues did excellent work. Council Members Galloway, Keller, Parker and Bell absent.

Mr. George Carter, 215 Oriole, Houston, Texas 77018 (713-862-4875) appeared and stated that he was present on behalf of the meter rate increase, that he was definitely for the meter rate increase because it was a thing that they needed done, especially for the high rates of maintaining their cabs, especially the owners, that it cost them very much to maintain their cabs over a period of time, that in the last five years they had not been able to keep their cabs up to standards and they did thank the City for giving them the recommendation of maintaining their cabs in perfect condition, that he had visited other cities and cabs were not like the ones in Houston and he said it was on account of the City Council Members and their staff, that he was very happy to say whenever they pickup passengers from other cities they give them comments

about their cabs being so clean and maintained, that even the residents of Houston who say they had visited other cities and their cabs were not like the ones in Houston. Council Members Galloway, Keller, Parker and Bell absent.

Upon questions by Council Member Castillo, Mr. Carter stated that he owned his own cab, that he felt the increase would help him make a better living and meet his expenses, that he had his cab for four years and he now had it in the shop and it will cost him \$580, that it costs the cab drivers who were owners to keep their cabs maintained and running perfectly and clean on the streets of Houston, that he did not work mostly the airport, he worked the entire City, that he worked on both call ins and dispatch. Council Members Galloway, Keller, Parker and Bell absent.

Mrs. Beryl Garcia, 1504 Blaire, Houston, Texas 77088 (713-426-3799) appeared and stated that she was present regarding the rate increase, that she was for the rate increase, that the cost of running a taxicab had gone up significantly and the maintenance on the car had gone up so she believed they were due for a rate increase and thought they needed one, and thanked Council for supporting the rate increase. Council Members Galloway, Keller, Parker and Bell absent.

Mr. Daniel Garcia, 1504 Blaire, Houston, Texas 77088 (713-426-3799) appeared and stated that he was present regarding the rate increase for taxicabs, that he had been driving a cab for 28 years, that everyone else in the City got paid more than they did, that everything was getting higher, electricity, gas, groceries, almost every year, that they got higher every 8 years, that they did need an increase in rates. Council Members Galloway, Keller, Parker and Bell absent.

Upon questions by Council Member Castillo, Mr. Garcia stated that he owned his own cab, that he drove for Yellow Cab and was an owner. Council Members Galloway, Keller, Parker and Bell absent.

Mr. Melvin Caradine, 4205 ½ Lavender, Houston, Texas 77026 (713-562-5342) appeared and stated that he would appreciate it if Council did give them a rate increase because they really needed it on account of the gas prices and everything else and the repairs, that it took him about \$300 per week just on gas, so a rate increase really would be appreciated. Council Member Galloway, Ellis, Keller, Castillo, Parker and Bell absent. (NO QUORUM PRESENT)

Mr. Christopher Okafor, 8802 Pecan Place Dr., Houston, Texas 77021 (713-771-6105) appeared and stated that he was present to disagree with the rate increase in the cab fare, that he had been in the business for 20 plus years, that whenever there was an increase they were losing money, that cab drivers were losing money every day, that he used to work about six or seven hours and make exactly what he was making today, that he was of the opinion that they should have the increase, if any, through direct increase, that the senior citizen increase that was being paid by the driver should be paid by the companies, that the flat rate should be normalized, that they did not have any problem with the flat rate from Hobby Airport to downtown, that the disparity was not much, that the \$2.75 airport tax they wanted to collect it, and make it a law, if possible, so that cab drivers should not be charged from 7.5% to 10% to clear their credit card, that he thought the law permitted only 3%, but some cab companies were charging 7%, that the town cars, which were one of the latest phenomenon, gets into the terminal and takes their trips, that the cab drivers have to wait at the satellite for about 4 or 5 hours, that it used to be 2 hours, so if they could get it done right so that cab drivers and town cars would pickup the trip that belonged to them, thereby limiting the time of staying at the airport, that it would be an increase because they would probably make one more trip and that was money in their pocket, that the Coach USA, which only used to operate at a few places within the City now ran from hotel to hotel and motel to motel, that they were getting ready to eat cab drivers up, that it was

\$90 per day for a cab driver to lease the van for the big companies, that they should be aware that Coach USA had bought United Cab Company, that there was no competition anymore, that they should allow the smaller companies to charge a lower fare, that he could run from the Westin Galleria to Intercontinental Airport for \$27 constantly if only they would give him permission to do so, that he was talking about America and free enterprise, free and fair. Council Member Galloway, Ellis, Keller, Castillo, Parker and Bell absent. (NO QUORUM PRESENT)

Upon questions by Council, Mr. Okafor stated that the senior citizens discount was imposed on the cabdrivers they had no input whatsoever, that he was an owner and a cabdriver and he was of the opinion that cab companies should pickup the tab and not the drivers, that whoever gives the discount should pay for it, that senior citizens were not even given a discount when they wanted to lease their own cabs; that there was a flat rate for all of the airports, that they should normalize the range, that nobody had complained about the flat rate from Hobby Airport to downtown, that in some areas the difference between the flat rate and the meter rate was too much, that every cabdriver in Houston was an independent, that he worked with his own company, that the companies were charging more for credit cards, that he thought they were charging 7% and they were making money off of the cabdrivers that paid a \$2.75 tax at the airport and they normally bought a ticket to load and that gave them the right to load, that he wanted them to let them pass the \$2.75 to the consumer uniformly, that they were only allowed to collect it on a short trip, like people going to Greenspoint, that people to the Galleria or the Woodlands did not get it, that this was not his first time to have input on this, that he had been at every hearing concerning cabdrivers, that he spoke on the senior discounts at the public hearings. Council Member Galloway, Ellis, Keller, Castillo, Parker and Bell absent. (NO QUORUM PRESENT)

Mr. Mike Leathers, 12655 Kuykendahl, No. 5208, Houston, Texas 77090 (281-872-6453) appeared and stated that he was in support of the taxicab rate increase, that the senior citizen discount was a non-issue, that 90% of the time they tipped well over to cover the 10%, that as to the credit cards, absolutely some of the companies charged 5% to 7%, but anybody could go to their bank and get 2% go 2.25%, that it was very easy, that they could do it themselves, that it was his understanding that there were two companies that did not want the rate increase, JR Cab and Discount Cab, but he was dumbfounded as to why the owner of a cab would not want their rates increased, that they charged for their medallions and could add on to their costs, that these two companies were not even listed in the phone book so how did they expect to get any business, that they did no advertising or dispatching, their drivers sat at a taxi stand, that as a basic requirement for a cab company they should offer dispatch service, that they had 87 cab companies in the City of Houston, that they could only name three or four that they saw on the streets, that there were not that many that were listed in the phone book, that these people only wanted to bring down the bigger cab companies so they could get their medallions and sit out at the airport and collect their money, but not do anything for their drivers, that he strongly urged Council to pass the increase in rates. Council Member Galloway, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. J. W. Maseh, P.O. Box 742713, Houston, Texas 77274 (713-478-9692) appeared and stated that he was President of the Association of Taxicab Owners and Drivers, that was speaking on behalf of all 500 plus drivers, that they accept the rate increase in principle but not as excessive as Yellow Cab wanted and bringing people to Council to support it, that he was a member of a destitute family, that a cab was too expensive in the City of Houston, so they were proposing that instead of \$2.50 they say reduce it by \$.50 to make it \$2.00, that the meter should stay at \$1.50 per mile that way everybody would ride a cab in the City of Houston, that if they were talking about an increase they could get a better increase if their cars stay 7 years on the line, that Yellow Cab wanted the increase and F&A was working with Yellow Cab and they did not

have time to rebuke them, that the main complaint was that they were charging drivers excessive amount of leases, that they wanted it to be the way it was, and the zone rate must be equivalent to that of the meter, that the Yellow Cab designed zone rates and that was cheating drivers, that for example if the driver took four people from IAB to the Hyatt Regency downtown the metered would register approximately \$38.00 and with the added \$2.75 tax that the cab driver pays to load it would come out to \$40.75, that with the City ordinance the driver was only getting \$34.00, thus losing almost \$7.00, that what they really wanted was the meter rate to be exactly like the zone rate. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Castillo, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Masseh stated that his basic objection to the rate increase was the \$2.50 to start he felt was too excessive, and then \$1.65 per mile, that people would not take a cab, that he wanted to start with \$2.00 and \$1.50 per mile, like it was right now, and if they wanted to keep the zone rate it should be equivalent to the meter. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Castillo, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Leonard Ugwu, 8757 Broadway, No. 2228, Houston, Texas 77061 (713-649-9959) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Castillo, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Richard Cowan, 8155 Hartford Street, Houston, Texas 77017 (713-649-2000) appeared and stated that he had a letter to pass out to Council from Gerald Brady, Liberty Cab Company, who could not be present, that he was the owner of the City Cab Company and was present to support the rate increase, that it had been 7 years since they had a rate increase and all of the costs, for the drivers as well as the companies, had increased greatly, that he was sure they were aware how much the cost of repairs and gas had gone up on their vehicles, that his insurance alone, last year, per unit went up by \$400, that the cost of an air conditioner was the cost for 7 years what they paid for a transmission, that the cost of vehicles had gone up 20% to 30% at least in the last 7 years, that everybody should see that there was a great need for them to have an increase, that he supported the \$.15 per mile, that it was probably in line with most cities, that \$1.50 was the originally drop and thought that most cities had about \$2.00 to \$2.50 per drop, that people should be aware that they should pay something for the initial move, that zone rates were a necessary evil and travelers coming to Houston must know what the price of a taxicab was going to be, that they had to compete with limousines and rental cars and to compete with them people must be able to sit and compare the rates from the airport, that he hoped that Council would support the increase for the owners and drivers as well. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Francis Okwudi, 5723 Tiffany Dr., Houston, Texas 77085 (713-723-5030) appeared and stated that he was President of Starz Cab Company and was present to speak to them about the rate increase, that they appreciated the rate increase because it assured that they identified a blight and they really appreciated that, that the increase was seen by some of the cab drivers as a problem, that he did think they needed an increase because of the hardship that they were going through, that the cost of gasoline was very high and there were a lot of other problems that they were facing, that they had to do something to remove the limousine problem, because it really was a major problem to the cab drivers, that whether they knew it or not some limousine drivers were soliciting trips at the airport. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Christopher Ubka, 101 Gessner, Houston, Texas 77075 (713-988-8301) had reserved

time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Alex Okafor, 6201 Rampart, No. 821, Houston, Texas 77081 (713-661-3228) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Simon Okpara, P.O. Box 1816, Houston, Texas 77251 (713-449-5750) appeared and stated that he was one of the cabdrivers who supported the rate increase, that he was also very troubled with the meter rate and zone rate, that he felt very uncomfortable charging a customer the meter rate because it was higher than the zone rate, but at the same time he was losing money, so he was asking the Council if they could do away with the meter rate and just have a fixed rate when they increased the rates; that another thing he wanted to mention was that the cabdrivers were not allowed to use the restrooms when they were at the terminal, that they stayed there from 5 to 6 hours to get a trip. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Alvin H. Viser, 2400 South Loop West, No. 408, Houston, Texas 77054 (832-289-4430) appeared and stated that he loved Houston and his job, that he had been in Houston since 1968 and had come from Galveston, that he had been driving a Yellow Cab for about 23 years and it had been educational, that he just wanted to confirm the increase because they needed it, that they knew that everybody else had gotten a raise and it was their time now, that they needed a raise. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Ramon Silva, 7308 Linden, Houston, Texas 77012 (281-630-0652) appeared and stated that he was in favor of the rate increase which was a dollar, that he picked up a lot of Hispanic people and they did not understand what a \$1 surcharge was and they basically thought that he was trying to cheat them out of a dollar, that when he first got his cab he was paying \$18.50 to fill up on gas and that went up to \$25.00, it was a large increase, that he did a lot of running around, he worked the airport and the streets, that he was using up a lot of gas on calls that school kids, who were out of school, called for a cab to an address where there was no one home and it took up a lot of his money for gas, that he was in favor of using that \$1 and putting it on to the meter. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. William Curry, 3012 Duke, Houston, Texas 77005 (713-668-5422) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Michael Holt, 27350 Blueberry Hill, Spring, Texas 77387 (281-444-8294) appeared and stated that he owned Triple A Taxi and had five permits, that he would say that his drivers all urged him to tell Council that they needed a rate increase just for their operating expenses, that in general he was for what was before Council, that he had not seen anything else that would make anymore sense at this time, that as for the zone rates from the airport he hated them all but they were necessary, they could not have people come into a community and not know what the cost was going to be or even be aware how far they were going to travel, that some of the rates were not fair and did leave the driver short, but it was all made up in the overall throughout the day, that if they were going to charge full meter rate on everything he would have to consider a substantial increase in their lease rates because he knew that their income would go up, that the airport fee, the \$2.75 had its problems as well, was because they had drivers who worked strictly the airport and did carry very few trips in and were only getting to charge about half of

their actual cost and was something to consider in the future, that there were a lot of things that they needed to look at, but maybe next year, that he did not like the senior citizen discount because the zone rates were already discounted. Council Member Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Ms. Gyuler Green, 12415 Berry Laurel, Houston, Texas 77014 (281-444-6654) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

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, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Ms. Pamela Miller, 10211 Sugarbranch, Houston, Texas 77036 (713-773-4212) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Ms. Estella Hernandez, 813 South Kansas, Houston, Texas 77571 (281-414-3596) appeared and stated that she had worked for the City of Houston for seven years and her title was Water Service Inspector I, that she worked for Utility Customer Service at 2700 Dalton and felt strongly discriminated against due to her Mexican American nationality, that her supervisor, Mr. Leo Morris, had shown favoritism towards another female employee, Mary Sanders, of his own African American race, that they were the only two women in their department, that Mr. Morris was working very unprofessional and had treated her with disrespect, that he had pointed his finger at her face and yelled at her, that he singled out her on time performance and was constantly calling her into his office and checking behind her on her work, that she was not allowed to speak at the department meetings, that on one occasion during a meeting he pointed and yelled "Ms. Hernandez this is my meeting, you do not speak in my meeting", that on another occasion she confronted him about favoritism and his response was that she was asking for trouble and if she did not feel like coming to work she should have stayed home, that he had also used profanity and had allowed other co-workers to do so, that after she confronted Mr. Morris about his favoritism the following day Ms. Sanders was handing out her work, that she filed favoritism against her supervisor and the results for Level I and Level II were no evidence of favoritism, on which three witnesses were present, that in a memorandum for response to Level I and Level II they twisted and falsified her statement to their favor, that two other co-workers had filed against Mr. Morris for the same reason and lost, that she had seen a lot of discrimination within her seven years of service, that the Meter Shop consisted of seven departments which did not include any Hispanic supervisors, that the only one was transferred to 4200 Leeland, that they were many Hispanics with longevity and experience from 7 to 25 years and were still Inspector I, that they were being bypassed and denied promotions and young African American females with 2 ½ years with the City were being promoted to Water Inspector II, which included Mary Sanders, who had been there one and a half years. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown asked Ms. Hernandez if she had filed a complaint with the Office of Inspector General, and Ms. Hernandez stated that she had talked with them on the phone and they

recommended that she start with favoritism first, and to let them know of the outcome, and Mayor Brown stated that she made some allegations of discrimination and it was their responsibility to investigate and suggested that she go back to the Office of Inspector General and tell them that she spoke before City Council and the Mayor was asking that they conduct an investigation into her complaints. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Council Member Castillo stated that the allegations were obviously deserving of an investigation, but it was really a question that they ought to look at administratively and perhaps Mr. Lonnie Vara could make a short task of it by just looking to see if there was any merit administratively, whether promotions had been made fairly and if there were people who had been overlooked, that he thought that starting the other way immediately polarized the issue, that they just ought to look to see if it had a factual basis to it, and Mayor Brown stated that they could do that, but the EEOC complaints were inspected by the Inspector General, that they could follow the Council Member's suggestion and have Mr. Vara take a look at what was going on in that department and then if she was not satisfied with that they would take it to the next level, that Mr. Vara would be in touch with her. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Ms. Debbie Richards, 10101 Fondren, Houston, Texas 77096 (713-271-6656) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Chuck Carlberg, 3707 Inwood Dr., Houston, Texas 77019 (713-965-0764) appeared and stated that he was President of the Park People and also served on the Steering Committee of the Quality of Life Coalition and served on the Houston 2012 Executive Committee, that he loved the City and felt so blessed that his parents moved here forty years ago, that he knew in his heart of hearts that the best thing about Houston were the people who lived here, that Houstonians were good people, but these good people needed more parks and greenspace, that Houston was one of the most under parked major cities in the United States, and the intellectual worker wanted parks and hike and bike trails and access to water, that for the \$88 million in the Capital Improvement Plan for parks, he thanked them, but understood that \$60 million of that would just be for Parks to Standard and the additional \$28 million would support parks maintenance, that the Quality of Life Coalition, along with the Greater Houston Partnership, had asked for \$130 million, that the crown jewel of the Quality of Life Coalition were the linear parks and canoe trails, proposed for all nine major bayous, that all of Houston could look like Buffalo Bayou, that the linear parks could become water detention areas during heavy rains and the land was already owned by the Harris County Flood Control District, that please consider reallocating a portion of their storm drainage funds into water detention ponds along the bayous as linear parks and canoe trails. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Council Member Castillo stated that he was a strong supporter of parks, but was also a strong supporter of libraries and libraries were a key component of getting an educated and trained workforce and many times it served as a supplement to the school environment, that he agreed that Houston needed to spend more money to attract the multi talented and new workforce that they needed in Houston, but they also had to remember that during the last decade the growth of Houston was mostly growth in the inner city areas, although some growth was due to other areas of the City, that approximately the difference between 427,000 and 731,000 and about 300,000 of the new growth was due to Hispanics just being born here and people who had lived here and sort of earned a first place in line for neighborhood improvements deserved to have that opportunity and not see it lost to trying to attract people who were just

getting here, that he understood that it was a healthy competition, but it could not all be one sided, and Mr. Carlberg stated that they did not oppose any money for libraries. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Lee Gonzales, 8038 Gulick, Houston, Texas 77075 (832-541-6896) appeared and stated that he was present to speak on the lack of action from the Mayor's Citizens Assistance Office, that at 8305 Gulick a family had been living in a house under construction for at least a year if not longer, that there was only a temporary power pole at this residence with power being supplied by an extension cord, that this was reported numerous times to the permit office more than 6 months ago but nothing was ever done, that in the past six months he had been more persistent and had called the Permit and Health Department, Neighborhood Protection, Public Works and Reliant Energy in attempts to get the situation resolved, that he got responses such as that was not their department or that they could only give him phone numbers and could not follow up for him, that he had made too many calls to remember how many individuals he had talked to, that they were willing to give him phone numbers but getting a call back from anyone was very difficult if nonexistent, that the Mayor's office also mentioned the Mayor's Citizens Assistance Office so he gave this a chance, that he talked to Ms. Pace, Mr. Winn and Ms. Holmes and again these individuals were only giving out phone numbers and were not investigating or solving problems, that he finally talked to a supervisor two weeks ago, Ms. Maria Garza, and she emphasized that they were supposed to solve problems and not just give out phone numbers, that after explaining the situation to her she called Public Works Senior Inspector Kenneth Sterling to investigate on Friday, July 20, 2001, that he noticed a red tag on the premises that day, however by Monday it was gone and Ms. Garza stated that the owner let his permit expire and he purchased another one over the weekend, that he also asked to get on the Mayor schedule and to this day he could not find out how to get on the Mayor's schedule, that Ms. Garza also said that if he had any complaints about the individuals mentioned earlier she would give him their bosses phone number, and he responded that he would think they would be concerned because these individuals were representing the City and the Mayor to the people, that yesterday he decided to speak before Council and signed up for today's meeting, that he received a call from Ms. Sonja Otero, Mayor's Citizens Office, and he explained the situation to her who said that she would send the appropriate personnel out that day, that he received another call from her that morning and she said that Neighborhood Protection went out there yesterday and electrical was supposed to go out today sometime, that she said that there were numerous violations and would call him back later with a complete summary, that she also asked if he was still going before Council and he stated yes, that why did he have to come before Council to get simple matters resolved, that the only time he consistently gets a call back was when he signed up to speak before Council.

Mayor Brown stated that Mr. Pruitt was in the Council Chambers and would met with him and follow up and make sure that his issues were addressed, that this Thursday he would have a Mayor's Night In and would be present with all of his directors and they could come and talk to any of them at that time, that they did not need an appointment, and Mr. Gonzales asked if people could just sign up to talk to him for five minutes, and Mayor Brown stated that he talked to people everyday, so he could call his office and talk to his scheduler, and Mr. Gonzales stated that he attempted to do that and that was why he was here, that he was put on hold and then hung up on, and Mayor Brown asked that he let Mr. DeYoung know who had hung up on him because that was totally unacceptable. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Ms. Ruth Webb, 14250 Kimberly Ln., Houston, Texas 77079 (281-870-1996) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)



Mr. Terry Lauderdale, 805 Fortune Street, Houston, Texas 77088 (832-272-9886) appeared and stated that he was present to present an invention that he had been working on for about six months and it involved the high speed chases with the police in the City, that he wanted to ask what they were going to do about high speed chases as far as to deter or discourage it, that the high speed chase that police pursue, that a church member of his was killed last week during a high speed chase. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that there was a policy in the police department that governed those chases and Assistant Chief Dennis Richards was present and would meet with him and explain it all to him and if Mr. Lauderdale had some ideas he wanted to share, Chief Richards was the right person to share it with. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Ms. Cynthia Horton, 6575 Ashcroft No. 1107, Houston, Texas 77081 (713-778-1522) appeared and stated that there had been a fire in her apartment on June 4, 2002, that it was due to a failure of her stove, that she and her children were living in the burned out apartment for two months, that no one had tried to help her, that she had statements that her stove was faulty and not working, that she was on Section 8 housing and now that Section 8 housing was being taken away from her and kicking her and her children out on the street, that she had documents stated that a year ago a lady came to inspect her apartment and the stove failed inspection, that she went to the office and complained about her stove but they never came out to try to fix her stove, that Ms. Jennifer Walker told her to write a letter regarding her stove and she would sign it so that they would look at her stove but no one came to look at her stove, and on June 4, 2001 her kitchen caught on fire, that they were trying to say it was her fault when it was not her fault, that she went to Section 8 housing and talked to Ms. Shakita Williams and she told her not to worry about it that things would be okay to bring her a letter stating that Ms. Jennifer Walker knew that the stove was messed up, that she took her back the letter to verify that her stove was messed up and that it had failed inspection, that Ms. Williams gave her a voucher and a moving package and told her to move out of the apartment because it was not livable, that she immediately went to look for and found another apartment and about a week later she received a letter in the mail telling her that her Section 8 was terminated, that she went back to Section 8 and talked to Ms. Christina Capps, that she had to wait for about eight hours, and Ms. Capps was very rude to her and told her that she did not care where she or her kids went, that there was a fire in her unit and she was terminating her Section 8 housing, that she was present to ask that the Mayor help her so that they could give her back her Section 8 housing, that she did not want to live on the streets with her children, that she had no where else to go, that Ms. Debra Dillard and Ms. Sonja Otero had tried to help her, that they found out that the stove had failed inspection. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Richard Cantu, Citizens Assistance, would meet with her right now and would make sure they would do something for her so she would not be without a home, and Ms. Horton asked for help in obtaining a copy of the fire report that the Fire Marshall wrote, so that it would help her get her Section 8 back, and Mayor Brown requested that Mr. Cantu get the report and ask the chief to take a look at it and see what they could do. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Trent Winters, 7967 W. Airport Blvd., Houston, Texas 77071 (713-781-2260) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

PRESENT)

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. had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. Joseph Omuari, 15 Charleston Park, No. 1107, Houston, Texas 77025 appeared and stated that he was upset, frustrated and feeling a little discriminated against because he had not appeared in about three or four weeks and still ended up on the one minute speakers list, that was present on the anti discrimination ordinance and the small business grant and he saw last week that Council was fighting tooth and nails about the anti discrimination ordinance and he would hope that the same type of energy would be placed on the small business grant. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Council Member Quan stated that he tried to make inquires as to small business grants and the Affirmative Action Department was looking into what they had available, and he had also spoken with the Small Business Administration and he would try get some information to him. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that his name was James Partsch-Galvan, a candidate for City Council, and his website address [www.galvan.org](http://www.galvan.org), that his campaign platform was (1) to create a review board with subpoena powers to investigate, at its discretion, allegations of police wrong doing, a police advisory commission, that he thought that it was important to point out that August started tomorrow and August was always a revolutionary month, that the full moon for August was this Thursday and fell in the sign of Aquarius, organizers of the air signs, that Aquarius was also the sign of revolution, August, Aquarius and revolution, Galvan, earth and revolution, time to move forward into the new age 21<sup>st</sup> Century, time to bring the Westheimer Street Festival back to Westheimer, time to re-legalize marijuana in Houston, time for new energy, time for change. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Parker, Bell and Robinson absent. (NO QUORUM PRESENT)

At 4:23 p.m. upon motion by Council Member Quan and seconded by Council Member Tatro, City Council recessed until 9:00 a.m., Wednesday, August 1, 2001.

City Council Chamber, City Hall, Wednesday, August 1, 2001

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, August 1, 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, John E. Castillo, Annise Parker, Gordon Quan, Chris Bell and Carroll Robinson; Mr. Al Haines, Chief Financial Officer, Mr. Anthony Hall, City Attorney; Mr. Paul Bibler, Assistant City Attorney ; Ms. Martha Stein, Agenda Director present. Council Members Gabriel Vasquez and Orlando Sanchez absent on personal business.

At 8:26 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

At 9:15 Mayor Brown reconvened the meeting of the City Council and stated that the first item of business would be a report from the City Controller and the Finance Administration. Council Members Galloway and Castillo absent.

**9:00 A.M.** - **REPORT FROM CITY CONTROLLER AND THE CITY ADMINISTRATION REGARDING THE CURRENT FINANCIAL STATUS OF THE CITY** including but not limited to, a revenue, expenditure and encumbrance report for the General Fund, all special revenue funds and all enterprise funds, and a report on the status of bond funds and a Quarterly Investment Report by the City Controller.

Ms. Garcia stated that this was the monthly financial report for the period ending June 30, 2001, that they had \$7.2 million more in revenues predicted than last month in the General Fund, that the fund balance too was up by \$12 million, that this was due to several factors, that Public Works finally got caught up in payments to the General Fund, to the Health Benefits Fund, and paid back from what it had borrowed from the General Fund, and finally Municipal Courts had a good collection month in June, exceeding expectations by \$1.6 million, that on the revenue side department spending was down significantly in June, total under spending at \$6.4 million under the revised budget, as a result the General Fund did not have to borrow any money from the Any Lawful Purpose Fund, that meant that they could finally set aside \$5 million for the Rainy Day Fund, which as they knew her office had been urging them to do for the last three years, that the projected fund balance as of June 30, 2001 was now at \$85.6 million, which was at about 7.9% of projected expenditures minus debt service and operating transfers, that all this was due to a lot of hard work on the part of people in her staff and Dr. Scheps staff, that all this vouched well for the City's financial health as they moved on to the next fiscal year, and that concluded her Monthly Financial Report. Council Members Galloway, Boney and Castillo absent.

Ms. Garcia stated she would continue with the Quarterly Investment Report, that as of June 30, 2001 the City had approximately \$2.5 billion invested in 9 different investment pools, that the largest pool was the General Pool with a balance of \$1.7 billion, that due to normal seasonal cash fluctuations this was down about \$300 million from the previous quarter, that they added three new investment pools during this quarter, which they would see for the first time in their report, that all of these were from the Hotel and Convention Center Bond issue, that the three new pools were the George R. Brown Project Fund Pool, which would be used to fund the expansion of the convention center, that this pool had a balance of \$158 million, that the second pool was the Convention Center Hotel Project Fund, that the pool had a balance of about \$291 million, and the last one was the Reserve Fund for the Hotel and Convention Center required by their ordinance, that this was a smaller fund of about \$22 million, that the other investment pools showed normal levels of activity during this quarter, that the bottom line to the City this fiscal year was that they had garnered about \$120 million in interest for all pools and all activity, that of this \$10 million was to the credit of the General Fund, or put another way, the \$10 million that they

earned in interest to the credit of the General Fund equaled about one penny of their tax rate, and that concluded her report. Council Members Galloway, Todd and Castillo absent.

Dr. Scheps stated that because their variances with the Controller were so small he did not think they really needed to go back through those numbers, that they were agreeing that the ending balance would be about \$85.6 million which was about \$15 million higher than was expected, that he responded to a question from Council Member Bell at Fiscal Affairs Meeting that they were going to give the Council a little more detail on the departments that were under spent because the reasons for the under spending was probably different for different departments and in some cases the flood had a part in it and in some cases aggressive management had a part in it, that other than that he did not think they needed to over the numbers, that he mentioned that in terms of those other items in his letter, the Cash Management Study, if they were present yesterday they heard a description of that and it was written up in the newspaper this morning, that the Controller's office deserved a lot of credit for an excellent investment management function and he certainly concurred with that, that they had some things to work on which they were going to work on jointly, the auditor recommended that they do some better write up on procedures and of course additional fund balances was something that was really a recommendation to all of them and they concurred on those recommendations and were glad that it was all written up favorably and they certainly agreed with those recommendations; that the Fee Study kicked off yesterday with their consultants coming in for a kickoff meeting and many departments would be getting visits from the consulting team in the near future to begin that process; that on the competitive bidding they did get two bids in for their turn key auto parts bid and they would see that probably within thirty days and the fleet management proposals were due in mid month so probably within six days they would see that part of competitive bidding, that their agenda was so crowded for fiscal affairs because of the C.I.P. that they took the Debt Policy and Management F&A Audit off once again and postponed them because there just was not going to be time for the committee to consider all that and they wanted to bring it to the committee before they brought it to Council; that he did mention in his letter a funding problem they were dealing with in C&E to get Jones Hall finished on schedule, that there was a disclosure in his letter that C&E was using \$2 million of operating budget, which they had the legal right to do and Council had approved the Gilbane contract and they were going to use that \$2 million and in two weeks would be on the agenda with a permanent funding source, that there may be a race between the first FEMA money, which was in process and was coming, as to whether they would be able to use that in time to finish the Gilbane contract to get Jones Hall back in operation by September 1, 2001, which they planned to do, but that would be on the agenda two weeks from today, one way or another, either with a different funding source or FEMA money having arrived. Council Member Galloway absent.

Council Member Robinson stated that as they had discussed one of the items was a goal to move towards \$30 million cash on hand and he agreed with Dr. Scheps that they ought to target moving into that direction over time, and asked in light of the possible good financial conditions they found themselves in at the end of FY01 would they move the \$5 million that they designated for the Rainy Day Fund in cash into the investment pool, and Dr. Scheps stated that it was always in the investment pool, whether they moved it from the General Fund, every dime was in the investment pool, but would they actually create a separate fund and move that \$5 million, that he believed the answer was yes, but wanted to talk to the Mayor and Controller about it and they would have a report on it, and Ms. Garcia stated that they would prefer that it be a separate dedicated fund, that they would have a report on it at the next meeting, and Council Member Robinson stated that he wanted to know what was their average General Fund balance in the investment pool over the last two fiscal years, and stated that he would like to see an updated Cash Flow chart and wanted a chance to visit with him about when he thought they may need to do any kind of short term borrowing that they normally did to make preparations, that one of the things that the report talked about yesterday that they ought to give consideration to was

harmonizing their payments in terms of the contractual obligations and try to make it more in line with the cash flow, that he knew the CAFR would not be out until sometime in September, and he wanted to commend the Mayor, that he got a press release that stated that the Mayor would like to see them do a one time civilian pay bump with a portion of what they thought would be the \$6 million extra, but it did not include a specific number so he was trying to find out how much of the \$6 million were they talking about for civilians employees because he was also interested in using some of that money for the fire department overtime, that he would like some analysis on that issue so that Council could make a determination as to how much they provide the civilian employees. Council Members Galloway and Castillo absent.

Council Member Bell stated that his questions were answered at yesterday's Fiscal Affairs Committee Meeting and wanted to thank Dr. Scheps for agreeing to provide the analysis that he referenced in his report, that he thought it would be most helpful going forward. Council Members Galloway and Castillo absent.

Council Member Ellis asked with regard to the projections were they going to be changing and would they have the correct numbers in September, and Ms. Garcia stated that they could not get it done by September, that it would probably be late October before the Comprehensive Annual Financial Report was done, and Council Member Ellis stated that he understood the problem with the revenues, but why did they not know what their expenditures at this time and why did it take so much time to collect that, and Ms. Garcia stated that because all they had in front of them was period 13 numbers, which were the last piece of the puzzle and they still had to process those and look at all the last minute things that the departments may have done and sometimes they did find things that could be attributable to this fiscal year and sometimes they could not, and until all that gets flushed out by the auditors and themselves they would not have final numbers, and Council Member Ellis stated that she had stated that the projections for the Municipal Courts, fines and forfeits were increased by \$1.6 million, and Ms. Garcia stated that no, they exceeded expectations by \$1.6 million, and Council Member Ellis stated that it was still below what they had budgeted for, the \$42 million, and it seemed that they could not get their hands around the Municipal Courts and really do a good job of projecting revenues, and Ms. Garcia stated that the point she was trying to make was that they finally had a good June collection month and it exceeded previous months expectations, but yes of course they were still under budget and they were still not on target, that they would continue to monitor it as she was sure Dr. Scheps office would. Council Member Galloway absent.

Council Member Ellis asked if Dr. Scheps was in the department when they approved the contract for the delinquent collections and Dr. Scheps stated that he was not, and Council Member Ellis requested that at the next Fiscal Affairs Committee Meeting inform them how that contract was going and whether or not it had increased revenues to the Municipal Courts. Council Member Galloway absent.

Council Member Quan stated that he wanted to compliment them on their efforts as far as the interest that they earned, that it was a substantial amount, that he was also impressed with the works of Coastal Securities with some of the bonds and the savings that they were looking at there, \$22 million over the life of the bond, about \$3 million to \$4 million per year, those all added up to help the bottom line, and stated that he was curious at the works of Public Works at the back of the booklet, that they used to have a category called Potholes Repaired, that he noticed that they did not have that in this current book anymore, and knew that obviously there was a controversy of what constituted a pothole and how many were repaired and asked if that matter had been resolved, and Dr. Scheps stated that the first MOFR for the new fiscal year was going to have revised performance measures based on all the work that Bob Bowers and Al Haines did, that the answer was no it had not been resolved, but they were committed to starting fresh in 2002 with new performance measures, and Council Member Quan stated that he was

somewhat taken back a bit on Page 78 on Sidewalk Projects Awarded and Street Light Installations Approved and stated that his understanding was that the monies came in this year but the work would actually be done in the next fiscal year, so next year when they got their projection for work it would say 8,000 lights to be installed but those would not get done until the next fiscal year, and asked if that was how things worked, and Dr. Scheps stated that Ms. Garcia suggested yesterday that they just report both, that they had committed to some and they would also like to know exactly how much had been done in the fiscal year, so they would enhance that performance measure and report both of those things, that the caption was misleading and they changed to the caption to reflect what the data had always said, that they were always reporting on the approvals it was just that the caption gave them a different impression so they changed the caption. Council Members Tatro, Galloway and Robinson absent.

Council Member Castillo moved to accept the reports, seconded by Council Member Quan. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Galloway, Tatro and Robinson absent. MOTION 2001-0854 ADOPTED.

### **MAYOR'S REPORT**

Mayor Brown stated that he was going to take a couple of minutes and update them on their efforts to deal with the flood recovery efforts, that he wanted to make everyone know that even though the emergency response is over, the damage remains and many people were still trying to get their lives back to normal, that there were many people who were not affected by the disaster but there were still many Houstonians still in need, that many had experienced devastation and still must deal with making difficult decisions such as restoring their homes or even potentially relocating, that he believed very strongly that they had a responsibility to the individuals in our neighborhoods to facilitate the recovery process as well as to the community as a whole, that with the magnitude of this disaster, it has been a massive task and also a learning process for everyone involved, that they had found that small, or group settings, seemed to work better than large impersonal distribution of mass information, neighborhood meetings, with face-to-face interaction were the most effective method of communication as each experience and neighborhood was really unique, therefore, in order to address the recovery issues, they had implemented a neighborhood based approach, designed to work with neighborhoods through the complex issues that confront all of them, over the past couple years, the City has created a number of Super Neighborhoods, and through this social infrastructure, they were reaching out to the communities to address the issues of the Voluntary Buy Out Program, permitting, and other assistance that was available, that their task force teams would consist of representatives from local organizations, his office, Planning and Development and the Public Works and Engineering Department, that these multidisciplinary teams had been created to provide practical assistance and to provide consistent, easy to follow, step-by-step instructions for the Buy Out and Permitting Process, in addition to that the City was working to expand its ability to provide home repair and housing assistance through an application for HUD grants and a revision to existing criteria, that similarly, the Family Flood Fund, for permitting assistance, had helped 550 homeowners obtain the permits necessary to repair their homes, and they were happy to report, as a result of their request, the deadline for the FEMA assistance had been extended to September 7, 2001, that in this way, the City of Houston was partnering with the leaders in the community and taking an active role to facilitate the process by understanding the issues, identifying potential needs and assisting individuals in the neighborhoods, that by doing that they could facilitate the recovery process and address those still remaining questions and/or needs in this very difficult time, that he wanted to close by saying that if anyone was interested in attending the Super Neighborhood Recovery meeting in their area or contributing in any way to this effort, to please contact Mr. Haines, the Chief Administrative Officer, at 713-247-6355, that he wanted to invite everyone to join him, tomorrow

night, for his Mayor's Night In, where this same group would be available to address flood recovery related issues, that the essence of his report today was that they had a long way to go, and had done a lot to go through the disaster, but the recovery stage was going to be a long term process, that as he traveled throughout the City there were many people still in need and many still needed information and home repairs, that he wanted to thank everyone for being very responsive to the disaster, but by no means was it over yet and he encouraged everyone to continue to work to address the recovery process. Council Members Boney, Keller, Castillo, Parker and Robinson absent.

### CONSENT AGENDA NUMBERS 1 through 36

#### ACCEPT WORK - NUMBER 4

4. RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$221,572.95 and acceptance of work on contract with **DCE CONSTRUCTION, INCORPORATED** for Leeland Street Storm Sewer Replacement, GFS M-0126-27-3 (M-0126-27-3) - 07.39% under the original contract amount - **DISTRICT I- CASTILLO** - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Boney, Keller, Castillo, Parker and Robinson absent. MOTION 2001-0855 ADOPTED.

#### PURCHASING AND TABULATION OF BIDS - NUMBERS 7 through 14

7. **AMEND MOTION #98-1557, 9/30/98, TO EXTEND** expiration date for twelve months from September 30, 2001 to September 29, 2002, for Gate Operator Components Parts and Repairs for Department of Aviation, awarded to **HOUSTON EQUIPMENT CO.** and **AUTOMATED ACCESS SYSTEMS, INC** - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Boney, Keller, Castillo, Parker and Robinson absent. MOTION 2001-0856 ADOPTED.
9. **REMEL, INC** for Plated, Tube and Dehydrated Media for the Health and Human Services Department - \$156,000.00 - General Fund - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Boney, Keller, Castillo, Parker and Robinson absent. MOTION 2001-0857 ADOPTED.
10. **PERKIN ELMER INSTRUMENTS, LLC** for One Analyst 800 AA Spectrometer from the State of Texas General Services Commission's Contract through the State of Texas Cooperative Purchasing Program for the Health and Human Services Department - \$73,875.00 - Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Boney, Keller, Castillo, Parker and Robinson absent. MOTION 2001-0858 ADOPTED.
14. **FAKOURI ELECTRICAL ENGINEERING, INC** for Replacement of one UPS System for the Department of Public Works and Engineering - \$133,720.14 and contingencies for a total amount not to exceed \$140,406.15 - Enterprise Fund - was presented, moved by Council Member Quan, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Boney, Keller, Castillo, Parker and Robinson absent. MOTION 2001-0859 ADOPTED.

**RESOLUTIONS AND ORDINANCES** - NUMBERS 22 through 35

22. ORDINANCE approving and authorizing lease agreement between **CENTERAMERICA PROPERTY TRUST, L.P.** as landlord, and the City of Houston, Texas, as tenant, for space at 5180 Aldine Mail Route, Houston, Texas, for use by the Health and Human Services Department - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller, Castillo, Parker and Robinson absent. ORDINANCE 2001-0705 ADOPTED.
30. ORDINANCE issuing a permit to **TEXAS ALUMINUM INDUSTRIES, INC** for building, construction, maintaining, using, occupying, operating and repairing a 4-inch conduit for communication cable under and within the street at 2500 Martinville Road, such area being within public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller, Castillo, Parker and Robinson absent. ORDINANCE 2001-0706 ADOPTED.
32. ORDINANCE appropriating \$98,721.30 out of Water and Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **PARKSTONE BUILDING COMPANY, L.P.** for construction of Water and Sewer Lines serving Section Five of the Bridgegate Subdivision, CIP S-0800-34-03 and R-0800-40-03 - **DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller, Castillo, Parker and Robinson absent. ORDINANCE 2001-0707 ADOPTED.
33. ORDINANCE approving and authorizing Water Supply Contract between the City of Houston and **SUNBELT FRESH WATER SUPPLY DISTRICT** - Revenue - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller, Castillo, Parker and Robinson absent. ORDINANCE 2001-0708 ADOPTED.
34. ORDINANCE appropriating \$1,323,617.37 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **TROY CONSTRUCTION L.L.P.** and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** for Sanitary Sewer Rehabilitation By Point Repair Method, GFS R-0266-25-3 (4235-13); providing funding for contingencies relating to construction facilities financed by the Water and Sewer System Consolidated Construction Fund had been pull from the Agenda by the Administration and was not considered. Council Members Keller, Castillo, Parker and Robinson absent.
35. ORDINANCE appropriating \$3,769,200.00 out of Water and Sewer System Consolidated Construction Fund, awarding contract to **E. P. BRADY, INC** and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** for 30-Inch Water Line along Cochran Street, Reid Street and Irvington Boulevard, GFS S-0900-57-3 (WA10630); providing funding for construction management and contingencies relating to construction facilities financed by the Water and Sewer System Consolidated Construction Fund **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller, Castillo, Parker and Robinson absent. ORDINANCE 2001-0709



ADOPTED.

## CONSIDERATION OF MATTERS REMOVED FROM THE CONSENT AGENDA

### MISCELLANEOUS

1. ORDINANCE appropriating \$99,472.00 out of Solid Waste Consolidated Construction Fund as an additional appropriation for Southeast Service Center CIP L-0029-01-3 under construction contract (approved by Ordinance No. 97-766) between the City of Houston and **WILLIAMS INDUSTRIES, INC - DISTRICT I - CASTILLO** - was presented.

Council Member Quan stated that they had \$40,000 in this change order and still dealing ADA Design omissions, that the Americans With Disabilities Act passed in 1990 and thought they needed to do something with Building Services to make sure that they did not continue to still have change orders dealing with ADA compliance, that it should be standard when the projects first begin, and Mayor Brown stated that he agreed with him, that Building Services was not the culprit, that it started a long time ago under Public Works, but they would make sure to correct the problem. Council Members Keller and Castillo absent.

A vote was called on Item No. 1. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller, Castillo, Parker and Robinson absent. ORDINANCE 2001-0710 ADOPTED.

- 1a. RECOMMENDATION from Director Building Services Department for approval of Change Order No. 12 in the amount of \$99,472.00 on contract with **WILLIAMS INDUSTRIES, INC** for Southeast Service Center, GFS L-0029-01-3 - **DISTRICT I - CASTILLO** - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller and Castillo absent. MOTION 2001-0860 ADOPTED.
2. RECOMMENDATION from the Chief of Police for Extension of Injured on Duty Status for Police Officer **JOHN RAMOS** - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller and Castillo absent. MOTION 2001-0861 ADOPTED.
3. RECOMMENDATION from the Chief of Police for Leave of Absence Without Pay for Jail Attendant **IRMA DELEON** - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller and Castillo absent. MOTION 2001-0862 ADOPTED.

### ACCEPT WORK

5. RECOMMENDATION of the Director Department of Public Works & Engineering for approval of final contract amount of \$4,771,031.92 and acceptance of work on contract with **CONTRACTOR TECHNOLOGY, INC** for N. Braeswood from Stella Link to South Main, GFS N-0644-11-3 (N-0644-11) - 01.08% over the original contract amount - **DISTRICT C - GOLDBERG** - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller and Castillo absent. MOTION 2001-0863 ADOPTED.

## PROPERTY

6. RECOMMENDATION from Director Department of Public Works & Engineering for payment of appraisal fees for the **MARKET STREET PAVING PROJECT from North Wayside to Loop 610**, CIP N0611A-34-1 - \$23,000.00 - Street & Bridge Consolidated Construction Fund - **DISTRICT B- GALLOWAY and I - CASTILLO** - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller and Castillo absent. MOTION 2001-0864 ADOPTED.

## PURCHASING AND TABULATION OF BIDS

8. **LONE STAR UNIFORMS (Bid #1)** - \$1,157,197.80 and **SKAGGS PUBLIC SAFETY UNIFORMS** \$69,297.00 for Fire Fighter Uniforms for Fire and Health & Human Services Departments General Fund - was presented, moved by Council Member Boney, seconded by Council Member Tatro, and tagged by Council Member Tatro. Council Members Keller and Castillo absent.
11. **AMERICA'S NATIONWIDE NETTING, INC** for Emergency Installation of Barrier Netting for the Parks and Recreation Department - \$20,000.00 - Parks Special Revenue Fund - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Keller and Castillo absent. MOTION 2001-0865 ADOPTED.
12. **APPLIED BIOSYSTEMS** for Two Genetic Analyzers for the Houston Police Department \$286,970.00 - Grant Fund - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Member Castillo absent. MOTION 2001-0866 ADOPTED.
13. **SMC/ADVANCED PRODUCTS** for Vehicle Console Systems for the Police Department \$217,415.21 - Equipment Acquisition Fund - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Member Castillo absent. MOTION 2001-0867 ADOPTED.

## RESOLUTIONS AND ORDINANCES

15. RESOLUTION approving amendments to the bylaws of the **MEMORIAL-HEIGHTS REDEVELOPMENT AUTHORITY**, approved and authorized by City of Houston Resolution No. 97-67 - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Member Castillo absent. RESOLUTION 2001-0033 ADOPTED.
16. RESOLUTION approving the creation of the **SHARPSTOWN ECONOMIC DEVELOPMENT AUTHORITY**; approving the Articles of Incorporation and the Bylaws thereof; confirming the appointment of the Initial Directors and Chairperson - **DISTRICT F - ELLIS** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Member Castillo absent. RESOLUTION 2001-0034 ADOPTED.

17. ORDINANCE amending **CHAPTERS 1 AND 8 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the issuance, renewal, suspension, and revocation of Wrecker Driver License; containing other provisions relating to the foregoing subject; providing severability - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Member Castillo absent. ORDINANCE 2001-0711 ADOPTED.

Council Member Todd stated that the item that just passed came through the Regulatory Affairs Committee and he wanted to publicly thank Council Member Ellis for his hard work on the item, that he essentially formed sort of a subcommittee on the wrecker issues and they had many hearings at the Regulatory Affairs level on it and it seemed to be supported by the industry.

18. ORDINANCE amending **CHAPTER 45, CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Residential Parking Permits - was presented.

Council Member Boney tagged Item No. 18 and removed it temporarily so that Council Member Parker could offer an amendment to Item No. 18.

Council Member Parker stated that she had distributed the amendment, that it was a clarification or technical amendment to help further define what a chronic commuter parking problem was, that it was language requested largely by Rice University which was in the pilot area but they thought it would help the ordinance.

Written Motion by Council Member Parker to amend Item 18 as follows:

1. Amend subsection (a) of Section 45-411 to read as follows:
  - a. The City Council may designate residential areas within the city with chronic commuter parking problems as residential parking permit areas pursuant to the procedures of this division. For purposes of this division, a "chronic commuter parking problem" means the regular occupancy of curbside parking spaces by commuter vehicles at the same hours and on the same days, but shall not mean parking for events which by their nature are expected to occur on a frequency of less than once every two weeks.
2. Amend the first paragraph of Section 45-413 to read as follows:

Upon receipt of a complete application for designation of a residential parking permit area, the planning official shall conduct or cause to be conducted a parking survey of the proposed residential parking permit area. The parking survey shall be conducted in the manner prescribed by the traffic engineer. The parking survey shall determine the following information, as well as any other information that the planning official determines will be useful to verify the chronic commuter parking problem identified in the application:

Council Member Robinson stated that he wanted to make sure that HPD and the substation and officers in that area had been briefed and that there was some sort of coordinating task force between the Planning Department and HPD on this issue, and Mayor Brown stated that they had worked with all of the affected departments and there were no disagreements on this.

Council Member Boney stated that he seconded Council Member Parker's amendment, that he had not had time to fully study the matter, but it sounded like something they had talked about for sometime and thought they had probably done the work on it, but he just wanted to look at it a little more closely during the week, that he imagined that he would be talking to the Planning Department and some other folks, that he would tag the amendment and the main

item.

Mayor Brown stated that both the amendment and the main tem had been tagged by Council Member Boney.

19. ORDINANCE amending **SECTION 46-31 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to increasing taxicab rates; containing other provisions relating to the foregoing subject; containing a savings clause; providing for severability - was presented, and tagged by Council Member Boney, who requested that the staff visit with him on the item.
20. ORDINANCE relating to the issuance and sale of City of Houston, Texas Tax and Revenue Certificates of Obligation, Series 2001C for the purpose of the payment of contractual obligations to be incurred in demolishing dangerous structures and for paying costs of issuance; authorizing the Finance Working Group to proceed with the issuance of such certificates; approving matters incidental to the issuance and making various findings and provisions related thereto - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0712 ADOPTED.

Council Member Castillo stated that he would like to have a copy of the Annual Financing Plan and was sure that the other Council Members would like to see one, that they always referred to it and these things came up from time to time and he just did not have the perspective of seeing the total organizational plan for the years financing, and Mayor Brown stated that they would make sure that he and every Member of Council received a copy.

21. ORDINANCE approving and authorizing second amendment to contract between the City of Houston and **COALITION FOR THE HOMELESS OF HOUSTON/HARRIS COUNTY** to extend the term and provide up to \$121,000.00 of Federal Community Development Block Grant Funds for the Operation of a Homeless Services Database and provision of other Homeless related information services, which amount includes a limitation on additional funding in the amount of \$87,624.00 - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0713 ADOPTED.
23. ORDINANCE approving and authorizing lease agreement between **IRP/LINCOLN NORTHBOROUGH ASSOCIATES, L.P.** as landlord, and the City of Houston, Texas, as tenant for space at 12707 North Freeway, Houston, Texas, for use by the Houston Police Department **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0714 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON-GALVESTON AREA COUNCIL** for Regional Law Enforcement Training Services - Revenue - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0715 ADOPTED.
25. ORDINANCE approving and authorizing contract between the City of Houston and **BOOTH RESEARCH GROUP, INC** for the Assessment and Evaluation of Candidates of Police Sergeants for the Police Department - \$127,200.00 - General Fund - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal

business. ORDINANCE 2001-0716 ADOPTED.

26. ORDINANCE approving and authorizing contract between the City of Houston and **RELIANT ENERGY THERMAL SYSTEMS, INC** for Heating, Ventilating and Air Conditioning Operation and Maintenance Services for the Houston Airport System at George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - 5 Years - \$19,386,203.71 Enterprise Fund - **DISTRICTS B - GALLOWAY and E - TODD** - was presented, and tagged by Council Members Keller and Robinson.
27. ORDINANCE approving and authorizing contract between the City of Houston and **XEROX CORPORATION** for Photocopier Rental, Supplies and Maintenance; providing a maximum contract amount - 3 Years with two one-year options - \$17,653,147.00 - Central Services Revolving Fund - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0717 ADOPTED.
28. ORDINANCE approving and authorizing legal services contract between the City of Houston and **STRASBURGER & PRICE, L.L.P.** for Lawsuit entitled Paul Kubosh, et al v. City of Houston, et al., Cause No. 98-16236; in the 113th Judicial District Court of Harris County, Texas - \$50,000.00 Property & Casualty Fund - was presented, and tagged by Council Member Goldberg.
29. ORDINANCE approving and authorizing amendment to contract between the City of Houston and **APPLIED FORENSIC TECHNOLOGIES INT'L, INC** (approved by Contract No. C51271) for Expert Witness Services relating to a lawsuit entitled Zavala v. City of Houston, Civil Action No. 97-3098 - \$10,000.00 - Property & Casualty Fund - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0718 ADOPTED.
31. ORDINANCE appropriating \$274,000.00 out of Park Capital Project, \$351,000.00 out of Park Special Fund and \$576,089.60 out of Park Consolidated Construction Fund, awarding construction contract to **GULF COAST GOLF, INC**, and approving and authorizing professional services contract for engineering testing services with **GEOTEST ENGINEERING, INC** for Parks to Standard Program Phase II - Sharpstown Golf Course, F-0363-48-3; providing funding for contingencies relating to construction of facilities financed by the Park Consolidated Construction Fund - **DISTRICT F - ELLIS** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0719 ADOPTED.
36. ORDINANCE granting authority to **NSPOF COMMUNICATIONS, INC** a Texas Corporation, to encroach upon and use the public right-of-way of the City of Houston, Texas; pursuant to Article XIV, Chapter 40, Code of Ordinances, Houston, Texas, for the purpose of laying, construction, leasing, maintaining, repairing, replacing, removing, using, and operating therein, telecommunications facilities for providing authorized telecommunications services; providing for related terms and conditions; and making certain findings related thereto - **FIRST READING** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0720 PASSED FIRST READING IN FULL.

**NON CONSENT AGENDA** - NUMBER 37

**PROPERTY**

37. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Ron Nielsen, R. G. Miller Engineers, Inc., on behalf of William M. Dickey Estate (William T. Dickey, executor) for abandonment of sale of Rosamond Street. From Virginia Street to Kirby Drive, in exchange for the conveyance to the City of right-of-way to widen Virginia Street, Kipling Avenue and Westheimer Road, a 50-foot-wide sanitary sewer easement, and a 10-foot by 10-foot fire hydrant easement, all located in College Heights Addition, Parcels SY1-093, AY1-067A, AY1-067B, AY1-067C, DY1-034, and KY1-130 - **APPRAISERS - DISTRICT C - GOLDBERG** - was presented.

Council Member Goldberg named Mr. Michael Copland and Mr. Rayburn Corbitt as the appraisers and moved approval of the recommendation, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0868 ADOPTED.

**MATTERS HELD** - NUMBERS 38 through 46i

38. Written motion by Council Member Tatro to amend Section 47-242 (Penalties) – Amending the sentence for (1) only:  
Sec. 47-242. Penalties.  
(1) If city personnel have previously provided a written warning to the violator, and the violator has not previously been convicted of violating any provision of this article.” - **(POSTPONED BY MOTION #2001-804, 7/11/01)**

Council Member Tatro stated that this was the water conservation ordinance and after speaking further with some Council Members legal issues around the specific wording of it needed to be addressed and he would agree that the written warning to the violator had some legal specifications that might be difficult to get to that specific person and so he would ask to amend the motion as follows:

Motion to amend Item No. 38.

“If city personnel have previously provided a written ~~warning~~ notification to the violator, and the violator has not previously been convicted of violating any provision of this article.”, seconded by Council Member Ellis.

Mayor Brown stated that there were some problems with his original amendment and asked Mr. Bibler if this posed a problem as well, and Mr. Bibler stated no, that he believed that this was an improvement and they had clarified with the TNRCC that this type of amendment was okay.

A vote was called on Council Member Tatro’s motion to amend Item No. 38. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0869 ADOPTED.

A vote was called on Item No. 38 as amended. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0869 ADOPTED.

- 38a. ORDINANCE amending **CHAPTER 47 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to Water Emergencies; containing findings and other provisions relating to the foregoing subject; providing for severability and declaring an emergency - **(This was Item 44 on Agenda of July 11, 2001, POSTPONED BY MOTION #2001-804)** - was presented.

Council Member Tatro stated that he had passed out at the table an amendment to delete the section that was the incentive program, that his concern was that they were instituting or codifying basically a PR campaign and that was to give away water bucks within the City's normal workflow, that his concern was that they were putting into the Code of Ordinances a PR campaign giving away coupons utilizing the City's water sewer system to be a coupon deliverer and he did not know if it was a healthy thing to put in the Code of Ordinances, and offered the following motion:

Motion to amend Item No. 38a.

Delete the following section from the ordinance:

Section 47-246. Incentive Program

The director is authorized to sponsor on behalf of the City an incentive program under which the department will award certificates to customers who decrease their water usage during water shortage period. The certificates shall be of a type that will be honored at not cot to the City for price reductions or other benefits at participating retail establishments.

After further discussion, Council Member Boney moved to suspend the rules to hear from Mr. Tom Rolan, Director, Public Works and Engineering, in order to describe the program more completely, seconded by Council Member Parker. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0870 ADOPTED.

Council Member Galloway stated that she wanted to tag Council Member Tatro's motion to amend Item No. 38a.

Mayor Brown asked Mr. Rolan to explain what was trying to be accomplished, and Mr. Rolan stated that as the Mayor indicated it was part of the water conservation effort, that it was an attempt on the department's part to get the public involved in a more real way, that it was another way to encourage water conservation, that it was very little, if any, cost to the City and it went along the lines of some other things they saw day in and day out in terms of incentives and promotions, that they had occasion to visit with various organizations and entities who were very enthusiastic about it and were looking forward to participating in the program, but it was intended to be conservation and that was what they were shooting for, that the revised ordinance did not have any surcharge provision in it, all it had was the penalties if they were talking violation and it was an attempt on the department's part to try to take a multi faceted approach to the solution of trying to manage, in terms of water conservation, and also to manage during what they hoped they would not have and those were critical periods but they certainly may.

Upon questions by Council Members, Mr. Rolan stated that the way it worked was that people would get a water buck for every increment that they saved, that on their water bill there would be a target and that was a target level that people should shoot for and if they stay below that target they would get a water buck, that he thought it was one for every 1,000 under the target, that they could then take that water buck to the participating merchants or agencies and exchange those for whatever that agency had, that it would be primarily during water emergencies; that he thought there would be no money spent on this program, but the reality of it was that they may get a call from a sponsor, that there was going to be a minimal amount of effort that was involved in this once they got it started, and Mayor Brown requested Mr. Rolan to send the Council Members a memorandum indicating that there would be no increase in the budget to accomplish this objective.

Council Member Parker asked if there was a particular reason that the incentives would be in the ordinance or that they needed to reference incentives and was that not something that the City could do at any point to encourage conservation, whether or not it was part of the

emergency plan, and Mr. Rolan stated that they could certainly could forward with things, what they were trying to do was put forward to Council a package so they would know everything that was on the table.

Council Member Boney stated that the question was what did they need to do to insure that it did not end up costing the City money and if it was appropriate or if they could get a written commission from the administration or department that this program would be done within the existing budget allocation of the City, that meant that whatever it cost they were going to do it within the dollars they had now, and offered the following motion:

“That this incentive program and other incentive programs developed by the department be done within existing budget resources”.

Mayor Brown stated that the item had been tagged and there was a commitment and they would put it in writing to Council and it would carry out the intent of Council Member Boney’s amendment.

Council Member Tatro moved to postpone Item No. 38a for one week, seconded by Council Member Bell.

A roll call vote was called on Council Member Tatro’s motion to postpone Item No. 38a one week.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez absent on personal business
Council Member Tatro voting aye	Council Member Castillo voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Boney voting no	Council Member Sanchez absent on personal business
Council Member Todd voting aye	Council Member Bell voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2001-0871 ADOPTED

39. ORDINANCE appropriating \$850,500.00 out of Street and Bridge Consolidated Construction Fund, awarding contract to **DOLSON SIERRA CONSTRUCTION GROUP, INC** on low bid of \$711,615.15 and approving and authorizing professional services contract for engineering testing services with **HBC ENGINEERING, INC** in the amount of \$25,000.00 for Safe Sidewalk Program GFS N-0610A-93-3 (SB9029-1) - (**This was Item 50 on Agenda of July 3, 2001, POSTPONED BY MOTION #2001-765**) - was presented.

Council Member Goldberg moved to refer Item No. 39 back to the administration, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Galloway and Robinson absent. MOTION 2001-0872 ADOPTED.

40. MOTION by Council Member Vasquez/Seconded by Council Member Keller to amend Item 40b as follows:
- ? Project N-0726 Cavalcade Reconstruction - I-45 to Studewood  
Current: '02 - \$350D, '04 - \$2,800C  
Revision: Move to Candidate Projects List
  - ? Project N-0000(NEW) Collector and Thoroughfare Improvements in the Near Northside



Revitalization Areas

'02 - \$350D, '04 - \$2,800C

**(TAGGED BY COUNCIL MEMBER ROBINSON)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Galloway and Robinson absent. MOTION 2001-0873 ADOPTED.

40a. MOTION by Council Member Keller/Seconded by Council Member Quan to amend Item 40b as follows:

Amend the Street & Traffic Control Candidate Projects, to include Westpark Extension from Eldridge to State HWY 6, which would conform with the 2000 Major Thoroughfare and Freeway Plan and provide a parallel arterial to the Westpark Toll Road - **(TAGGED BY COUNCIL MEMBER ROBINSON)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Member Galloway absent. MOTION 2001-0874 ADOPTED.

40b. MOTION by Council Member Sanchez/Seconded by Council Member Boney to adopt recommendation from Director Department of Finance & Administration to approve proposed Fiscal Year 2002-2006 Capital Improvement Plan and establish a charge of \$25.00 plus tax and postage for the approved CIP documents - **This was Item 6 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBERS ROBINSON, BONEY and TATRO** – was presented.

Council Member Goldberg moved to amend Item No. 40b as follows:

Move project number N0742 Kirby Reconstruction: 610 to Holcombe (1,700 D FY2002, 8000 C-FY 2003) to the list of candidate projects and split the funding equally between District D and District C.

Appropriate half of the funding (the District C portion) from N-0742 to fund Kirby Reconstruction from Holcombe to U.S. 59., seconded by Council Member Todd.

Mayor Brown asked Mr. Haines to respond to the motion, to let them know if this project needed to be done, and if the answer was yes, how would they get it done if the motion passed, and Mr. Haines stated that the answer was yes, that in their judgment the project needed to be done, that it was a significant initiative and he would like to ask Mr. Rolan to come forward and explain to the Council Members how his conversation had been going on relative to this particular project.

Council Member Bell moved to suspend the rules to hear from Mr. Tom Rolan on the proposed amendment to the C.I.P., seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Member Ellis absent. MOTION 2001-0875 ADOPTED.

Mr. Rolan stated that the project that Council Member Goldberg was talking about was something that he had been working on for several months, that it was a project where the primary piece of it was basically from Main to 610, that portion of the roadway was experiencing a lot of difficulties, that it was experiencing problems and they were trying to figure out a way to address it and they came to the conclusion that they needed to reconstruct it, that in an effort to make the project as visible he had discussions with the County, the Sports Authority, Metro and the Houston Galveston Area Council to explore the possibility of getting some CMAC funds to assist in funding a portion of this project, that those discussions had yielded, as told to him by the County, an indication on the part of the Sports Authority, an indication on parts of the County and HGAC had indicated that they felt there was a reasonable opportunity to get some additional funds that they could utilize for the traffic signal controls and intersection improvements as part of the

project because it would be deemed a significant transportation project, that as they all knew the control of traffic and the smooth flow of the traffic around the Astrodome Complex, and that area was something that all of the agencies worked on, so he had been working on it and was very supportive of it and thought it was a project that was needed and they needed to move forward with it as timely as they could. Council Members Tatro, Ellis, Castillo and Robinson absent.

Council Member Boney asked Council Member Boney if he had contacted the County and discuss his proposed amendment with them, and Council Member Goldberg stated no, and Council Member Boney stated that he had discussed the amendment with County officials and they were opposed to it, that the thought that Council needed to consider, as well as Commissioners Court, was that they did a lot of business together and a lot of collaboration, so they ended dealing with matters of joint oversight and responsibilities, benefit and challenge, that this project was timed to be completed before the superbowl, and they were talking about a project that not only included a \$300 million NFL stadium, but a \$1 billion Convention Center Complex, and they were also looking at mobility issues related to the Medical Center as well and this was an issue that dealt with reasonable mobility not just a neighborhood street or people getting to the football stadium and back, that he thought as a matter of courtesy and developing real working relationships, if they were going to have some discussions or make decisions about matters of joint oversight that they needed to be in dialog with the County, that he would oppose the amendment at this time and would urge Members of Council to also oppose it. Council Members Ellis and Robinson absent.

Upon questions by Council Member Boney, Mr. Rolan stated that the County had in the past on different projects been collaborative, that in fact this commissioner had worked with the City on some streets and the CIP did have provisions for them to do some additional work with the City, that the commission was very supportive of this project.

Upon questions by Council Member Goldberg, Mr. Rolan stated that one of the projects that the County was proposing to work on was Orem Drive, that they did parts of projects or co-funded it with the City, that the amount of participation in this project had not been defined yet, that this was a City street, that this street benefited the citizens of the City of Houston, that this was the road that went to the NFL Stadium and all the County facilities, but it was also a primary thoroughfare between I59 and 610, that the street extended all the way to River Oaks so there were neighborhoods along the way, that the difficulties that this road was experiencing base failures, that it was not due to the huge amount of truck traffic being used to build the stadium, that as he had discussed with him, this street was experiencing humping prior to the beginning of any construction out there, that it was something that they were watching and monitoring and the problem had not arisen just as a result of the traffic; that all he could tell them was that this was the first CIP that he had an integral part in, that he was aware of the problem and felt that it was appropriate to bring it to the Council's attention and put it into the CIP, that the proposal was to go to Holcombe and was more than just the Astrodome area, that CMAC Funds were for air pollution and to mitigate congestion. Council Members Ellis and Castillo absent.

Upon questions by Council Member Bell, Mr. Rolan stated that his department had not conducted any study to determine the number of dollars spent by the County outside the City limits as compared to the number of dollars spent within the City limits, that as to the comparison of need between the road in front of Reliant Stadium compared to the section of Kirby that Council Member Goldberg proposed in his amendment, they had not analyzed that portion, that it would certainly be something that they would look at.

After further questions by Council, Mr. Rolan stated that this project was not in the CIP, and Mr. Haines stated that this project was not in the 5 year CIP list as a funded or candidate project when they went out in 1997 for the bond referendum, that there were several projects in this CIP

that were not in the last 5 year CIP when they went out for the bond referendum.

After further discussion by Council, Council Member Boney moved to call the question on Council Member Goldberg's proposed motion to amendment Item No. 40b, seconded by Council Member Quan. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0876 ADOPTED.

A roll call vote was called on Council Member Goldberg's motion to amend Item No. 40b.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez absent on personal business
Council Member Tatro voting aye	Council Member Castillo voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Boney voting no	Council Member Sanchez absent on personal business
Council Member Todd voting aye	Council Member Bell voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2001-0877 ADOPTED

Council Member Castillo stated that he wanted to move two technical amendments that were discussed in the Fiscal Affairs Committee and were recommended and one coincided with one of Council Member Tatro's recommendation and read into the record the following:

Motion to amend Item 40b:

"To Amend Project N-0723 Park Row: Eldridge to State Highway 6 to include \$900,000 in FY02 for design. Source of funds: Metro.", seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Todd and Robinson absent. MOTION 2001-0878 ADOPTED.

Council Member Castillo stated that the second technical correction amendment was as follows:

Motion to amend Item 40b:

"To Amend Project N-0744 North Main Reconstruction: IH45 to Airline to move \$5.9 million from design in FY06 to construction to FY06.", seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Todd and Robinson absent. MOTION 2001-0879 ADOPTED.

Council Member Castillo stated that he had an amendment that was passed out to the Council Members and stated as follows:

Amend the C.I.P. for 2002-2006 so as to budget the \$750,000 difference between the budget for paving Mercury Dr. (Project N-0625), which was removed from the C.I.P. and the reconstruction of Market Street (Wayside Drive to Lockwood) (Project N-1306A) and budget it for engineering and design for Armour Drive in the Clinton Park area, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Todd and Robinson absent. MOTION 2001-0880 ADOPTED.

Council Member Tatro stated that he appreciated Council Member Castillo making that amendment, that they had originally passed out yesterday three amendments, that one had been

made, which was the amendment for Park Row and the second amendment he was pulling down, that they had gotten the updated information from Public Works and that amendment was for Huge Oaks and they would not be considering that amendment, but he would move the following amendments which were a combination of two, seconded by Council Member Keller.

Awty School Lane Paving – (N-0755) – Post Oak to (over) Drainage Ditch

<u>Proposed CIP – FY 2002/2006</u>		<u>Amendment to CIP – FY 2002-2006</u>	
FY 2005 – Design	\$100,000	FY <u>2002</u> – Design	\$100,000
FY 2006 – Construction	\$425,000	FY <u>2003</u> – Construction	\$425,000

Pech Road Paving (N-0754) – Westview to Long Point

<u>Proposed CIP – FY 2002/2006</u>		<u>Amendment to CIP – FY 2002/2006</u>	
FY 2004 – Design	\$200,000	FY <u>2002</u> – Design	\$200,000
FY 2006 – Construction	\$1,100,000	FY <u>2003</u> – Construction	1,100,000

A roll call vote was called on Council Member Tatro's motion to amend Item No. 40b.

ROLL CALL VOTE:

Mayor Brown voting no	Council Member Vasquez absent on personal business
Council Member Tatro voting aye	Council Member Castillo voting no
Council Member Galloway voting no	Council Member Parker voting no
Council Member Goldberg voting aye	Council Member Quan voting aye
Council Member Boney voting no	Council Member Sanchez absent on personal business
Council Member Todd voting aye	Council Member Bell voting aye
Council Member Ellis voting aye	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2001-0881 ADOPTED

A vote was called on Item No. 40b as amended. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0882 DOPTED.

Council Member Castillo stated that he wanted to clarify his vote, that he voted no because he thought they were voting to accept his amendment, that he voted yes on the CIP and wanted the record to show that, and Mayor Brown stated that they counted him yes, that they did not hear him say no.

41. ORDINANCE appropriating \$27,879.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Renovation of Health & Human Services Maintenance Building, CIP H-0022-01-3, under construction contract (approved by Ordinance No. 99-135) between the City of Houston and **R. T. G. BUILDING COMPANY - DISTRICT H - VASQUEZ - (These was Item 13 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBERS QUAN and KELLER)** - was presented.

Council Member Castillo asked Mr. Haines if he was now in a position to explain or could they get in writing the financing for the proposed bond election, the various financing strategies that were going to be used, and Mr. Haines stated that yes, and thanked the Members of Council for the vote on the CIP, because it essentially set the foundation moving forward over the course of the next 30 days in framing of ballot language that would be presented to Council Members for approval and consideration for the November election, that it would be planned at about \$775 million and would be broken out by major categories which they would expect would be reviewed by the State Attorney General's Office to insure that it met the threshold requirements, that it was similar to what was done in 1997, that the expectation then would be that the CIP through 2006,

or a substantial portion of that CIP, would then be funded through a hopeful positive vote by the people, that during August they would be preparing the language and would come back through Fiscal Affairs Committee to identify the category breakouts, that he knew that Council Member Castillo had prepared and passed out a document that would show roughly by category how that might be distributed or allocated, that the significance of the handout was that the first column essentially reflected the categories that were incorporated under the CIP as they had approved it today, with a final year of 2007 which would be essentially extending the authorization, the difference between the CIP 2006 and \$165 million available for 2007, that would then be finalized and presented to Council.

Council Member Boney asked Mr. Haines that in Council Member Goldberg's amendment that passed in which he removed half or approximately \$4 million plus to another part of Kirby and it gave him some flexibility with regard to the remaining money in District D, if he left the \$4 million that was currently allocated to the portion of the project that was already identified in the C.I.P. and the County, Metro or however else some money could be identified to make up the \$9 million, would that project be able to go forward or was there anything that they had to do in the language to allow that, and Mr. Haines stated that the answer was yes he could because he did not think that Council Member Goldberg's amendment deleted the project, that what he did was move it to an un-funded candidate project and did not change either the funding year or anything else, he simply deleted the funding for the entire project, with half of it going to District C and half to District D, but the project itself remained in the C.I.P. and would show up as an un-funded candidate project, that the portion that remained in District D had not been identified for any particular assignments, that he did not need to do anything legally to leave it there, that half of the money was available for the project and they would be prepared to continue to proceed to negotiate wherever and however they could, that as Mr. Rolan stated, and he concurred with him, this was a City street and a project that had to be done, and Council Member Boney urged his colleagues to allow him to have the flexibility to leave the \$4 million in that project and then make sure that the City had opportunities to seek other funds from elsewhere so that the project could be completed, and Mr. Haines stated that all of the amendments that were approved today would not affect the distribution or allocation here by category as they went forward. Council Member Todd absent.

Council Member Tatro stated that he wanted to remove his tag on Item No. 8, and Mayor Brown stated that Council Member Tatro removed his tag from Item 8 and they would take it up at the end of the agenda.

Council Member Robinson thanked Council Member Castillo for the distribution sheet on the bond election totals, that he would like to see something else, that he talked at the Fiscal Affairs Committee meeting yesterday and Mr. Haines said that they would provide a distribution at \$1.5 billion, that he wanted to ask a question, that they assume the worst case scenario and the voters reject the bond referendum, how much authority did they have in each of the categories, that he would like to see that as a chart and assumed it would end in 2002, and Mr. Haines stated that they believed that Parks, Storm Sewer Construction and Street and Traffic Construction would be out of authorization under their current spending levels at the latest next June, that he would visit with him and get some information to the Council Members. Council Members Goldberg, Boney and Castillo absent.

41. ORDINANCE appropriating \$27,879.00 out of Public Health Consolidated Construction Fund as an additional appropriation for Renovation of Health & Human Services Maintenance Building, CIP H-0022-01-3, under construction contract (approved by Ordinance No. 99-135) between the City of Houston and **R. T. G. BUILDING COMPANY - DISTRICT H - VASQUEZ** - **(These was Item 13 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBERS QUAN and KELLER)** - was again presented.

Council Member Quan stated that he had tagged the item last week and they had a tour of the facility and thought that there was a memorandum that Ms. McGilbra had circulated, that the roof was still leaking and the fire system was still not working all of the time, but he had received assurance that these matters were under warranty and would be attended to, so at this time based on those assurances he wanted to go for it.

A vote was called on Item No. 41. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0721 ADOPTED

41a. MOTION by Council Member Sanchez/Seconded by Council Member Tatro to adopt recommendation of the Building Services Department for approval of Change Order No. 6. in the amount of \$34,699.00, final contract amount of \$609,994.00 and acceptance of work on contract with **R. T. G. BUILDING COMPANY** for Renovation of Health & Human Services Maintenance Building, 3026 Berry Road, GFS H0022-01-3 - 10.03% over the original contract amount **DISTRICT H - VASQUEZ - (These was Item 13A on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBERS QUAN and KELLER)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0883 ADOPTED

42. ORDINANCE amending **ARTICLE VI OF CHAPTER 28 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to the regulation of the location of the Hotels; containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing for severability - **(This was Item 29 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER GALLOWAY)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0722 ADOPTED

Council Member Boney stated that he wanted to bring to the Mayor's attention and to the attention of the department regarding the Johnson Branch Library and the expedited renovation repair of that library, that was 3 years old and had to be closed indefinitely because of contractual problems and would like for Building Services to follow up and see if they could not get that done this year, and Mayor Brown stated that he would make sure that Mr. Haines met with him.

43. ORDINANCE approving and authorizing first amendment to Rehab Loan Agreement between the City and **BEECHNUT ASSOCIATES, L.P.**, et al., approved by Ordinance No. 97-758, such amendment to allow a sale of five Rehabilitated Apartment Projects to Goodson Drive, LLC upon terms and conditions provided in the amendment - **DISTRICTS B - GALLOWAY and F - ELLIS - (This was Item 35 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBERS ELLIS, CASTILLO and PARKER)** - was presented.

Council Member Ellis stated that he had tagged the item last week and had the opportunity to meet with a number of individuals to discuss this and while he was somewhat uncomfortable with the item itself they had entered into a contract that had kind of backed them up into a corner, that they realized that there was going to be an entity that the 501C3 that would purchase these properties and therefore they would have tax advantages and the City would not receive taxes on the property, but the contracts stated that they could lose up to about \$1.6 million and if they did not approve this today and then they could still move forward and enter it into the 501C3, that he would be voting in favor of this, and thought the project was a worthwhile project and believed the company that was going to be overseeing it was qualified and would do a good job, he would just rather see them not enter into these contracts in the future that put them in that type of position. Council Member Boney absent.

Council Member Castillo stated that he had similar questions about the project and projects like these, that he was going to vote for it because they were so deep in the woods on it, but he did give a representative of the owner a list of questions that he would like to have answered on this particular project, because it was very hard to deduce the information from two pages of an RCA, that in the past they used to have a Community Development Committee that actually spent the time in arriving at recommendations of projects, that unfortunately over the years the flow of projects from Community Development had gotten to the point that when they got to Council there had been commitments made and people had relied on those good faith assurances to proceed with their projects, acquiring loans, commitments, spending a lot of development money getting to that point so then the City was put at the point of the spear and they could not go forward without hurting somebody, that he would like for the policy to be that the administration and the Council would drive the process, to where they could have periods during the development of the project where they could say if it was not going to work, it was too risky or that they did not believe that they had to do it that way, that they did not have it that way now, that he would urge the administration to consider putting a committee or a group in place that could look at the projects while they were still in the development process and before commitments were made that wind up costing one party or another a lot of money, and Mayor Brown stated that it was a good suggestion and they would follow up on it, and Council Member Parker stated that she concurred with Council Member Castillo and had tagged the item last week also for the same reasons.

A vote was called on Item No. 43. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0723 ADOPTED

44. ORDINANCE approving and authorizing agreement between the City of Houston, Texas and **AIRPORT DEVELOPMENT CORPORATION** to Facilitate Participation by the Department of Aviation in submitting a bid for Privatization of the current Airport and the proposed Airport in Quito, Ecuador; providing for authorization of the Mayor to execute other related documents; authorizing the formation of a non-profit corporation - (**This was Item 38 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBERS TATRO and ROBINSON**) - was presented.

Council Member Todd stated that he favored the item and in meetings with the Aviation Department, for procedural reasons, it was important that they divide the question and vote on it separately, that he had handed out at the table a copy of a motion and Attachments A and B and pursuant to this he moved that they divide Item No. 44 into two separate parts and the two separate parts would be Ordinance A and Ordinance B, and amendment to Ordinance B was the last page of the hand outs, seconded by Council Member Ellis.

Ordinance A:

ORDINANCE approving and authorizing agreement between the City of Houston, Texas and **AIRPORT DEVELOPMENT CORPORATION** to Facilitate Participation by the Department of Aviation in submitting a bid for Privatization of the current Airport and the proposed Airport in Quito, Ecuador; providing for authorization of the Mayor to execute other related documents; authorizing the formation of a non-profit corporation

Upon questions by Council Member Boney, Council Member Todd stated that Ordinance A was the Quito agreement and Ordinance B was technical services.

Council Member Tatro stated that the question came up last week about Council oversight and Mr. Vacar had issued a memo about bringing things back to City Council and he was understanding that it would be presented in the form of an amendment and asked when would it

be presented, who would be presenting it and which section would it apply to, and Mayor Brown stated when they got to Item B there would be an amendment that would take care of that issue.

A vote was called on Council Member Todd's motion to divide the question into two ordinances. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0884 ADOPTED

A vote was called on Ordinance A. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0724 ADOPTED

#### Ordinance B

ORDINANCE to provide for authorization of the Mayor to execute a Technical Services Agreement with the HAS Development Corporation in order to facilitate participation by the Department of Aviation in submitting a bid for privatization of the current airport and the proposed airport in Quito, Ecuador; making various findings and provisions relating to the subject; and declaring an emergency, was before Council.

Council Member Todd moved to amend Section 1 of the Technical Services Agreement to read as follows:

"Section 1. Services to Be Provided by HAS. (a) Subject to the limitations herein, the Department shall provide technical services to the Corporation in consideration for the payments and other agreements contained herein. Such technical services include services relating to airport planning, design, management, operation and administration. To provide such services, the Department may deploy such personnel as it shall determine appropriate and may employ additional persons or contract with third parties (with approval of City Council when required by City ordinance or City Charter) to provide such services, all as it shall determine appropriate and may employ additional persons on contract with third parties (with approval of City Council when required by City ordinance or City Charter) to provide such services, all as it shall determine in its sole discretion. (b) The Corporation grants to the Department the right of first refusal to provide technical services to the Corporation for each of its airport and aviation projects. It is understood that, except for the initial project with respect to Quito Ecuador, the Director shall not accept work on any subsequent projects without appropriate authorization of City Council. (c) The Department's obligations and agreements hereunder shall at all times be subordinate to its primary obligation of operating HAS.", seconded by Council Member Robinson.

A vote was called on Council Member Todd motion to amend Ordinance B. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. MOTION 2001-0885 ADOPTED

A vote was called on Ordinance B as amended. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0725 ADOPTED

45. ORDINANCE appropriating \$1,639,779.00 out of Street & Bridge Consolidated Construction Fund and \$958,382.00 out of the Water & Sewer System Consolidated Construction Fund for Cost Reimbursement in connection with an Interlocal Agreement with TXDOT for Reconstruction of South Shepherd Drive from U. S. 59 to South Rice (Ord. No. 2000-254), CIP N-0611-02-3 (SB9018); 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 - **DISTRICT C - GOLDBERG - (This was Item 47 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER ELLIS)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. ORDINANCE 2001-0726 ADOPTED

46. ORDINANCE amending certain prior ordinances with respect to the issuance of City of Houston, Texas, General Obligation Commercial Paper Notes, Series C; making certain covenants and agreements in connection therewith - (**This was Item 48 on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO**) - was presented.

Council Member Tatro stated that it had been his concern about the spending levels over the last couple of years, both in the operating side and the debt side, that they were now opening up Series C which was basically another charge card for CIP work, that his concern were the steps they were taking, that the City Charter clearly stated that no bonds should be issued for any purpose, except for the purposes of making permanent improvements, for the purposes of refunding bonds in the previous issues, unless an election is duly ordered by the Mayor and City Council, that the Charter clearly stated that ad valorem tax, property tax backed bonds for permanent long term improvements would not be issued without a vote of authorization, that this item was circumventing that, that he had asked the City Legal Department where they had the authorizing legislation to allow that, and they cited two State statutes, State and Local Government Code 14.31 and 13.71, and after further discussion Council Member Tatro stated that he could not support the Series C breach once again.

Council Member Boney stated that as he understood the RCA all that they were doing was simply try to pay for projects that were already identified and scheduled to be done, approximately \$19.1 million in drainage and street overlay projects, that they were to fund those projects originally through the Any Lawful Purpose and then there was the disaster of the tropical storm and they used the ALP Fund for the storm matters and since they had not gotten all of their insurance money in yet or the FEMA money yet, these projects would have to be re-bid costing the City more money, so in order that the projects not be delayed and that they not squander the staff and City money that had already been spent on bidding these projects out, they were issuing some short term borrowing obligations to get the projects on the way so they would not lose any more money or time, and as their insurance and FEMA money comes in they would pay that out and they would be back at their normal way of operation, and Mr. Haines stated that was correct.

Upon questions by Council Member Boney, Ms. Susan Taylor stated that there was a provision in the City Charter, it was one of the 1905 provisions, but it remained in the Charter, however, the statute that they were issuing this series under had an expressed override in it for such provisions, and read the sentence, "To the extent of any conflict or inconsistency between this chapter and another law or a municipal charter, this chapter controls", that there was no doubt and they had confirmed this yet again yesterday, at Council Member Tatro's request, with their bond counsel that they were on absolutely firm ground in using this statute without regard to the City Charter, that the statute that they were issuing these obligations under expressly provided that an issuer may use the proceeds of an anticipation note to pay for the construction of a public work, that there was no doubt that this statute authorized the use of these funds for public works and that any provision in the City Charter that might limit that authority was overridden by State Law, that it was Chapter 14.31 of the Government Code and made reference back to 13.71 of the Government Code, and Council Member Boney stated that they might include in the RCA's the actual statute. Council Members Todd and Keller absent.

After further discussion by Council, a vote was called on Item No. 46. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council

Members Tatro and Robinson absent. ORDINANCE 2001-0727 ADOPTED

- 46a. ORDINANCE authorizing creation of the Series C Commercial Paper Storm Drainage and Overlay Fund - **(This was Item 48a on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0728 ADOPTED
- 46b. ORDINANCE appropriating \$4,017,189.50 from the Series C Commercial Paper Storm Drainage and Overlay Fund, and appropriating \$1,399,810.50 from the Water and Sewer System Consolidated Construction Fund, awarding contract to **TEXAS STERLING CONSTRUCTION, INC** and approving and authorizing professional services contract for engineering testing services with **PARADIGM CONSULTANTS, INC** for construction of Central Park Subdivision Storm Sewer Improvements, GFS M-0186-01-3 (M-0186-01); providing funding for contingencies relating to construction of facilities financed by the same fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT I - CASTILLO** - **(This was Item 48b on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0729 ADOPTED
- 46c. ORDINANCE appropriating \$1,136,000.00 from the Series C Commercial Paper Storm Drainage and Overlay Fund, and appropriating \$85,000.00 from the Water and Sewer System Consolidated Construction Fund, awarding contract to **INTRA CONSTRUCTION CORPORATION** and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** for construction of Spring Lea Storm Sewer Facilities, GFS M-0367-01-3 (M-0367-01); providing funding for contingencies relating to construction of facilities financed by the same fund and the Water and Sewer System Consolidated Construction Fund - **DISTRICT A - TATRO** - **(This was Item 48c on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0730 ADOPTED
- 46d. ORDINANCE appropriating \$7,526,000.00 from the Series C Commercial Paper Storm Drainage and Overlay Fund, and appropriating \$230,000.00 from the Water & Sewer System Consolidated Construction Fund, awarding contract to **CONTRACTOR TECHNOLOGY, INC** and approving and authorizing professional services contract for engineering testing services with **MCBRIDE RATCLIFF, INC** for Frostwood East Drainage Improvements, GFS M-1001-02-3 (SM5008-01); providing funding for contingencies relating to construction of facilities financed by the same fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICT G - KELLER** - **(This was Item 48d on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO)** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0731 ADOPTED
- 46e. ORDINANCE appropriating \$1,447,500.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund, awarding contract to **SILVA, INC** and approving and authorizing professional services contract for engineering testing services with **AVILES ENGINEERING CORPORATION** for construction of Neighborhoods to Standards Street Overlay Project Generic (Package I), GFS N-1037-22-3 (OL2022); providing funding for

contingencies relating to construction of facilities financed by the same fund **DISTRICT C - GOLDBERG** - (**This was Item 48e on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO**) - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0732 ADOPTED

- 46f. ORDINANCE appropriating \$1,689,200.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund, awarding contract to **AAA ASPHALT PAVING, INC** and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** for construction of Asphalt Overlay Project in Council District A Neighborhoods to Standards, GFS N-1037-30-3 (OL2030); providing funding for construction management and contingencies relating to construction of facilities financed by the same fund **DISTRICT A - TATRO** - (**This was Item 48f on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO**) - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0733 ADOPTED
- 46g. ORDINANCE appropriating \$1,908,400.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund, awarding contract to **ANGEL BROTHERS ENTERPRISES LTD.** and approving and authorizing professional services contract for engineering testing services with **TOLUNAY-WONG ENGINEERS, INC** for construction of Street Overlay Project Generic Package IV - Council District E, GFS N-1037-34-3 (OL2034); providing funding for construction management and contingencies relating to construction of facilities financed by same fund **DISTRICT E - TODD** - (**This was Item 48g on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO**) - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0734 ADOPTED
- 46h. ORDINANCE appropriating \$516,000.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund as an additional appropriation for Design of Storm Drainage Improvements in the Wilchester Subdivision, under a Design contract with **R. G. MILLER ENGINEERS, INC** (approved by Ordinance No. 99-1195), CIP M-0126-33-2 (SM5005); providing funding for contingencies relating to construction of facilities financed by the Series C Commercial Paper Storm Drainage and Overlay Fund - **DISTRICT G - KELLER** - (**This was Item 48h on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO**) - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0735 ADOPTED
- 46i. ORDINANCE appropriating \$838,000.00 out of Series C Commercial Paper Storm Drainage and Overlay Fund as an additional appropriation for Design of Nottingham Forest, Memorial Drive Acres and Woodbend on Memorial Drainage Improvements under Design contract with **SES HORIZON CONSULTING ENGINEERS, INC**, (approved by Ordinance No. 99-1198), CIP M-0126-40-2 (M-0126-40-2); providing funding for contingencies relating to construction of facilities financed by the Series C Commercial Paper Storm Drainage and Overlay Fund **DISTRICT G - KELLER** - (**This was Item 48i on Agenda of July 25, 2001, TAGGED BY COUNCIL MEMBER TATRO**) - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. ORDINANCE 2001-0736 ADOPTED

Council Member Tatro had previously released his tag on Item No. 8. Council Members Tatro and Robinson absent.

8. **LONE STAR UNIFORMS (Bid #1)** - \$1,157,197.80 and **SKAGGS PUBLIC SAFETY UNIFORMS** \$69,297.00 for Fire Fighter Uniforms for Fire and Health & Human Services Departments General Fund - was again presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent on personal business. Council Members Tatro and Robinson absent. MOTION 2001-0886 ADOPTED

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

Council Member Quan stated that he knew that they were all concerned about involvement of young people in the political system and would like to announce that this Saturday at the George R. Brown they would be hosting "Rock the Vote", that the City of Houston would participate in a program aimed at attracting young people, high school and college age students, in the election process, that it would be featuring Destiny's Child amongst the groups appearing there, that it would be a free event and would like to encourage young people to attend and if they wanted information about it they could contact his office at 713-247-2013. Council Members Todd and Robinson absent.

Council Member Quan stated that he wanted to report on the ordination of Father Rizzotto, who appeared at Council yesterday, that it was a wonderful ceremony, thirty bishops, two cardinals from around the Country attended, and among his remarks, Bishop Rizzotto mentioned how he was so honored to receive the proclamation from the Mayor for his years of service to the City of Houston. Council Member Todd absent.

Council Member Quan stated that he wanted to mention to those who were commuters today on Memorial Drive they encountered a long delay in coming in and he was disturbed by the fact that they did not have any notice as to what had caused that delay, that it was their policy that when they knew that there were Public Works projects going on that they notify people to modify their commute, that he apologized that TranStar had not been notified but there had been a head on collision last night which damaged part of the road on Memorial Drive which caused the City of Houston to close down that portion, that again he would like to assure the citizens that when they do close down roads that they would make every effort to notify them of the delays so they could plan changes in their travel habits, and Mayor Brown stated he would make sure they would take care of that. Council Member Todd absent.

Council Member Tatro stated that he had a couple of flood related issues, that the Mayor had mentioned earlier about September 11, 2001 being an extension, but to his understanding it did not relate to the buyout program, that it was their understanding that the information for the buyout program, must be to the State, that meant that the Harris County Flood Control had to get it to the State, by August 15, 2001 and they had given the City a deadline, either August 8 or 12, 2001 for the City to get its information into Harris County so they obviously needed time to package it and get it to the State by August 15, 2001 and his concern was if that was the deadline, that they were doing a little seminar tonight and tomorrow night for flood victims and possible buyout applicants about the buyout program, that his concern was that some citizens may miss that deadline and he wanted to be clear as to what that deadline was, and that was only for the Fast Track, that the August 15, 2001 deadline would be only for the Fast Track Program, and after that deadline people would still be able to apply for the buyout program but it would go into the normal procedural buyout program which could take much longer than the three or four months that the Fast Track Program was slated to be, that he had talked with the FEMA representatives about the setting of that date, that they said that it was a possibly a flexible date, that he was concerned about citizens turnaround time right now and knowledge and information getting out to them to proceed to have their information submitted, and he recommended that Mayor Brown visit with the County Judge to examine if more citizens were

going to benefit from a 5 or 7 day extension because he would be very concerned if they excluded people from that Fast Track Program, and ended up being pushed out to the normal process which could be six to eight months. Council Members Boney and Todd absent.

Council Member Tatro stated that they had buyout seminar and flood seminar workshop for the constituents in Inwood Forest, which was really hit hard by the flood, and they had that on Saturday and it turned out very good, but his concern was that they called Planning and Development to get flood plain maps of that area, to show constituents if they were in the flood plain or out of the flood plain, and P&D very quickly responded, but the problem was that they responded with all the wrong information, that he received maps with 1996 data on them from Planning and Development, that it was a significant concern, that luckily they went to the Flood Plain Administrators and got the right maps, but he noticed it because the two maps did not compare, that he notified the Planning and Development that their maps did not match and they told them they were using 1996 data, that he thought now, since they brought it up, they were making amends to get Planning and Development on the same page because the flood plain was revised in April 2000, but the significant point was that P&D was giving out 1996 data, that it was a significant cause for concern to have their own Planning and Development Department not with the right flood plain data and giving out those maps, and Mayor Brown stated that it would be taken care of. Council Members Boney and Todd absent.

Council Member Parker stated that she wanted to express her appreciation for Council for supporting the item dealing with moving the Psychological Services for HPD, that it was something that she had been talking about since she had gotten to Council and since they made the move away from the old site into the consolidated police building downtown, that she knew the Mayor had shared her concern and she was glad that it had finally come to pass that Psychological Services had now been relocated into an area where officers needing to access those services might have a little more privacy and a little more confidence that they could access the services without it having an impact on their job. Council Members Boney and Todd absent.

Council Member Parker stated that she wanted to thank her colleagues for passing the revisions to the Hotel Motel Ordinance, that as they heard yesterday there were still neighborhoods who did not think they went far enough in the ordinance, but to let this one work for a while and they could hope that it would prevent new hotels from springing up and they could work with the police department to crack down that were already in neighborhoods causing problems. Council Members Boney and Todd absent.

Council Member Castillo stated that he wanted to express his appreciation and offer his congratulation to the Finance and Administration Department and the administration in general for ending the fiscal year with a surplus, even though it was a surplus above what they had budgeted they also had expenses above what they had budgeted so he thought in the end they worked out, but it did require a lot of discipline and some could work from Dr. Scheps in projecting their revenues which were within \$74,000 of the Controllers projection, that if they continued on that track they could begin to rely more and more on the data coming out of both offices. Council Members Boney and Todd absent.

Council Member Castillo thanked Mr. Haines for shepherding the CIP through all the rocks and shoals in the way and arriving at something that he thought was fair, although he wished they had more money he thought they were doing the best they could. Council Members Boney and Todd absent.

Council Member Castillo stated that there were still some scattered areas where storm debris had not been picked up, that he got the answer to the concern he had in particular from

Mr. Buchanan who said that in spite of the fact that some residents may be hearing that the City would not pickup storm debris of contractors who put it out on the curb, that was a fact, but if the resident took out molded sheetrock, warped flooring and linoleum themselves and put it out by the curb and it had not been picked up, that it would be picked up. Council Members Boney and Todd absent.

Council Member Bell stated that he thought the back and forth which had taken place regarding the continuation with doing away with the Sports Authority, which had occurred over the last few days had been healthy and he had tried to look at both sides in an objective a manner as possible but he thought when they considered everything that had happened over the course of the last four years during the Sports Authority existence it was time for the Sports Authority to begin lining up its business and he simply did not believe a good case could be made for continuing the existence of that body, not because the Sports Authority had done a bad job, in the contrary he thought the Sports Authority had done a great job, but now that the great job had been completed, it was time to move on, that the three sports facilities would be built, one already had been completed, Enron Field, under budget, and they were to be commended for that and hopefully the other facilities would be completed under budget as well, that it made no sense for the Sports Authority to stay around simply to look for new ways to spend the City's money, especially when they had no money to spend, that all reports he had received suggested that the debt capacity with the hotel and motel taxes had been used up and they did not have additional dollars to be looking for any of the additional projects that had been referenced in the newspaper, that the Sports Authority in its four years of existence had demonstrated no desire to look at other types of projects, if they had such a desire they would not have used up all of their debt capacity building the sports facilities, that the County Commission and the City Council were perfectly capable of overseeing these other types of projects and there was no need to keep an appointed body in place to deflect their responsibility, that his position on the creation of these types of bodies was clear, that he talked about it at great length when they were creating the Local Government Corporation known as the HAWC, that now that the Sports Authority had completed its mission it was time to prove that there could be such a thing as a temporary authority and let it wind up its business. Council Members Todd and Castillo absent.

Council Member Ellis stated that he had three items on the agenda that were important to him today and did not speak on any of them, that they passed and he wanted to thank his colleagues for supporting them, that the first one was Item No. 16, the creation of the Sharpstown Economic Development Committee which would oversee the public improvement district, that it just so happened that this committee was the same committee that would oversee the Tax Incremental Reinvestment Zone in the same region and he thought that all of the members were qualified and would do a good job, that he wanted to urge that committee to start moving forward with some projects, they had funding now in the public improvement district and they had been talking about it since 1994 and he had participated with Sharpstown Area Economic Development Committee back in 1994 and 1995 and thought that the people in that area were looking for some results from the creation of these two entities and committees so he wanted to urge that committee to move forward with their plan and bring it before Council so that they could show some results. Council Member Todd absent.

Council Member Ellis stated that Item No. 17 was an item that he had been working on for about one year, that he chaired a subcommittee of the Regulatory Affairs Committee, that it was an amendment to the wrecker ordinance and created a demerit system that sets an administrative hearing in place where they could revoke wrecker drivers permits who were constantly committing crimes and/or traffic violations, that the Municipal Courts had not been able to handle this matter or the defense attorney's had been able to circumvent the traffic violators and they had not been able to take away their driver's license, that this demerit system would allow them to set up an administrative hearing through the F&A Department and revoke

their permit to drive, that he thought it was a public safety issue and he wanted to thank F&A and the Legal Department and all the members of the Regulatory Affairs Committee. Council Member Todd absent.

Council Member Ellis stated that Item No. 31 dealt with the cart paths at Sharpstown Golf Course, that last year the Council created an ordinance that would keep all the revenues from that park in that park, that it was similar to the one they had at Memorial Park, that it had allowed them to take some of those revenues and put them back into the park, that they had not done anything to that golf course in the past 22 years so he wanted to thank Mr. Oliver Spellman, Parks & Recreation, for helping to push this through and also Building Services, and wanted to thank Mayor Brown for putting all three of those items on the agenda. Council Member Todd absent.

Mayor Brown stated that he also wanted to express his appreciation to Council Member Ellis for providing his leadership on the wrecker demerit ordinance that they passed. Council Members Todd and Castillo absent.

Council Member Goldberg stated that he wanted to thank Mr. Haines, Mr. John Silva and Mr. Tollett for working with him on the CIP.

Council Member Goldberg stated that he wanted to remind everybody that this coming Tuesday was August 7, 2001 was National Neighborhood Night Out and he intended to visit as many neighborhoods as he could, that he thought it was a great project and this was one time of the year when literally all of the neighbors came out in their front yards and get to meet each other, that he thought it was a very worthwhile project, and Mayor Brown stated that he wanted to echo that, that this was a project that was started in Philadelphia a number of years ago and he started it when he was the police chief, that over the years they had won national awards by having more people participate than any other cities in America so he urged all Council Members to get their districts organized and get the people out and send a message to those who wanted to commit crimes that not only the police but also the neighborhood would be watching out for them, that it would be a great crime prevention effort. Council Members Boney, Todd and Castillo absent.

Council Member Galloway stated that that she wanted to thank Mayor Brown for coming to the Acres Homes Community and reinforcing on what she had met with them already and giving them some good positive feedback. Council Members Boney, Todd and Castillo absent.

Council Member Galloway stated that she had some concerns with the flood, that it had really affected her district and there seemed to be many concerns and problems occurring each day as they try to go through this recovery phase and she was concerned about some of the homeowners out there who were flood victims, as well as herself, that something had just come up, that the homeowners were required to get a surveyor to determine the level in which their homes should be raised if they were getting federal dollars to repair their homes, and she wanted to know if there were independent surveyors or if the City was going to have their surveyors go out and assist those residents, because if they had to get an independent survey it would cost \$600 to \$700, that she had talked to FEMA and they stated that they had not thought about paying for the surveys, that it had to be an authentic certificate to take to permitting in order to get a permit to repair their homes, that she did not know if anyone had brought this to the Mayor's attention. Council Members Boney, Todd and Castillo absent.

Mayor Brown stated that he had created a working group within the administration because different issues had come up as they moved along and as he had said earlier it was a learning process for everyone, that Mr. Haines was chairing that group and he would ask him to respond

to her question, that he did know that if a home was in the flood plain and there was at least 50% substantial damage then they had to option of the buyout or they could get a reevaluation and see if the valuation was different from the official appraisal. Council Members Boney, Todd and Castillo absent.

Mr. Haines stated that the specific question had to do with elevation, that if a home was in the flood plain and was at least 12 inches above the flood plain elevation and had been damaged then it would not have to be considered under the buyout program, they could go ahead and get building permits and fix their houses, that a lot of people had asked them about that and they had notified them that if they did want to look at what the elevation of their home was that they should go ahead and have it surveyed to bring it up, that they met with several citizens from Council Member Galloway's district the other night with Super Neighborhood Council Leaders and other neighborhood leaders and they presented them with a packet of information that was a step by step process of how they could go about making these various determinations, and on behalf of the Mayor and to all of the Council Members who represented districts, they would look forward very much to meeting with them and their staffs, at their convenience, to go through the details of what they were preparing and presenting to their neighborhoods themselves and they could explain it in very substantial detail; that there were no funds available for the surveys, however, that may not be necessary to do in every case and that was what they would want to meet with her about, that he would like to get with her right away and find out who the homeowners were and he would put somebody in touch with them and they would work through with what they had to do. Council Members Boney, Todd and Castillo absent.

Council Member Robinson stated that earlier he had spoken on the \$6 million and hopefully they could get that evaluation of how they could distribute it among civilian employees as a one time bonus and also having some to shore up the current overtime funding in the fire department, so that they make sure they could make it through and maintain their continuing efforts at four fire fighters per fire truck as they get ready to add the two new classes. Council Members Boney, Todd and Castillo absent.

Council Member Robinson stated that when the Sports Authority came before the Council and asked for an authorization on the basketball arena one of the commitments they supposedly made to him was that they would come back with a plan relative to other kind of venues that they would be willing to look at as they freed up capacity over time, that he never heard back from the Sports Authority and until they started to get hit over the head they never had any public opinion on any other venue, that he would like to suggest before they eliminated the Sports Authority, that one, he would suggest that the Council ought to put forward a resolution giving directions to their appointees to the Sports Authority that the first obligation that the Sports Authority ought to undertake was elimination of their debt and no additional revenue should be diverted to any other projects and since they now had a committee they should prepare a comprehensive plan for placement on the ballot at the appropriate time for the voters consideration and if it was voted down then the Council should make it a legislative priority of this body to go forward to Austin and ask the Legislature to eliminate the Sports Authority after all of its debt is retired. Council Members Boney, Todd and Castillo absent.

There being no further business before Council, the City Council adjourned at 11:52 a.m. upon MOTION by Council Member Quan, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Gabriel Vasquez and Orlando Sanchez absent on personal business. Council Members Boney, Todd and Castillo absent.

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



MINUTES READ AND APPROVED

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Anna Russell, City Secretary