

City Council Chamber, City Hall, Tuesday, September 25, 2001

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, September 25, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise Parker, Gordon Quan, Orlando Sanchez and Chris Bell; Mr. Anthony Hall, City Attorney, Mr. Paul Bibler, Assistant City Attorney; Mr. Richard Cantu, Director, Citizens Assistance Office, Ms. Debra Dillard, Citizens Assistance Office; and Ms. Martha Stein, Agenda Director present. Council Member Rob Todd absent on city business. Council Member Carroll Robinson out of the City on city business.

At 2:04 p.m. Mayor Brown stated they had several Council presentations and the first would be by Council Member Galloway. Council Members Goldberg, Ellis, Keller, Vasquez, Sanchez and Bell absent. (NO QUORUM PRESENT)

Council Member Galloway stated that today they were honored to have some National winners from the NAACP and invited them to come up along with the President, Mr. Howard Jefferson and the sponsors of the committee Ms. Arcenaux and Ms. Clarence Johnson, that the young people present today competed in the State competition and went all the way to nationals and came back to Houston with the first prize, that ACTSO stood for African American Cultural Technological Scientific Olympics and presented certificates to the participants. Council Members Vasquez, Sanchez and Bell absent.

Mr. Jefferson stated that for the best 10 to 12 years they had been in the top ranks of almost 2,000 NAACP units across the Nation and every year they were in the top five and invited Ms. Arcenaux to the podium. Council Members Goldberg, Boney, Ellis and Vasquez absent.

Ms. Arcenaux stated that ACTSO stood for Afro Academic Cultural Technological and Scientific Olympics better known as Olympics of the mind, that their motto was encouraging dreams, demanding excellence, that this summer in New Orleans, Louisiana they sent 21 students to participate in the National ACTSO academic competition and out of all of the United States Houston brought back six national medals, more than any City in the United States, that they were lucky to have three gold winners in dance, a gold medal in Physics and two silver medals. Council Members Goldberg, Boney, Ellis and Vasquez absent.

Mayor Brown stated that they wanted to congratulate the young people, that often when they heard about the children it was always in the negative and what they saw here today really represented the majority of their children doing good things and would assume leadership positions in the future. Council Members Boney, Ellis and Vasquez absent.

Council Member Quan stated that at this time of political uncertain it was often important to realize who their friends were, both locally and nationally, that fifty years ago the United States and Japan signed a treaty of friendship and peace and to commemorate that occasion they had Mr. John Elsner, Executive Director of the Japan American Society and Mr. Glen Gondo former president and board member to make a presentation. Council Members Boney, Ellis and Vasquez absent.

Mr. Elsner thanked them for the opportunity to come by and make a presentation to them from the people of Japan, that two weeks ago they had a delegation from Japan visiting Houston, including former Ambassador Nukesawa and the intent of their visit was to express their appreciation to the people of the United States for their friendship and cooperation for the last 50 years, that they brought a plaque to make a presentation and of course with the events of two weeks ago they did not have an opportunity to meet with the Council and he presented a plaque of the Con Green Modu which was the first Japanese owned ship to make a trans Pacific

crossing and it was symbolic of the friendship and the trade they had developed between the two countries. Council Members Boney, Ellis, Vasquez and Sanchez absent.

Mayor Brown stated that it was his pleasure to accept the plaque on behalf of all Houstonians and they would distribute it with great pride. Council Members Boney, Ellis, Parker and Sanchez absent.

At 2:14 p.m. Mayor Brown called to order the meeting of the City Council, and Council Member Castillo led everyone in prayer and the pledge of allegiance. Council Members Boney, and Ellis absent.

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

Council Members Keller and Vasquez moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Todd absent on city business. Council Member Robinson out of the City on city business. Council Members Boney and Ellis absent.

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

Council Member Castillo moved to suspend the rules to add Mr. Augustine Castillo to the speakers list for one minute, seconded by Council Member Vasquez. Council Member Todd absent on city business. Council Member Robinson out of the City on city business. Council Members Boney, Ellis and Sanchez absent. MOTION 2001-1045 ADOPTED.

Mr. Grant Martin, P.O. Box 667307, Houston, Texas 77066 (713-523-1762) appeared and stated that he was the campaign manager for People for a Fair Houston, which was opposing the ballot measure proposed by Dave Wilson that would deny access to health care and other employment benefits to the domestic partners of City employees, that they were confident that Houstonians would vote no to discrimination and no to denying access to health care benefits for the families of gay and lesbian City employees, if they had to have this fight they were ready, that it was clear that Mr. Wilson's group had not met its very minimal burden under the law to demonstrate the required level of voter support to put this measure on the ballot, that People for a Fair Houston had undertaken, under the very short time allowed, a very abbreviated review of the petition submitted by Mr. Wilson, by looking at copies provided to them by the City Secretary's office, that even in the short time allowed they had uncovered 1,100 signatures that were invalid that were included in the City Secretary's tally of valid signature, that the City Secretary certified only 1,028 signatures in excess of the 20,000 required, that in addition they had done a random sample of comparing petitions to voter's registration cards that they had been able to obtain from the County and had found that there was a 7.2% rate of mismatched invalid signatures, that further they had registered an objection, which had been overruled, that over 3,000 signatures were not accompanied by voter certificate numbers as required by the plain language of the statute, that while they still maintained their objection those petitions were not included among the number of defective signatures that he was present to talk to them about, that it was clear that Mr. Wilson's group had not met its very minimal burden to show a small percentage of voter support to put this on the ballot, and as he had said they were confident that Houstonians would vote no to discrimination and no to denying access health care benefits for the families of gay and lesbian City employees, that he had copies of his letter to the City Secretary that he would distribute and had made copies of the ones they were disputing for the City Secretary and had delivered those about a half hour ago, that they were urging Council to vote no to putting this measure on the ballot when it came before them tomorrow or in the alternative to direct the City Secretary to undertake a more thorough review under the

circumstances. Council Members Boney and Ellis absent.

Upon questions by Council Member Parker, Mr. Martin stated that the copies he had were included in the tally and he had examples to handout to Council, that they had signatures on voter registration cards that clearly did not match signatures on petitions, that they had someone who died prior to the time the petition signing had started, that they had petitions which did not include the language of the petition, it just said a charter amendment proposal without any kind of information on there about what it was about, that they had instances where the date of birth was either completely missing or incomplete, which the City Secretary and City Attorney would agree was fatal to the signature, they had many examples where one person had signed for two, where a husband and a wife got a petition in the mail and both signatures were by the same person, that they had examples where one person signed for a whole page of signatures, the very last page in the packet, that based on the random sample there was an alarming rate of fraudulent signatures on the petition, that they believed it was incumbent upon the City to make sure that the petition was valid, that Charter amendments contained their own set of rules and there was not even a modicum of assurance that the person who signed the petition was indeed the person whose name appeared on the petition, that the difference between a referenda and initiative petitions was that they must contain circulator affidavits that said that the person signed in the presence of the circulator, that there was no such requirement for charter amendments and the City Secretary in her memo to Council had expressly said she had not undertaken to make any other examination into the validity of the signatures, meaning that her review, as he understood, was to make sure that the information on the petition agreed with the information on the voter file. Council Members Boney and Ellis absent.

After further discussion by Council, Mr. Hall stated that as was reported to Council there was an allegation that something was left off and they did review it and it was presented to the City Secretary and she forwarded to them and they forwarded a copy of the opinion they had written to her to the Council Members that suggested that the law did not require that, that the speaker now raised other questions of fraud and those were not questions that the City Secretary was to pursue, that she was not to pursue by specific directive the question of whether or not the signature was an authentic signature, that obviously if it could be presented to the Council obvious fraud Council could direct them to inquire further into, that if the speaker legitimately believed there was fraud he could avail himself of the services of the District Attorney, that it was a very difficult question, that courts had held that City Council's duty, once the verification process had been completed, was ministerial, that had been held and that was why they had no choice but to accept that, that unfortunately those kind of inquiries had not resulted in court decisions so he could not tell them that a court had said they could do this or that or the other, that it would be his judgment that a reasonable inquiry into what seemed obvious, and by that the courts had ruled on the handwriting question, that he did not mean that, that if for instance when they counted up the City Secretary's verification there were not 20,000 on there period, they could inquire about that and make a judgment about that, but if in fact the certification was that there were 20,000 signatures that were valid it would be Legal's advise that Council was not authorized to look behind that, that their advice was to go by what the City Secretary had said, because obviously if they did not do that they would have to go back and conduct the certification themselves, that if Council voted no on a petition for someone who had validly met the requisite of the requirement they would be subject to what the law called mandamus instruction by the court to put this on the ballot and that was what they meant by the Council's duty being ministerial and not administrative and if they did not obey the mandamus they obviously could be sent to jail; that they did not believe it was a tagable item unless Council were to call a special meeting and set this for a special order of business, that as they had advised them earlier the County Clerk had advised them that Monday morning at 9:00 a.m. was the last day to receive ballot items and obviously there was not another regular meeting between now and then, that even if there were presented now enough invalid signatures the City

Secretary would be obligated to go back and count the remainder, that she put a 1,500 or so cushion in there, that she did not count them all, and the City Secretary stated that once they reached the 20,000 they then did others for a margin of error which was 1,028 so they did have some that they did not check; that Council had to put this on the ballot if they had met their requirements, that his advice to the City Council was to vote to put this on the ballot on the basis of the City Secretary's certification, that they thought it was their duty. Mayor Brown, Council Members Galloway, Goldberg, Ellis and Vasquez absent. Mayor Pro Tem Boney presiding.

Mr. Dave Wilson, 505 Melbourne, Houston, Texas 77022 (713-699-4488) appeared and stated that the thing that Grant Martin mentioned about the fraud he suggests that if he had found some fraud that he take it to the District Attorney's office, that he was just as interested in having the fraud issue resolved as he was, that not only was he interested in that he took a charge to the District Attorney's office on Mr. Martin and right now Mr. Martin was under investigation by the Harris County District Attorney's office, that they were sitting there listening to him talking to them today and they had the City Secretary here today and thought it was pretty obvious who was the more credible person they needed to trust in these, that the topic he wanted to speak to them about was the wording on the petition and the wording that was going on the ballot, that it just came out today about 1:00 p.m. and he had not had a lot of time to review it, but from what the wording they had on the petition, that 23,000 people signed and the wording that was going to come out on the ballot he had a couple of questions and would like to suggest some changes, that on the topic there were three parts to it, that one was denying health care for partners of homosexuals, the other was not providing special privileges and set asides for homosexuals and considering them a protected class, and the third part was not requiring contractors to have this same requirement in order to do business with the City of Houston, that when they read the wording it says to deny health care and other employment benefits to same sex domestic partners of City employees, that he did not have an objection to that but his attorney was checking into it, that it was pretty straight forward and represented the heart of what they were interested in, but the part that was not in there was to address other matters of City employment, that their pro family initiative wants to prohibit homosexuals and partners from being granted minority or Affirmative Action set aside status, and he did not see it covered in the wording and he would like to talk to some Council Members and would like to see someone pick up the ball and run with that and possibly reword that part, that some wording he would like to maybe suggest on the second half was to deny preferences based on sexual orientation. Mayor Brown, Council Members Galloway, Goldberg, Ellis and Vasquez absent. Mayor Pro Tem Boney presiding.

Upon questions by Council Member Bell, Mayor Pro Tem Boney stated that Mr. Wilson felt that the portion that was left out was the two regarding set asides and the one regarding not requiring contracts, that the language that had been proposed by the Legal Department went to the heart of the matter with regard to the domestic partner benefits, that was in essence the language, and Mr. Hall stated that he thought it was accurate to say that City of Houston's Legal Department was probably the expert in this particular area, that this was the very issue that was litigated to the Supreme Court in the Affirmative Action case, that the City was not obligated to put any specific language submitted by petitioners on the ballot, the Supreme Court had said that in no uncertain terms, that for the City of Houston it was their responsibility to try and convey in a fair way the essence of what the proposition was, they were in no way obligated to put the totality of the proposition on the ballot for obvious reasons, that the ballot was not just long enough to do that in most instances, that they believe this fairly represented in a very clear and non confusing way the totality of the proposition, if they would notice, contracting and all was included in that, that they were not obligated to outline the details of that, that the courts had said that the people should be able to read that and understand what proposition they were talking about, that the purpose of the ballot language was so people could look at it and they could tell what proposition they were talking about they were not to find the totality of it on the ballot. Mayor Brown, Council

Members Galloway, Ellis and Vasquez absent. Mayor Pro Tem Boney presiding.

Upon questions by Council Member Parker, Mr. Hall stated that where the ballot states address other matters of City employment and contracting practices actually sounded broader than merely Affirmative Action and other status, and one of the reasons was that this was supposed to give notice so that people who wanted to know the exact wording of a proposition could go and read it for themselves and one of the reasons that was important was that some of the proposition, whether it was intentional or not, were poorly written and one had to make its own judgment about what it meant when they read the words that were actually written, that they were very satisfied that they had more than met the legal test and had recommended to Council language that fairly presented the proposition in total that was submitted to them. Mayor Brown, Council Members Galloway, Ellis, Keller and Castillo absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney stated to Mr. Wilson that Council had never received any proposals or had considered anything with regard to set aside, special privileges or setting aside some special class for persons based upon sexual orientation or anything with regard to business contracts so if for example the language that was proposed by Legal prevailed with the will of Council and also met the test and was placed on the ballot, any of the other things and concerns that he had raised in his petition he would still have an opportunity to deal with it politically before Council or in another petition at some time, that if in fact his petition failed after it had been put on the ballot he would still also equally have an additional opportunity before any of those actions were taken. Mayor Brown, Council Members Galloway, Ellis, Keller and Castillo absent. Mayor Pro Tem Boney presiding.

Council Member Tatro moved to suspend the rules to add Mr. Bob Lemer to the speakers list for one minute, seconded by Council Member Vasquez. All voting aye. Nays non. Council Member Todd absent on city business. Council Member Robinson out of the City on city business. Mayor Brown, Council Members Galloway, Ellis, Keller and Castillo absent. Mayor Pro Tem Boney presiding. MOTION 2001-1046 ADOPTED.

Mr. Brian Cweren, P.O. Box 20175, Houston, Texas 77225 (713-294-5810) appeared and stated that he was present regarding Item No. 9 on Wednesday's agenda, that it was the condemnation of his 77 year old home for the expansion of a proposed parking lot for the South Central Police Substation, that most of them would recall this issue not long ago where the measure to expend funds on this project passed by a single vote, that he also happened to be chairman of the Houston Police Department Citizen Review Committee where he spent countless hours reviewing investigations into serious complaints made by the citizens, that he would like to do some reviewing on this matter, that if there had ever been a condemnation matter that had cried out for Council's denial this would be that matter, that this piece of property was not needed for the project, that as they would recall he showed them the last time the availability of multiple vacant lots to house the temporary parking that HPD claimed it would need during construction, that in response to that argument and in correspondence with Members of the Council, HPD relocated a small vehicle services building, which had been on the building plans for over a year, located in the far northern part of the project and suddenly it was moved to the most southern edge on top of their property, that while at one point there were plans for a much larger substation which might have required more land under the current plans this property was no longer needed, that it should have been released from this project just as the other two lots which were located next to the property were released as well, that he believed that they were misled when they were previously told that the owners of these lots were simply made an offer and had to accept it, that would have been great, but these owners were also threatened with condemnation and were released, that interesting when Chief Bradford recently spoke on this issue at the citywide PID meeting last month he again came back with the story of the need for temporary parking, again a shift in strategy to do what it takes to get this matter

passed, that as they would recall in the last discussion this lot would only provide parking for approximately 20 cars if there was such a demand, that if they visited the current substation they would note the ample parking currently available, many or most of the spots remained empty while others were simply used by HPD personnel at that substation for their personal vehicles or equipment, that they may also recall that if this station was built it would be the smallest substation among all of the substations, that as one Council Member accurately noted, it would be too small before it even opens its doors, that his client had not been treated by the City fairly in its dealings, as they would note he was not even being offered the same amount of money as neighboring property owners in this project, that they would note in the contract before them that they were paying a neighboring land owner more than twice the amount of money which his client had been offered; that he filed a open records request with HPD and HPD did not have one single document to explain why the South Central Police Sub Station was where it was, that how could they put a multi million dollar brand new building in and HPD at 1200 Travis could not locate a single document to explain why it was, that the bottom line was that this property was not needed and if it was going to be taken they had to pay fair compensation. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Vasquez and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that he did think they needed to take a look at and was told that the item would be pulled from Wednesday's agenda and would not be heard, that he would like to find out from Building Services what they had done to find another comparable piece of land in that area, that he understood Mr. Cweren objections. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Vasquez and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Castillo stated that the parcel that was being bought for \$10 per square foot they were actually buying and were paying the price that was already locked into a sales contract, and Mr. Lewis stated that was correct, that the purchase that was on the agenda for approval the owner of the property had a signed contract of sale for that price and although their appraisal indicated it was far above the market value for property they were aware from prior experience in acquiring property and going through condemnation that a seller who had a contract to sell his property at that price was going to get that price if they took him to court, so it seemed the better part of valor was to just to make a deal with him for what they were going to have to pay anyway and save the cost of going to court, that typically most of the offers they made were based upon the independent appraisals that they obtained for the properties and the offers were usually right in that range and if they were unable to make a deal at that level then they would ask Council to proceed to condemnation. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, Vasquez and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Upon questions by Council Member Quan, Mr. Cweren stated that he thought there were going to be a lot of issues should this have to go to litigation were going to have to be addressed so he had to be cautious of his comments today, but certainly he would think that appraisers hired by the City ought to be made aware of property value information which related to that and if that information was withheld from the City appraisers then he thought there needed to be some serious questions asked as to why that was done, and certainly if Mr. Lewis was indicating that buyers were out there paying above market value for some reason was he saying that the City was overpaying for property, that they needed to be compensated for what the market value was, but other property on the same street the asking price was \$17 and \$15 so \$10 was a good deal and if all it took was for someone to come up with a contract, and if they were asking if that was what they needed to do to be fairly compensated then maybe that was what they needed to do. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney stated that Mr. Lewis had said that he had a signed contractual agreement to sell the property at that \$10 per square foot price and subsequent to that he presumed that his client determined that they might have been able to get a better price and might not have negotiated as good a price as some other properties, that the City's objective was to give a fair market value and do the best they could for taxpayers. Mayor Brown, Council Members Tatro, Galloway, Ellis, Keller, and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Bob Lemer appeared and stated that he was present a week ago, that the point of his being present today was that he understood that the tax petition would not make it onto the November 6 ballot and there was some question as to the rail petition, that he had moved to Houston in 1957 and to the best of his knowledge it would be the first time that any petition was not allowed on the ballot because their not being able to count it, that even petitions of up to 60,000 signatures got on, that his appeal was the same as a week ago that the City Council Members override the Mayor and have a special session and do exactly what they were allowed to do by Section 9.004 of the Texas Local Government Code and that was to place these issues on the ballot by referendum, that if the administration wanted to be known as the administration that would not let the voters vote so be it, but have the moral courage as individual Council Members to stand up and be counted, that this was going to be an issue in the race. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney stated that any decisions and results that had come out of the City Secretary's office were independent results based upon her staff and judgment they were not political gestures that were made and they thought that all who had worked with Ms. Russell through the years attest to her non-partisan, independent, down the middle assessment and carrying out of her duties and responsibilities, that he thought it was somewhat unfair if they disagreed with what her ruling was to allege that it was political or had something to do with the Mayor or Council, that the other thing that he brought up was whether Council ought to consider taking some action in lieu of and he thought they might be compromising their ability to provide even public safety services to the City before they even know what their revenue had actually produced.

After further lengthy discussion by Council, Mr. Bibler stated that they met the time requirement but not the one for this election, that there was not a specific cutoff date but they had to apply a rule of reason and common sense to this and by the time they got their petition to the City Secretary there were two other petitions ahead of them, that it was possible that if Ms. Russell had not been working on one and starting on another one that she might have been able to do Mr. Lemer's, but even then it would have been very close because he only gave her about two and a half or three weeks, that nothing precluded the administration from dedicating resources and that was what Ms. Russell had done, that she brought in extra people, worked people until all hours of the night, she worked them on weekends, that they had done superhuman things to get one petition out and possibly get a second out and for people to sit here and criticize her for not getting the third out he thought was outrageous because he had personally seen the work effort that was going on down there and had seen the number of people who had worked the long hours. Mayor Brown, Council Members Galloway, Ellis, Keller, Vasquez, Castillo and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Vance Lane, 4406 Pine Ville, Spring, Texas 77388 appeared and stated that he was present in reference to the limousine parking situation at Intercontinental Airport, that he owned a limousine company and currently their drivers were not allowed to go into the airport to get their

customers back out, that he understood that in light of the recent events the security needed to be put into place, but they were City rules and not FAA rules, that at Hobby Airport they were allowed to park, go inside and retrieve their customers, whether they were disabled or elderly and needing help with luggage and at Intercontinental that was not the case, they had to stay with their vehicle, that he did not understand why, that if they needed to search cars why were they searching private cars and not theirs, that they were paying \$4 an hour as opposed to \$1.20 per hour and thought they should be given the opportunity. Mayor Brown, Council Members Galloway, Ellis, Keller, Vasquez, Castillo and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney stated that the FAA had mandated certain security at certain airports so the difference between the security mandates at Intercontinental and Hobby were mandated by the FAA so it was not a difference of distinction by City policy it was by the federal governing authorities at the airport, and he suggested that Mr. Lane put all this in writing and let the Aviation officials communicate it to the FAA. Mayor Brown, Council Members Galloway, Ellis, Keller, Vasquez, Castillo and Parker absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Daul Baikenov, 2701 N. Blvd., No. 38, Houston, Texas 77098 (281-682-8866) appeared and stated that as the previous speaker he just wanted the Council to look into it, and Mayor Pro Tem Boney asked him and the group to get together with Mr. Cantu so that he could facilitate their putting their concerns and a logical presentation on paper and present it to Aviation so they could work on it with the FAA. Mayor Brown, Council Members Galloway, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Augustine Castillo appeared and stated that he wanted to thank them very much, that on September 18 they had a neighborhood meeting and the Planning Department put it together and Council Member Vasquez's office got them all together, that it had to do with redeveloping their neighborhood and they loved it, that the Planning Department was going in the right direction and got them all together, that hopefully they could get the avenue between Fulton all the way into downtown crossing over the old SP tracks and crossing onto San Jacinto, that part of the Planning Department's program was education and hopefully they could get more education and enforcement of the City codes. Mayor Brown, Council Members Galloway, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Linda Pomerleau, 5218 Lacreek, Spring, Texas 77379 appeared and stated that she was the owner of Gulf Coast Limousine Services in Houston, that she was present to talk to them about the problems they had been encountering at the airport, Intercontinental primarily, that they as owners of limousine services in Houston they find that when they work out of Houston they had to go through a criminal check, that they had to be finger printed and also were drug tested, that was the standard for all of their employees and was the same standard for anybody who operated legally within the Houston Limousine Association and the Houston Airport System, that she wanted to let them know that the problem they had was that they were made to park in a parking garage or outside in the street area, which was fine, but the problem was that they could not go inside the terminal, that they were wearing badges that said that they had been criminally background checked and there was no reason that they should not be able to go into the terminal, that they felt they should be able to go into the airport just as any other person could go into the airport, that they were not asking to go to the gate, that they just wanted to be able to go into baggage and greet their clients and handle their luggage. Mayor Brown, Council Members Goldberg, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Upon questions by Mayor Pro Tem Boney, Ms. Pomerleau stated that this had changed since the events that happened on September 11, and Mayor Pro Tem Boney stated that she should put it on paper and see if they could get Aviation and F&A to start looking at it, and asked Mr. Cantu when he forwarded those ideas to Aviation to also include them considering whether or not some limousine concession service stand might be an appropriate resolution as well. Mayor Brown, Council Members Goldberg, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Steven Williams, no address, no phone had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Goldberg, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. T. K. Tummala, 10027 Sageglow, Houston, Texas 77089 (281-922-7582) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Goldberg, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Deborah Elaine Allen, would not give address nor phone number, appeared and voiced her personal opinions until her time expired. Mayor Brown, Council Members Goldberg, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding.

Mr. David Ward, 1134 Shadowdale, No. 3, Houston, Texas 77043 (713-467-9560) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Goldberg, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Mary E. Garrett, 10406 Barnham, Houston, Texas 77016 (713-635-5893) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Goldberg, Ellis, Keller, Vasquez, Castillo, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Carmen Arrieta, P. O. Box 572104, Houston, Texas 77257 (713-953-0022) appeared and stated that she was representing Extra Limousine Service, that she was present to address the new regulation at Bush Intercontinental Airport concerning the limousine tragedy, that since the tragedy occurred on September 11 they had not been able to leave their vehicles unattended at the airport, that they understood that certain security measures must be taken to insure safety at the airports, but she did not understand why the limousine industry was being targeted as the enemy, that upon returning to normal operations at the airport the parking garages were reopened and noncommercial vehicles were being allowed to park at the garages, that after a brief and un-thorough security check people were allowed to park, while they were being treated as outcasts and forced to wait outside so that their customers must carry their own luggage and search for their drivers in a sea of black towncars, that the question that she would like to ask was why can't the limousine drivers, who had already been background checked and had badges, leave their vehicles so that they could perform their job properly, that as they knew the limousine industry was an upgraded service that offered individual personalized service, that they had numerous complaints from their customers who did not understand why they were paying the same rate, yet received less service, that the new regulations were threatening their businesses ability to survive during these trying times, and she implored them to take a quick and proactive action to rectify the situation, that in addition there were other activities going on at the airport that she would like to bring to their attention, that the taxi starters were requiring them to give their customers names over which they were keeping on file, that was a violation to their

clients constitutional right to privacy and secondary certain taxi starters were stepping outside the realm of authority, questioning their customers and making slanderous statements questioning the integrity of their company and drivers. Mayor Brown, Council Members Galloway, Goldberg, Ellis, Keller, Vasquez, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney asked if Mr. Vernnon Baker of Aviation and Ms. Piot, who was handling the limousine section now that were present so they could huddle in back and go over some of these issues with the limousine industry and see if they could start talking through some of these. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Joseph Marroquin, 12018 Charlsbad, Houston, Texas 77085 (713-927-6398) appeared and stated that there were also some other things going on out at the airport like the common dignity of wanting to use the bathroom, that there were no facilities that they would provide to the drivers to use and they were not allowed to go into the airport, that they were telling them that if they went into the airport the police would come and do a number of things to them; that regulatory affairs officials with the transportation section and the Houston Police Department were actually getting into it themselves, that they just wanted to come before Council and let them know how it was. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Castillo asked if they could not get the parties involved together and decide who was in charge, what the rules were and how they were going to make traveling a little easier, and Mayor Pro Tem Boney stated that some of these were clearly fixable, if they were not going to allow them to go into the restroom then they needed to provide them some restroom facilities or explain it to the policy makers why that did not make good sense to do that, and suggested that he get together with the staff in the meeting that was going on in the back and they had the ball rolling. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Joseph Khanoyan, 2400 Fountainview Dr., No. 204, Houston, Texas 77043 appeared and stated that he was the owner of Triple A Pool Equipment Car and Limousine and believed that the reason they were present was just to make Council aware of some of the unfair steps taken towards their industry by the airport system in the name of heightened FAA security measures, that since the attack on September 11, and not before that, their limousine drivers were not being allowed in the baggage claim area, that this was only at Bush Intercontinental Airport, that all the airport officials say the reason is FAA regulations, that this had drastically affected the basic service they provided to their clients, that as far as he knew there was no FAA regulation that specifically said that a limousine driver could not enter the airport, that it did say that extra security measures needed to be taken against cars left unattended less than 300 feet away from the terminal, that what was the difference between a private car and a limousine, that they understood there were issues since September 11 and they believed that the air transportation needed to be secured and they were willing to do whatever it took but it seemed that it was an extreme thing at Bush Intercontinental. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Ivy Stanev, 10312 Brinwood, Houston, Texas 77043 (281-541-8348) appeared and stated that the problem was unjustified disparity between the treatment of security regulations at both airports and all he was asking for in solution was to equalize the measures to reflect the

regulations at Hobby Airport, that he thought that would fix the problems. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney stated that on a matter such as this in terms of getting it resolved it would require some paper, that some of them had raised some different and distinctive issues and they should all be put either singly or collectively on paper, that the various staffs were going to have to chew on this and bring Council back some incredible rationale and strategy for responding to all of them and then they would get into it in terms of policy matters and respond in terms of that, and Council Member Quan asked them to come with a proposal, that a number of people all had the same concern, that they did have a process and would not be insensitive to their concerns, that they had heard them. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Sonny Karim, 518 Marble Hill, Houston, Texas 77450 (713-789-7890) appeared and stated that he did not have much to add, that they would put all of their concerns in writing and would like to know if Council would ask for the new FAA guidelines, and Mayor Pro Tem Boney stated that he did not know if they could do that and was not sure if that was a good idea, that part of security was everybody not knowing what they were doing to be secure, that the most important thing was that Council was sensitized to the concerns they had raised. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney stated that all of them had raised some reasonable points and asked that they be patient and work with them, FAA and Aviation and try to work through them.

Mr. Mike St Clair, 9215 Rasmus, Houston, Texas (713-780-7077) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Charles Teusel, 8903 Grape, Houston, Texas 77036 (832-435-0616) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Nizam Fayad, 6030 Knotty Post Ln., Spring, Texas 77373 (713-303-2495) appeared and had some handouts passed to the Council and asked that they keep the first six lines confidential and Mr. Bibler stated that if he wanted that kept confidential he could not pass it out and Mr. Fayad stated that it was just about his background but to go ahead and pass it out and Mayor Pro Tem Boney asked if he wanted it kept confidential and Mr. Fayad stated to go ahead, that he had been denied on the 21st of renewing his taxicab license, that he had been driving a cab in the City since 1995, that the reason was that his employment authorization was expired, that he had sent it the INS to renew it and it looked like it takes them forever, that it had been five months and he had not received it yet, that he went and showed them the letter from the INS that they had received it with a renewal fee of \$100 and he had a federal court order that his asylum was granted so he had the right to work in this Country, that he had four children and a housewife and had been out of a job since last week, that they asked him to go and lift the sanction from his Social Security card and he went to the Social Security office, three of them, and all of them had not looked at anything, that all they said was to go and get this green card, that there was a memo from the Department of Health and Human Services as of April 4, 2001 asylum should receive an unrestricted Social Security Card and such card should not contain

the notification of valid for work only with the INS authorization, that in addition asylum no longer needs an employment authorization document to apply for a Social Security number, that they did not want to look at anything, that he had lost his job. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Quan stated that unfortunately the episode he just described happened all the time, that it had been a big concern of his with immigration because the law said if they had not made a decision within 90 days they had the right to go down there and see what was happening, that if he had problems with that to let him know, that Mr. Benito Juarez was present from the Office of Immigration and Refugee Affairs and he would work with him also, but if he could not get that done to let him know and he would talk to the district director himself to see that he get his work permit renewed, that he regretted that they did get a lot of misinformation and people did not want to talk with him. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Glory Udoh, 1211 Fondren Bend Dr., Houston, Texas 77071 (713-779-5960) had reserved time to speak, but was not present when her name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Nicholas Lee, 11538 Harwin, Houston, Texas 77072 (281-568-8457) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Helen Simmons, 2255 Braeswood Park, Houston, Texas 77030 (713-383-9909) appeared and stated that she was present to bring to the Council's direct attention that the City was still not ready to handle a disaster, that either tomorrow or Thursday they were going to have a feel good exercise by 150 medical personnel in the City, that they recently had a somewhat of a disaster with water yet these same health professionals had not called for a full Hepatitis screen or vaccination for those people who had been involved with the water, which they all knew had been extensive, that as they all knew Hepatitis was something that was extraordinarily contagious, that she was asking Council to implement a plan to bring the City to a preparedness that no one as yet had come up with, that she had not heard anyone anywhere else in the City say anything that was really going to work toward helping children to deal with not only the effects of the past tragedy they had or the one that was going on now countrywide, that she was asking Council to make provisions to use the school system in developing a plan to help the City be prepared. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mayor Pro Tem Boney asked Ms. Simmons to pass the recommendations to Mr. Cantu who would followup with it in terms of the Mayor's staff and office and how they would try to integrate it. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Ruth Webb, 14250 Kemberly, Houston, Texas 77079 (281-870-1996) had reserved time to speak, but was not present when her name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Gregory Foster, 865 Ruthby, Houston, Texas 77061 (713-540-0710) had reserved time

to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (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. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Coach/Bobby Taylor, 3107 Sumpter, Houston, Texas 77026, (202FA3-4511) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that as they all knew he was running for At Large Position Number 5, that he was an artist, that when an artist was alive in any person whatever his kind of work may be he becomes an inventive, searching, daring, self expressive creature, he become interesting to other people, he disturbs, upsets, enlightens and opens ways for a better understanding, where those who were not artists were trying to close the book he opens it and shows there were still more pages possible and he was galvanizing for global revolution, a red light district. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (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 his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Robert Horton, P.O. Box 21635, Houston, Texas 77226 (832-457-8652) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Bahman Bahrami, Econo Lodge Room 212, Houston, Texas (713-667-8200) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

At 4:23 p.m. upon motion by Council Member Castillo and seconded by Council Member Quan, City Council recessed until 9:00 a.m., Wednesday, September 26, 2001. Mayor Brown, Council Members Tatro, Galloway, Goldberg, Ellis, Keller, Vasquez, Parker and Sanchez absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, September 26, 2001

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, September 26, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll Robinson; Mr. Al Haines, Chief Financial Officer, Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director present.

At 8:23 a.m. the City Secretary read the descriptions or captions of items on the Agenda.

MAYOR'S REPORT

At 9:09 a.m. Mayor Brown reconvened the meeting of the City Council and stated that he wanted to take this time to inform everyone of Houston's ongoing efforts to address the questions and concerns regarding the City's level of security after the September 11 attacks, that as they knew heightened security remained in place at the airports, the port, and City facilities and those security measures would continue to remain in place, that they were also intensifying the preparedness of Houston's medical strike team, a specialized unit organized and equipped to respond to incidents involving casualties or injuries resulting from nuclear, biological or chemical agents, that this team was made up of 150 Houston firefighters, police officers, doctors, nurses, hazardous materials technicians and representatives from the City's health and emergency management departments, that they would conduct a full scale drill in early October, that similar drills would be conducted quarterly until further notice, that to insure that they take full advantage of the expertise of their world-renowned medical center, he had asked Dr. Ralph Feigin to represent the medical community in helping to coordinate the October drill and other preparedness activities of the strike team, that he believed that increased cooperation with the medical center, and their entire medical profession, better utilized those valuable resources, in addition, weekly equipment training would be instituted immediately for all strike team personnel, that they had developed the hazardous material vehicle equipment and supplies had been deployed to strategic locations within the City as part of their preparedness activities, that the drills, training sessions and strategic deployments were precautions but certainly necessary to prepare for any emergency that they hoped would never occur, that same level of preparedness was present at numerous facilities throughout the City, that yesterday he took the opportunity to visit the East Water Purification Plant for a site inspection and security briefing, that immediately after receiving the news of the attacks on September 11, the City of Houston initiated an alert status response at the City's public drinking water supply facilities, that the response included increased security at water production facilities and increased monitoring of water quality, that while he could not go into great detail of all the measures taken, he could say that security was very visible and sufficient, that the City's normal surface water treatment process provided multiple barriers to a great number of chemical and biological contaminants, that there was also continuous monitoring of the water treatment plant, providing real time data so operators could assess water quality and react accordingly, that he mentioned these efforts and procedures to make everyone aware that they did have security in place, that there had been no threat to Houston's water supply and their water was safe to drink, that they were also taking every reasonable effort to provide the highest level of security to their residents through all of their facilities and operations, that they were doing this to make sure they were prepared for anything that might happen, that there had been no threat to their area, regardless, they would continue to test and train their personnel and equipment to insure readiness, that they would continue to have heightened law enforcement presence at all of their facilities, the port, airport and all other public facilities, that in the meantime their water supply was safe, the airports and facilities were secure and the residents were well protected, that they would continue to use every resource at their disposal and that remained true, that he wanted to remind everyone to remember those who lost their lives in the attacks and especially to support and pray for the many brave men and women serving in the U. S. Military and preparing to fight for our great country, that their serviced were greatly appreciated, that to let them remain united and support the President and pray for him as he makes some very difficult decisions in the time ahead. Council Members Goldberg and Todd absent.

Council Member Sanchez moved to consider Item No. 34 out of order at this time, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Todd absent. MOTION 200-1047 ADOPTED.

Council Member Vasquez moved to consider Item Numbers 42, 7 and 8 out of order at this time, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Goldberg and Todd absent. MOTION 2001-1048 ADOPTED.

34. ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2001 – was presented.

Council Member Sanchez offered the following motion:

Motion to amend Item 34 as follows

Section 2 of the ordinance referred to in Item 34 on the September 26, 2001 Houston City Council Agenda, be amended from "...\$0.47601 on each one hundred dollars (\$100.00) of taxable value..." to "...\$0.46601 on each one hundred dollars (\$100.00) of taxable value." Thus effectively lowering the tax rate levied for general purposes by one cent, seconded by Council Member Tatro. Council Members Goldberg and Todd absent.

Council Member Bell stated that an amendment had been circulated that would be offered at the proper time offering a tax refund, that he thought it would be a much more responsible approach at the present time, that while the proponent of this particular tax rollback said that this would be a great way to offer those who had been laid off a form of relief many would only receive \$10 or \$14 and that was not going to do much for people who had been laid off, that this last minute effort to roll taxes back without any suggestion as to how they would make up that amount of money at a time when their economy was changing on a daily basis and there was a very good chance that they would not be able to realize the amount of sales tax that had been projected, was not responsible, that they had at the most conservative estimates or best case scenario some maybe a \$6 million to \$7 million cushion in their present budget, and certainly with what they had been hearing and reading about the present economy that could easily be wiped out if the projected sales tax falls, that he and Council Member Robinson were going to propose a tax refund amendment and that would allow them to look at the situation after the fiscal year concludes, that it was a long term solution so that on a continuing basis Council would be required to meet and consider any excess revenues had been received and vote on how much of that excess revenue should be returned to the taxpayers, that they would take the guessing out of it, they would know what kind of numbers they were working with and he thought the political pressure would be immense to return a large percentage of that money to the taxpayers and so he thought that would be a more responsible approach and hoped they would vote against the proposed amendment and vote for the tax refund amendment when it was offered. Council Members Todd and Parker absent.

Council Member Robinson stated that he had circulated a document that spoke to several items that essentially said that if they had any surplus property tax revenues above the \$624,438,000 that was included in the budget as adopted they would look to them in the following priority orders, to cover any General Fund Revenue shortfall, and they had a memo at the table from Dr. Barton Smith which says that he was already reducing their property tax revenue estimate by about \$14 million, the second would be additional firefighter staffing or overtime, that they still had a goal to achieve four firefighters per fire truck, that civilian employee compensation would be the other item, then they had general obligation debt, a deposit in the City's Rainy Day Fund and if the amendment put forth by Council Member Bell the taxpayer refund were adopted that would be the sixth thing they looked to, that he had received a memo from the City Attorney that said this may not be the appropriate time for such amendments and he would like to get some clarifications, that if it was the appropriate process to vote for a cut at the time they set the ad valorem rate and it was not appropriate to vote on the refund proposals or his amendment relative to surplus property tax then when would be the appropriate time to do so and once they

found it out could they get it on the agenda if this was not the appropriate time. Council Members Galloway and Todd absent.

Mayor Brown stated that they had three amendments offered, one by Council Member Sanchez, which was an appropriate amendment, and the ones by Council Members Bell and Robinson which were not appropriate at this time and asked the City Attorney to explain why. Council Members Galloway and Todd absent.

Mr. Hall stated that this issue had come up before, as Council Member Robinson suggested and they were certainly not suggesting by the memo, which had just recently been distributed, that Council could not express its desires and views on these matters, that what they were outlining here was that this was in fact the tax levy ordinance, that dealt exclusively, and the law said it had to, with just the collection of revenues, which was why Council Member Sanchez's amendment would be in order for consideration, that the others dealt with the expenditure side, and they were not suggesting that Council could not do that, but could not do it as part of this ordinance which was why they suggested it be posted for the future, which was the way it was supposed to be handled last time. Council Member Galloway absent.

Mayor Brown stated that as to the other two amendments the appropriate way to get them before the Council was to have them posted before next months meeting. Council Member Galloway absent.

Upon questions by Council Member Boney, Mr. Hall stated that there was no difference from last year when they changed the tax rate, that the issue was identically the same, that this was consistent with what they said last year, that they were dealing with the fact that these two amendments dealt with spending and not revenue collection. Council Members Galloway and Todd absent.

Council Member Boney asked Council Member Sanchez that in the tax revenue collection rate that he was proposing what was the total fiscal impact to the total budget on an aggregate basis, and Council Member Sanchez stated that he did not recall, but based on last years discussion he believed it was around \$9 million, that he had not specifically discussed it with the Controller or F&A and Council Member Boney stated that it would seem to him that if they were going to propose a rate that was going to affect their rate of collection they ought to calculate what that meant on the aggregate basis, and asked that Dr. Scheps calculate it for him, that he was going to oppose the amendment, that it seemed incredulous to him that they would cut \$9 million out of the budget when they did not know as of yet how much more they had to deal with in terms of the instability, security and safety issues. Council Members Galloway and Todd absent.

Mayor Brown stated that he had asked Dr. Scheps to do an analysis and he had been working with Dr. Smith and he would point out to them that there were two major things happening in the Country right now, one was the softening of the economy, and that had been exacerbated by the loss of investor confidence that was associated with the terrorists attacks and as a result of that they were seeing now a projection of less sales tax revenue than they projected when they passed the budget, that it was less in the amount of \$13.8 million to \$14 million, and Dr. Scheps stated that the Mayor had explained it very well and Dr. Smith's information was included, loss of confidence, the lack of the energy industry being able to prop up the general Houston economy, that it was actually not a very large percentage decrease, that it was big dollars for them, \$13.8 million, but it did not take but about a 4% decrease in the sales tax in order to do that, and stated to Council Member Boney that the answer was \$9.3 million.

Council Member Tatro stated that this was not a last minute effort as characterized by

Council Member Bell, that this went back to what Council Member Ellis laid out last year, that it was the framework and a very difficult framework in projecting what a responsible tax rate would be to the homeowner and what a responsible tax rate would be for budget purposes, that he planned to tag Council Member Sanchez's amendment because the framework had been laid and they just needed to adhere to that same framework that was played out last year. Council Member Quan absent.

Mayor Brown asked Dr. Scheps when they put their budget together their two major revenue sources would be their sales tax and property tax and was the property tax rate predicated upon what the tax collector showed them at the time, and Dr. Scheps stated that he made an estimate at the time and that estimate had proven approximately correct, that he sent them a memo last week that compared what the budget estimate was based on and where they stood now and it actually showed they were in danger of actually having \$2 million less revenue in property tax, that there was a swing variable, it was very small and had to do with the amount of property in disputes, but he did not believe under any circumstances this year was going to be like last year, that they were going to be on the money with their property tax estimate this year, that he thought it was correct that last year's surplus was partly due to some of the spending controls they put in place, and Mayor Brown stated that Dr. Scheps had met with Dr. Smith and he had projected less sales tax so if their property tax was going to be the same or a little lower and they knew the sales tax was going to be a lot lower then that tells them that the budget they had in place right now was not sufficient, at least the revenue was not sufficient for the budget, and that was the reason why he had asked all of the directors to start doing spending controls, that he had ordered spending controls predicated on the fact that they would not have the revenue that they thought they would have when they put the budget to bed and Dr. Scheps stated that was correct, and Mayor Brown stated that they should keep that in mind, they were already looking at how to cut back in order to just continue the business of the City with the expectation that they would have less sales tax and even maybe less property tax, that they should also keep in mind as they debate the budget issue that over the last decade their City increased by over 400,000 and that was the equivalent of taking a City like Oakland, California, Pittsburgh, Pennsylvania or Kansas City and placing all of those people in our City and that meant that the demands on the services had increased as well, that it was projected that the population increases were going to continue in the future, so as they debated this they should not do so in isolation, but look at what they had responsibilities for as a Council and particularly in terms of the fiscal responsibilities they had.

Council Member Galloway stated that they needed to go ahead and move forward and support the same tax base they had now and any excess money left over to put it into neighborhood protection so she could get rid of the 200 abandoned buildings she had in her district. Council Member Tatro absent.

Council Member Todd stated that it was actually the market that increased the value of property and not the appraisal district, that the appraisal district was bound by some rules of law as to how much they had to raise it by, that he agreed with what the Mayor said and thought they certainly needed to address the needs of citizens inside the City of Houston, but at the same time they needed to collect no more than was needed, that he intended to support Council Member Sanchez's amendment next week and encouraged every one else to do the same. Council Member Tatro absent.

Council Member Robinson stated that he was still not sure what the argument was for the property tax cut this year, was it to control the size of government or was it to provide property tax relief to homeowners, because if they were trying to provide property tax relief to homeowners he thought there was a whole series of things they could do to be more effective and efficient at that and it had taken time but Council was starting to come around to those

points, that the more responsible way to go at this was if there was a surplus, whether it came from increased revenues or if they did engage in expenditure controls they ought to at least say and go on the record that this Council was willing to look at showing taxpayers that they were entitled to some portion of the refund.

Council Member Castillo asked if they were required to take a vote on the levy ordinance today and could the main ordinance be tagged, and Mr. Hall stated that it was two different questions, that if the amendment was tagged and the main ordinance was tagged then obviously they both would come up at the same time, that if the amendment was tagged and the main ordinance was not and was disposed of the amendment would die, and Council Member Castillo stated that he wanted to get it straight because he thought that Council Member Sanchez's amendment deserved a vote, either together with or prior to the main ordinance being adopted.

Council Member Keller asked if anyone had talked to the State Comptroller and Mayor Brown stated that he spoke to the Deputy Comptroller, that he was one of his advisors, that they had just gotten the information from Dr. Smith a day or so ago so they had not conferred on that point, but the Deputy Comptroller was one of his fiscal advisors and he consulted with him regularly. Council Member Ellis absent.

After further discussion by Council, Mayor Brown stated that on the item that was before them he was going to refer the Bell and Robinson amendments to the finance committee and ask them to address it there and bring something back to Council, that Council Member Tatro had tagged Council Member Sanchez's amendment and he was going to ask the finance committee to also look at that amendment in context with all the other things they were doing and when they came back they could look at the whole issue together.

Council Member Parker called for the question, seconded by Council Member Vasquez and no vote was called as no one else was on the list to speak.

Item No. 34 was before Council and tagged by Council Members Sanchez, Tatro, Vasquez, Keller, Castillo, Boney and Robinson.

Council Member Bell stated that on the second amendment that was not actually considered it was his understanding that after being referred to committee if it was voted out of committee it would be posted for consideration, and Mayor Brown stated that it would be posted.

Council Member Robinson asked Council Member Sanchez what specific cuts he would focus on, that he did not want to leave it to the administration, that he thought if he was going to propose the one penny reduction he would like to see what cuts he had and he would also like to see what his plans were to deal with the commitment they made to fire staffing. Council Member Boney and Parker absent.

42. ORDINANCE appropriating \$356,960.60 out of Water & Sewer Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **JESTER APARTMENTS PARTNERS, LTD.**, for the Construction of Sanitary Sewer and Sanitary Sewer Force Main Lines, CIP R-0800-41-03 - **DISTRICT A - TATRO - (This was Item 31 on Agenda of September 19, 2001, TAGGED BY COUNCIL MEMBERS VASQUEZ, TATRO, QUAN and KELLER)** - was presented.

Council Member Tatro stated that since July 31st he had been trying to get some answers to questions on detention and mitigation issues related to this particular development in his area, that he had been in touch with Public Works but had yet to pry the information from them, that he had been in touch with Mark Kosmosky and he had to go through Tom Rolen, but he had still not

had answers to his questions about some mitigation issues, although he had answers to questions about some detention issues, that this was a water sewer developer reimbursement, which he supported, but in conjunction with it he was very concerned, and the neighborhoods of Timber Brook and Lazy Brook were very concerned about the issues around the mitigation on the property. Council Members Todd and Castillo absent.

Council Member Tatro moved to postpone Item No. 42 for one week, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Todd and Castillo absent. MOTION 2001-1049 ADOPTED.

Council Member Quan moved to hear from Mr. Jenard Gross, seconded by Council Member Keller. All voting aye. Nays none. Council Members Todd and Castillo absent. MOTION 2001-1050 ADOPTED.

Upon questions by Council Member Quan, Mr. Gross stated that what they were actually being asked to vote on was the sewer contract for approximately 38 acres of land which lay in the TC Jester area in the middle of Houston, which had never had sewer, that part of the land was used by Texas Crushed Stone for a gravel distribution center for a number of years and they bought it a couple of years ago, that the piece that he was building on at the moment was a piece that had 100% impervious coverage because it covered limestone and when they got through there would be less impervious coverage than there was at the start, that what they were asking was that the Council approve a sewer contract, that the actual money to be spent on this would be spent by them and the Council would not reimburse anything until at least 25% of the homes that Frank Liu planned to build on part of the land were developed, that meant that it would probably be two or three years from now, that the issue of flood control mitigation was the same that arose on any plat that ever came before the City of Houston, that it went before the Flood Control people and the Harris County Flood Control, that a plat could not be approved until such time as it was approved by the City and Harris County's Flood Control, that the problem was that they thought the City was going to pass the ordinance last fall and it finally got passed last February and it took several months to work out the mechanics of how the ordinance was going to work and in the meantime they had actually started construction on their site, however to get this in front of Council, Frank Liu had to file a preliminary on a portion of his land and that was the reason that he did not have any mitigation because his development was not going to take place until next year, that in the meantime they had been laboring under the assumption that it was going to pass last year and going to be sailing along and were actually under construction and had part of their property ready for occupancy in January, that the preceding conversation was all about taxes and they were just trying to get a bunch of land on the tax rolls for them instead of having it laying around useless, that they could get the revenue so they could give some of the other people a penny back if they wished to, that he had copies of the aerial showing them the land, that the bottom line was that passing it today would not cause it any harm because if Mr. Liu did not do what the City said to do with regard to the mitigation those houses would never be built and the City would never pay a penny and the developer would put the sewer line in, that he was developing about 13 acres and Lovett Homes was developing about 25 acres, that Mr. Liu had filed a preliminary plat with the City and they had filed theirs and it had been approved and they were under construction, that this was nothing different from this than any other plat that ever floated through the City of Houston. Council Members Boney, Vasquez, Sanchez and Robinson absent.

7. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel IYO-2, located at 2318 St. Emanuel Street, owned by C. A. Chimene, for the **EXPANSION OF THE SOUTH CENTRAL POLICE SUBSTATION PROJECT**, CIP G-0058-00-1 - \$177,570.00 Police Consolidated Construction Fund - **DISTRICT I - CASTILLO** - was presented, moved by Council Member Castillo, seconded by Council

Member Tatro, and tagged by Council Member Goldberg. Council Members Boney, Vasquez, Sanchez and Robinson absent.

8. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel IYO-3, located at 2318 St. Emanuel Street, owned by Margarette Thompson Robinson, Individually and as Independent Executrix of the Estate of Judson W. Robinson, Jr., deceased, and Judson W. Robinson, III, Individually, for the **EXPANSION OF THE SOUTH CENTRAL POLICE SUBSTATION PROJECT**, CIP G-0058-02-1 - **DISTRICT I - CASTILLO** - was presented, moved by Council Member Ellis, seconded by Council Member Parker, and tagged by Council Member Goldberg. Council Members Boney, Vasquez and Sanchez absent.

Council Member Parker moved to consider Item No. 30 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Boney, Vasquez and Sanchez absent. MOTION 2001-1051 ADOPTED.

30. ORDINANCE appropriating \$350,260.00 out of Public Library Consolidated Construction Fund, and approving and authorizing an architectural services contract between the City of Houston and **RAY BAILEY ARCHITECTS, INC** for Design of the New Stella Link Branch Library, CIP E-0022-01-2; providing funding for construction management, the Civic Art Program and contingencies relating to construction of facilities financed by the Public Library Consolidated Construction Fund **DISTRICT C - GOLDBERG** - was presented.

Council Member Parker stated that this was an item that was discussed at the Neighborhood Protection Quality of Life Committee on Monday and was the design for the new Stella Link Library, that because the library funding was in an earlier bond election the costs had risen significantly and the current plan was to build a library that did not quite meet the minimum size standard under the new Master Plan, that the Stella Link folks who had done a great job in leveraging private sector dollars and County money had asked for a little bit of time to go back to the County to try to get some more money out of the County and hopefully a City match to at least meet the new minimum library size in the new Master Plan, that she did not want to hold it up because the library had been long delayed but she would like to get some kind of commitment from the administration that if the County kicked in more money that they would try to locate some more money for this library to meet the minimum standards if at all possible, and Mayor Brown stated they would certainly be glad to do that. Council Members Vasquez and Castillo absent.

Council Member Keller asked if the money for the library was funded by the CIP and Mr. Haines stated yes. Council Members Vasquez and Castillo absent.

Council Member Bell stated that he would like to echo what Council Member Parker had to say regarding the library project at the Stella Link Campus, that this had been an extraordinary project and every building that had gone in thus far and every other project had really been at the highest standard and he had no doubt that the library would be as well, but the point that was made at the committee meeting on Monday was that they did not want to build a library and then just a few years later find that it was not large enough to meet the need. Council Members Vasquez and Castillo absent.

A vote was called on Item No. 30. All voting aye. Nays none. Council Members Vasquez and Castillo absent. ORDINANCE 2001-0874 ADOPTED.

MISCELLANEOUS - NUMBERS 1 through 3A

2. REQUEST from Mayor for confirmation of the appointment or reappointment of the following to the **RACING EVENTS COMMISSION**:
 - Position 1 - **MR. DONALD J. HENDERSON**, appointment, for a term ending 12/31/2002
 - Position 2 - **MR. JOSE ADAN TREVINO**, reappointment, completing an unexpired term ending 12/31/2001
 - Position 3 - **MR. BARRY SILVERMAN**, reappointment, for a term ending 12/31/2002
 - Position 4 - **MS. PAT GEORGE-HENDRICKS**, appointment, completing an unexpired term ending 12/31/2001
 - Position 5 - **MR. RON WILSON**, reappointment, for term ending 12/31/2002
 - Position 6 - **MR. JAY DAVIS**, reappointment, completing an unexpired term ending 12/31/2002
 - Position 7 - **MR. GARNET COLEMAN**, reappointment, for a term ending 12/31/2002
 - Position 8 - **MR. EDWARD RAMMRATH**, reappointment, completing an unexpired term ending 12/31/2001
 - Position 9 - **MS. CYNTHIA KELSCH**, appointment, for a term ending 12/31/2002
 - Position 10 - **MR. TERRY CHENG**, reappointment, completing an unexpired term ending 12/31/2001
 - Position 11 - **MS. CAROLINA WEITZMAN**, appointment, for a term ending 12/31/2002

- was presented, moved by Council Member Sanchez, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez, Castillo and Parker absent. MOTION 2001-1052 ADOPTED.

DAMAGES - NUMBERS 4 and 5

4. RECOMMENDATION from City Attorney for settlement of lawsuit styled **CARLA CAMERON** v. Kermit W. Thomas and City of Houston, in the County Civil Court at Law No. Four (4) of Harris County, Texas, Cause No. 680,515 - \$16,000.00 - Property and Casualty Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1053 ADOPTED.
5. RECOMMENDATION from City Attorney for settlement of lawsuit styled **JOCELYN WARNER and Morris Diggs, Individually and as next friend of KEISHA BARNES** v. City of Houston; in the 164th District Court of Harris County, Texas, Cause No. 99-08382 - \$25,000.00 - Property and Casualty Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1054 ADOPTED.

PROPERTY - NUMBERS 6 through 11

6. RECOMMENDATION from Director Department of Public Works & Engineering to purchase Parcel KYO-99, located at 1445 West Sam Houston Parkway, owned by [Bison Building Materials, Ltd., a Texas limited partnership, (Bison Building GP, Inc., a Texas corporation (Pat W. Bierschwale, President) general partner], for the **KATY-ADDICKS WATERLINE EASEMENTS PROJECT**, CIP S-0900-47-2 - \$31,626.00 - Enterprise Fund - **DISTRICT A - TATRO** - was presented, moved by Council Member Boney, seconded by

Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1055 ADOPTED.

9. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel IYO-4, located at 2312 St. Emanuel, owned by Gerson Cweren, Joseph Cweren and Hannah Cweren for the **EXPANSION OF THE SOUTH CENTRAL POLICE SUBSTATION PROJECT**, CIP G-0058-02-1 - **DISTRICT I - CASTILLO** - Had been pull from the Agenda by the Administration and was not considered. Council Members Vasquez and Castillo absent.
10. **AMEND MOTION #2001-0110, 1/31/01, TO INCLUDE** the abandonment and sale of three additional sanitary sewer easements and an exchange for the conveyance to the City of two 5-foot wide right of way easements to widen W. Dallas Avenue and a 10-foot wide sanitary sewer easement - **DISTRICT D - BONEY** - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1056 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 17A

12. **AMEND MOTION #2001-286, 3/21/2001, TO INCREASE** quantity to purchase 16 additional Trailers for Aviation and Public Works & Engineering Departments awarded to **TRAILER WHEEL & FRAME COMPANY** for a total increase of \$129,975.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1057 ADOPTED.
13. **BARBIZON LIGHT** for Lighting Instrument Package for Convention and Entertainment Facilities Department - \$52,364.19 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1058 ADOPTED.
14. **WENGER CORPORATION** for Musical Support Equipment for the Convention & Entertainment Facilities Department - \$42,300.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1059 ADOPTED.
15. **TEXAS COMMISSION ON FIRE PROTECTION** for payment of Annual Firefighter Certification Fees for Fire Department - \$70,000.00 - General Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Vasquez and Castillo absent. MOTION 2001-1060 ADOPTED.

RESOLUTIONS AND ORDINANCES - NUMBERS 18 through 38

18. RESOLUTION dissolving the **LEADER CROSSING PUBLIC IMPROVEMENT DISTRICT** in the City of Houston, Texas; making findings and containing other provisions, related to the subject; and containing a repealer - **DISTRICT F- ELLIS** - was presented. All voting aye. Nays none. Council Members Vasquez and Castillo absent. RESOLUTION 2001-0040 ADOPTED.

23. ORDINANCE finding no special benefit to the abutting owner of property described as Tract 1B Block 3, Hillendahl Acres, and authorizing the release of certain assessment liens and apparent liens created by Ordinance No. 93-612 passed May 26, 1993, for the initiation of a paving project for the permanent improvement of a portion of Hammerly Boulevard in the City of Houston, Texas **DISTRICT A - TATRO** - was presented. All voting aye. Nays none. Council Members Vasquez and Castillo absent. ORDINANCE 2001-0875 ADOPTED.
24. ORDINANCE approving and authorizing assignment of thirteen lease agreements covering unimproved land in the Central Cargo Area and one lease agreement covering unimproved land in the Northeast Maintenance Area at George Bush Intercontinental Airport/Houston from **MLR PROPERTIES, L.P.**, successor in interest to the **KING INTERESTS CORP.**, to **AEROTERM HC, LLC** - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Members Vasquez and Castillo absent. ORDINANCE 2001-0876 ADOPTED.
26. ORDINANCE approving and authorizing an amendment to sponsorship agreement between the City and **SHADOWBRIAR COMMUNITY ASSOCIATION** for Garbage Collection Service for the respective subdivisions - 10 Months - \$60.00 - **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Council Members Vasquez and Castillo absent. ORDINANCE 2001-0877 ADOPTED.
28. ORDINANCE amending Ordinance No. 98-763 to increase the maximum contract amount; approving and authorizing first amendment to contract between the City of Houston and **GOODWILL INDUSTRIES OF HOUSTON** for Grounds Maintenance Services for the Houston Police Department - 2 Year extension - \$643,755.00 - General Fund - **DISTRICTS A - TATRO; B - GALLOWAY; C - GOLDBERG; D - BONEY; E - TODD; G - KELLER; H - VASQUEZ and I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Vasquez and Castillo absent. ORDINANCE 2001-0878 ADOPTED.
31. ORDINANCE appropriating \$175,000.00 out of Airports Improvement Fund and approving and authorizing amendment No. 1 to contract between the City of Houston and **RATNALA & BAHL, INC** for professional engineering services in connection with Airfield Pavement Rehabilitation at William P. Hobby Airport, Project No. 566, CIP A-0042, A-0381, A-0385, A-0405, A-0467 and A-0468 - **DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Members Vasquez and Castillo absent. ORDINANCE 2001-0879 ADOPTED.
33. ORDINANCE appropriating \$100,000.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **BOVAY ENGINEERS, INC** for Repair/Replacement of Various Wastewater Facilities, CIP R-0268-37-2 (WW4796); providing funding for the Civic Art Program and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A - TATRO; C - GOLDBERG; H - VASQUEZ and I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Vasquez and Castillo absent. ORDINANCE 2001-0880 ADOPTED.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. REQUEST from Mayor for confirmation of the reappointment of the following to the **HARRIS COUNTY-HOUSTON SPORTS AUTHORITY BOARD OF DIRECTORS**, for terms to expire August 31, 2003:
MR. WILLIAM F. BURGE, III as Chair of the Authority
Position 4 - **MR. GROVER JACKSON**
Position 5 - **MS. CELINA GARZA RIDGE**
Position 11 - **MR. ALBERT LUNA III**
- was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. MOTION 2001-1061 ADOPTED.
3. ORDINANCE appropriating \$99,445.36 out of General Improvements Consolidated Construction Fund as an additional appropriation for Construction of Denver Harbor Multi-Service Center, GFS D-0077-01-3 under construction contract with **CONSTRUCTION LTD**, (approved by Ordinance No. 99-0668) - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0881 ADOPTED.
- 3a. RECOMMENDATION from Director Building Services Department for approval of Change Order No. 11 in the amount of \$99,445.36 on contract with **CONSTRUCTION LTD**. for Denver Harbor Multi-Service Center, GFS D-0077-01-3 **DISTRICT I - CASTILLO** - was presented, moved by Council Member Boney, seconded by Council Member Castillo. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. MOTION 2001-1062 ADOPTED.

PROPERTY

11. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Everitt Soliz and Itze O. Soliz, for encroachment agreement authorizing a 70.6-foot building encroachment into Kyle Street, located at 901 Richmond Avenue, adjacent to Lot 1, Block 5, Roseland Addition, Parcel ENY2-02 **DISTRICT D - BONEY** - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. MOTION 2001-1063 ADOPTED.

PURCHASING AND TABULATION OF BIDS

16. **COASTAL PUMP SERVICES, INC** - \$58,979.00 and **TEXAS CITY ARMATURE WORKS, INC** \$50,809.00 for Repair of Six Submersible Pumps for Department of Public Works & Engineering Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. MOTION 2001-1064 ADOPTED.
17. ORDINANCE appropriating \$4,200,000.00 out of Water & Sewer System Consolidated Construction Fund for the purchase of Cold Water Meters for Public Works & Engineering Department, CIP S-0958-01-4 - was presented, and tagged by Council Member Tatro. Council Members Vasquez and Sanchez absent.
- 17a. **BADGER METER, INC** for Water Meters, Cold Water Contract for Department of Public Works & Engineering - \$12,475,677.50 - was presented, moved by Council Member

Boney, seconded by Council Member Parker, and tagged by Council Member Tatro. Council Member Vasquez and Sanchez absent.

RESOLUTIONS AND ORDINANCES

19. ORDINANCE authorizing issuance of City of Houston, Texas, Water & Sewer System Junior Lien Revenue Refunding Bonds, Series 2001B, authorizing the Mayor and City Controller to approve the amount, the interest rate, price, and terms thereof and certain other matters relating thereto; providing for the payment thereof; making other provisions regarding such bonds and matters incident thereto; awarding the sale of the bonds; authorizing the defeasance, final payment, and discharge of certain outstanding bonds; authorizing the execution and delivery of an escrow agreement to provide for the payment of such outstanding bonds; authorizing the purchase of and subscription for certain Escrowed Securities; authorizing Bond Insurance, Escrow Verification, a Co-Bond Counsel Agreement, and a Special Disclosure Co-Counsel Agreement; authorizing execution and delivery of a Payment Agent/Registrar Agreement; and declaring an emergency - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0882 ADOPTED.
20. ORDINANCE consenting to the assignment of the Tax Abatement Agreement between the City of Houston, **CG7600 L.P.**, and **EXTRUSION TECHNOLOGY CORPORATION** to **RTI FABRICATIONS, L.P.** - **DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0883 ADOPTED.
21. RESOLUTION requesting the Texas Department of Economic Development to remove its designation of the **RUSK DEVELOPMENT LIMITED PARTNERSHIP PROJECT** as an enterprise project - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. RESOLUTION 2001-0041 ADOPTED.
22. ORDINANCE correcting Item Numbers 23 through 47 (excluding Item Numbers 26, 27 and 36) in the assessment roll included within ordinance Number 88-1747, which ordinance levied assessments with respect to the improvement of portions of West Tidwell Road in the City of Houston, Texas - **DISTRICTS A - TATRO and B - GALLOWAY** - was presented, and tagged by Council Member Tatro. Council Members Vasquez and Sanchez absent.
25. ORDINANCE issuing a permit to **WALTER BAJSEL** and **DR. CORINA-DIAZ BAJSEL** for building, constructing, maintaining, using, occupying, operating, repairing and/or replacing four 4inch conduits for electrical purposes and one 4inch conduit for communication cable under and within the 5600 block of Hillman Avenue, such area being within the 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 I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0884 ADOPTED.
27. ORDINANCE appropriating \$61,476.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing first amendment to contract between the City and **FIRST SOUTHWEST COMPANY** for Professional Financial Advisory Services - \$59,072.00 - Enterprise Fund - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0885 ADOPTED.

29. ORDINANCE appropriating \$1,473,000.00 out of Annexed Districts Construction Fund No. 49J, (Fund), and approving and authorizing compromise and settlement agreement between the City of Houston and **RICHARD N. GOULD, Trustee** to settle a lawsuit which arose out of activities financed by the Fund - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0886 ADOPTED.
32. ORDINANCE appropriating \$1,323,617.37 out of Water & Sewer System Consolidated Construction Fund, awarding construction 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 of facilities financed by the Water & Sewer System Consolidated Construction Fund; making various findings and provisions related thereto - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0887 ADOPTED.

MATTERS RELATED TO NOVEMBER 6, 2001 ELECTION

35. ORDINANCE appointing presiding and alternate judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston General Election to be held on November 6, 2001, and any special elections held on such date; prescribing the maximum number of Election Clerks of each voting precinct - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0888 ADOPTED.
36. ORDINANCE authorizing the Mayor to make certain arrangements and procure certain supplies and services not provided under election services and translation agreements in connection with the City of Houston Elections to be held in 2001; authorizing the payment of certain costs of such elections - Not to exceed \$400,000.00 - General Fund - was presented. All voting aye. Nays none. Council Members Vasquez and Sanchez absent. ORDINANCE 2001-0889 ADOPTED.
37. ORDINANCE amending Ordinance No. 2001-866 ordering a Special Election to be held jointly on November 6, 2001, for the limited purpose of also submitting to the qualified voters of the City of Houston, Texas, a proposition for the amendment of the City Charter relating to Same Sex Domestic Partners Benefits - was presented.

Council Member Todd asked Mr. Hall if he had a chance to review the proposed ballot language, and Mr. Hall stated yes, that they recommended it, and Council Member Todd stated that there were actually several different questions that were asked within the ballot language and stated that he understood that the Legal Department was interpreting that as being one generic issue, but three separate questions within that generic issue and Mr. Hall stated that it was one of the difficulties they regularly had in the petitioning process in that frankly it was not very well worded, that if they had read it, it was difficult with some of the double negatives and all to be certain what a literal reading would produce but it did address distinctly separate issues under the same general subject, and Council Member Todd asked if under State Law there was a provision that stated that referendum's should contain only one item per ballot proposal and if a ballot proposal contained three different items then it did not comply with that particular State Law, and Mr. Hall stated yes, but he thought that it was a matter for a court to interpret and decide, and Council Member Todd stated that if that indeed was the shortcoming of the ballot language, that Council, because of the number of signatures received, had no choice but to put it on the agenda, and Mr. Hall stated yes, that it had been their interpretation, consistent over time, that the court decisions required that if the procedural steps had been met by petitioners the item

was put on the ballot, that if in fact it had legal deficiencies of any sort substantively they would be challenged only if it were passed, that obviously it would not be an issue if it did not, but then it would be time to challenge the substance of the proposal or any inadequacies they had or how they were written. Council Member Vasquez and Sanchez absent.

Council Member Parker stated that if it were to pass, and she was really confident that it would not, she there would be multiple persons interested in challenging the ballot language and the adequacy of the petition effort to get it there, that she did not know if anyone else had the opportunity, but she examined the complete evidence that Mr. Martin brought in yesterday that was brought to the Council Members in sample form and she saw clear and convincing evidence of both incorrect tabulation on the part of the City but also outright fraud and forgery in the collection of signatures, that the legal petition process had not been adequately met by Mr. Wilson and it was clear that even with six months and with much effort he did not make it legally onto the ballot, unfortunately his petitions had been certified and it was up to Council to decide what to do with them, that there was a lot of discussion yesterday and the City Attorney limited the options of Council, and she did not want to put anybody around the table in an awkward position, but in her opinion he had not met the test to be on the ballot and she intended to vote against it, but in addition to errors and fraud there were a large number of signatures that did not have voter registration numbers, if they read the statute it was clearly required by State Law that all signatures on such petitions were identified by voter registration numbers, that she accepted the fact that the City Attorney was compelled to concede to a Secretary of State's ruling that states that it was not necessary to put those on there, but she thought that the Secretary of State, in this ruling, was clearly circumventing Legislative intent and that was another avenue that may be pursued later, so in three areas the petition failed to meet the test, the fact that the City chooses only to certify the surface of the petition opens a huge and gapping hole to fraud in this effort, that she looked forward to taking this effort on and defeating it at the polls, that should by some fluke it passes at the ballot box they looked forward to challenging it in the courts. Council Members Vasquez and Sanchez.]

After further discussion by Council a roll call vote was called on Item No. 37.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez absent
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 no
Council Member Boney voting aye	Council Member Sanchez voting aye
Council Member Todd voting aye	Council Member Bell voting aye
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting aye	ORDINANCE 2001-0890 ADOPTED

38. **NOTE: This Item will be considered only if the City Secretary has delivered her report as of the date of the meeting verifying the validity of the Metro Rail petition**
ORDINANCE amending Ordinance No. 2001-866, as amended, ordering a Special Election to be held jointly on November 6, 2001, for the limited purpose of also submitting to the qualified voters of the City of Houston, Texas, an additional proposition for the amendment of the City Charter relating to Metro Rail System Projects had not been received and was not considered. Council Member Vasquez absent.

MATTERS HELD - NUMBERS 39 through 44

39. ORDINANCE approving and authorizing contract between City of Houston and **TRIDATA CORPORATION** for Professional Services relating to the Implementation of Emergency

Medical Services Planning and Redesign of the EMS System for Fire Department; providing a maximum contract amount - \$100,000.00 - General Fund - (**This was Item 33 on Agenda of September 12, 2001, POSTPONED BY MOTION 2001-1004**) - was presented. Council Member Sanchez voting no, balance voting aye. Council Member Vasquez absent. ORDINANCE 2001-0891 ADOPTED.

40. MOTION by Council Member Boney/Seconded by Council Member Vasquez to adopt recommendation to award to **R. P. M. EQUIPMENT COMPANY** for One Rollback Carrier Wrecker Body and Four Towing Wrecker Bodies for Police Department - \$95,599.00 - Equipment Acquisition Consolidated Fund - (**This was Item 12 on Agenda of September 19, 2001, TAGGED BY COUNCIL MEMBERS QUAN and ELLIS**) - was presented, and tagged by Council Member Goldberg. Council Member Vasquez absent.
41. ORDINANCE approving and authorizing contract between the City of Houston and **LYNDA MARIE BRYANT D/B/A THE CAPTIONING COMPANY** for Closed-Captioning Services for the Municipal Channel; providing a maximum contract amount - \$200,000.00 - Special Cable Fund - (**This was Item 29 on Agenda of September 19, 2001, TAGGED BY COUNCIL MEMBER PARKER**) - was presented. All voting aye. Nays none. Council Member Vasquez absent. ORDINANCE 2001-0892 ADOPTED.

Council Member Goldberg asked, that on Item No. 40, if someone from the police department could give him a comparison on renting tow trucks versus buying them, and Mayor Brown stated they would have someone provide that information for him. Council Member Vasquez absent.

Council Member Boney stated he knew they had passed Item No. 40 and stated he would like for someone from the Municipal Channel visit with him, that he was interesting in knowing when they were going to be back on the air and discussing with the department why they were considering leasing out or contracting out the Municipal Channel. Council Member Vasquez absent.

43. ORDINANCE appropriating \$74,400.00 out of METRO Special Fund and approving and authorizing contract between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Development of a Bicycle Handbook and the purchase of Bicycle Parking Facilities for the Bicycle Parking Program, GFS N-0420-27-2 - \$5,600.00 - General Fund - (**This was Item 32 on Agenda of September 19, 2001, TAGGED BY COUNCIL MEMBER QUAN**) was presented, and tagged by Council Member Goldberg. Council Member Vasquez absent.
44. ORDINANCE approving and authorizing Restatement of Contract No. 32907 for professional engineering services between the City of Houston and **WILBUR SMITH ASSOCIATES, INC** for the Houston Comprehensive Bikeway Program, GFS N-0420-100-2 (N-0420-100) (approved by Ordinance No. 92-1171) - (**This was Item 33 on Agenda of September 19, 2001, TAGGED BY COUNCIL MEMBERS BELL, KELLER, TATRO and SANCHEZ**) - was presented.

Council Member Tatro stated that he was very pleased with the administrations review of the Bike Trail Program and the costs and he understood that this was a revamp of the engineering contract with Wilbur Smith and Associates to analyze those changes, that they had a TTI meeting where they went over some of the proposed changes, that they had four possibilities and he would like to take a week to followup on the specifics of which direction they were headed in for the redesign. Council Member Vasquez absent.

Council Member Tatro moved to postpone Item No. 44 for one week, seconded by Council Member Keller. All voting aye. Nays none. MOTION 2001-1066 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Bell stated that he wanted to take the opportunity to express his disappointment about what he had read in the morning's newspaper regarding the recommendation by Ben Taub Hospital's Chief of Staff Kenneth Maddox asking the Mayor and Harris County Judge Robert Eckels to consider creating the post of a terrorists czar, that he had recommended that the City and County get all of the stake holders together, asses the risk of terrorism and coordinate all of the efforts, that Mayor Brown was quoted in the article as saying that his number one priority was safety and that a terrorist czar or that type of job was not a job that he would delegate to anyone, that he was a little bit confused by that quote because in July, in an article written about the Public Works Department, he was quoted as saying "as Mayor I am kind of like the CEO of a large corporation with about 17 different companies and therefore I rely on my directors to carry out the day to day work in their area of responsibility and did not have the ability to get into the details of any department", that he had also been quoted during last summer's budget process as saying it was amazing what they could accomplish when they did not worry about who got the credit, that in the area of emergency preparedness he would suggest that it was not a time to worry about who got the credit, that it was all about the details, that if the Mayor did not have the ability to get into the details of emergency preparedness then they definitely needed to delegate that responsibility, that it was not a time to fight about turf, that they needed to maintain their focus, that they owed it to the people and he thought they should go further than just creating a terrorism czar, he thought they should have a joint City/County disaster coordinator in the wake of Tropical Storm Allison and in the wake of what they saw transpire in New York City, Washington, D.C and Pennsylvania it made all the sense in the world that they be prepared for these type of situations and the only way they were going to be prepared was to have an individual who was responsible and who could be focusing on it on a day to day basis, coordinating with the numerous agencies and making sure that drills were being coordinated on a regular basis and not just every 20 months or so and that they would be prepared in the wake of disaster, that they owed it to the public, that he said this after Tropical Storm Allison that in today's society once things slipped off the front page and were no longer leading the newscast they had the tendency to lose focus, that they had a duty to the public, many of whom were extremely frightened right now in the wake of the terrorists attacks, many of whom had their lives turned upside down as a result of Tropical Storm Allison, to make it clear to them that they were doing everything possible and if they were not following this suggestion and putting a person in charge of overseeing these types of efforts they were not doing all they could do and he would ask that Mayor Brown please reconsider his position on Dr. Maddox's recommendation, that he thought it was worthy of consideration. Council Members Galloway, Vasquez, Castillo, Parker and Robinson absent.

Council Member Ellis asked if they had not certified the other petitions that were brought forth to the City Secretary, and the City Secretary stated that she had not issued a report, and Council Member Ellis asked if assuming that they were certified by October 1st, which he understood was the deadline, were they going to have a special session or anything of that nature to vote on whether or not they would be placed on the ballot. Council Members Galloway, Vasquez, Castillo and Robinson absent.

Hall stated that he could tell them legally if the City Secretary had not certified those in time for proper notice to be posted and Council to take them up and consider them, they would just be carried over, assuming there were the requisite number of signatures there, that they would not be placed on the ballot unless Council approved them, that Council was required to put them on

because they were required to give the City Secretary a reasonable amount of time to certify the petitions, that they had indicated to Council by memo earlier that they thought 30 days was a reasonable amount of time, that the City Secretary had up to 30 days to do that and these did not make that cutoff and obviously given the number she had, she was not going to get to finish at least one of them, from the reports she had given them in terms of what she had started, that he did not know whether she was going to finish the other one or not, but unless there were a special meeting there would be no time for Council to consider it so it could be put on, and Council Member Ellis stated that he would request that if the City Secretary did have them certified in time that they would have a special session so they could vote on them. Council Members Galloway, Vasquez and Castillo absent.

Council Member Boney asked for a point of order and stated to Council Member Tatro that it sounded like they were doing something extraordinary for the other two petitions that they do not normally do and that seemed to him it was out of order, and Mr. Hall stated that no it was not out of order, that what he was suggesting that if they used the postponement process, if that was what he chose to do, then tomorrow would not be the cutoff because then they could then meet and recess again, that it would be helpful to ask the City Secretary whether or not she was at a stage where she thought there was any chance she was going to finish by tomorrow, and the City Secretary stated that she did not anticipate that the validation process would be completed by tomorrow. Mayor Brown, Council Members Galloway, Vasquez and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Tatro asked Mr. Hall if they could simply recess this meeting pending the outcome as opposed to adjourning the meeting, to keep the meeting open effectively so therefore a special meeting would not need to be called, and Mr. Hall stated that it would require them to meet every day, that they could only recess for one day, and if they were not ready they would have to recess for the next day, that they were not trying to block consideration of this item which was why they put on what was properly called a place holder if she were finished, that if they did the recess thing she would not have to finish by tomorrow because they could meet every day up until Sunday.

Council Member Goldberg stated that there were some amendments by Council Members Robinson and Bell and he knew that they did not vote on them and they were referred back to committee and asked if that required a vote, and Mayor Pro Tem Boney stated they did not, but the intent was to move them expeditiously through the committee. Mayor Brown, Council Members Galloway, Vasquez and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Todd stated that he had received a number of phone calls from friends and associates of his who were of Middle Eastern or near Eastern extraction and had indicated to him they felt a little reticent in phoning in tips or information they had out of concern they may be singled out and questioned further themselves, that there was a little bit of dis-concern over how they were going to be treated by whatever authority, that he would like to request that the administration study the possibility of setting up a hotline at HPD to take tips and make certain that this line was advertised in Arab American newspapers or whatever the appropriate vehicle was to get the word out and to get the word out that not only was it there for Arab Americans who were loyal to this Country and wanted to phone in tips, but also that it was safe and they could call it without fear of any sort of retribution and pass on their tips, that he thought that as a City they needed to make certain that if there was any information out there that it be passed on and certainly on a City level he thought it was an appropriate role for them to serve because there was a lot more trust by people who were immigrants in City government than there was in federal government, that it if was appropriate to do that he thought it would be appreciated by the Middle Eastern Community and certainly by Houstonians as well, and Mayor Brown stated he thought it was a good idea and would start working on it immediately and thanked Council

Member Todd for his suggestion. Council Members Galloway, Goldberg, Vasquez and Bell absent.

Council Member Robinson stated that he wanted to thank Mayor Brown, that he had gotten a copy of a memo from Mr. Bibler where the Mayor had asked him to start moving forward on expanding the No Trucks in the Left Hand Lane Program to I45, that he told Mr. Bibler that TXDOT had said they would be sending out a memo agreeing with the expansion to I45 and also suggesting that they look at expanding it to Hwy 225 all the way to La Porte. Council Members Galloway, Goldberg, Todd, Ellis, Vasquez and Bell absent.

Council Member Robinson stated that he wanted to be clear that since they had the discussion about the property tax issue, that if the issue was reducing the size of government, in terms of City Council, the City clearly had the authority to do that just by simply setting a conservation revenue estimate and then because of the force of law that their expenditures had to match their revenue forecast they could shrink the size of government, that if the goal on the other hand was to provide homeowners property tax relief then there was a way to do it when they were not continuously on the treadmill of having to come in and try to adjust the rate every year, that they had talked about lowering the 10% appraisal increase, allowing similar situated property to have their base appraisal value lowered if a homeowner in the same neighborhood or same block was successful in challenging their appraisal increase, they could increase the senior citizen and disabled exemption for the City, they could setup a program that provided tax credit for senior citizens who do volunteer work so they could get a credit towards their property tax bill and they could do what they sent to the Fiscal Affairs Committee, the proposal that he and Council Member Bell were carrying, the taxpayer refund, that they could do those things and provide homeowners property tax relief if that was their main concern. Council Members Tatro, Galloway, Goldberg, Todd, Ellis and Vasquez absent.

Council Member Robinson stated that tomorrow he would be in Washington and would have an opportunity to visit with some of the folks at the Service Transportation Board to reiterate his and Mayor Brown's position that there ought to be an environmental impact study on the proposed San Jacinto Limited Line through the Clear Lake area, the evaluation of alternative routes, and what the impact could be on the property they owned at Ellington Field to make sure the concerns that the residents in the that area had been raising were fully and completely addressed. Council Members Tatro, Galloway, Goldberg, Todd, Ellis and Vasquez absent.

Council Member Robinson stated that he knew Mr. Vacar was doing an evaluation of what was going on with the concessionaires at the airport and when he was completed with it he would like an opportunity to visit with him and discuss it. Council Members Tatro, Galloway, Goldberg, Todd, Ellis and Vasquez absent.

Council Member Quan stated that tomorrow they would be having the first meeting of the newly formed Housing Initiatives Committee and would be at the Annex Council Chamber at 2:00 p.m., that there were a couple of projects that Housing and Community Development were looking to bring forward but he would also like to begin a very clear dialog on where they stood on land assemblage program and other initiatives by their Housing Department to see what they were going to be doing about providing affordable housing for their citizens. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Ellis and Vasquez absent.

Council Member Quan stated that in following up on what Council Member Todd had mentioned regarding allaying concerns of immigrant communities he knew that the Mayor's advisory committee for the Office of Immigration and Refugee Affairs had also called a special meeting tomorrow afternoon to see what could be done and he thought that was something that

could be discussed at that committee meeting. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Ellis and Vasquez absent.

Council Member Quan stated that he knew of the Mayor's concern for seniors in general but would like an update on how they were doing on the senior meal program to make sure they were able to provide support for those non-profit organizations that were helping the City as contractors on that, and Mayor Brown stated they would get him an update on that. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Ellis and Vasquez absent.

Council Member Sanchez stated that Council Member Todd had brought up the issue, but again he had told members of the community that he would continue to talk about it, that there were a number of people who felt they were under greater scrutiny and had a palpable threat that they had received simply because of their ethnicity or the garb they wear, that not all men who wore turbans were Muslims, that people had to realize that this was not typical of the Muslim Community, that it would be like saying that Timothy McVeigh represented western Christianity, that this was an extremist, that they all knew that Timothy McVeigh did not represent the values of the American people such as these extremists did represent the values of the vast majority of people of the Middle East, Near East and even European decent, so they wanted to continue to echo that, that he wanted to congratulate the Mayor for convening that meeting tomorrow, that Houston was a very diverse community and no one should feel victims simply by the acts of extremists carried out in some other region of the Country so they had to continue to get that message out. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Ellis, Vasquez and Robinson absent.

Mayor Brown stated they would continue to do that because it was important that they do. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Ellis, Vasquez and Robinson absent.

Council Member Castillo stated that he wanted to bring up an issue that arose last week and they had speakers on it on Tuesday, that it had to do with the location of the Victory Outreach Center out in the east end across the street from Burnett Elementary School, that it was still causing a lot of concern in the community, that he thought they had opened for business and thought the Legal Department was going to see what kind of options the community had in terms of safeguarding the security of the children at the school, that he did not know exactly what kind of operation was going on in there, that there was a community meeting of all the parents at Burnett Elementary this afternoon at 3:00 p.m. so he was sure they would hear all of the concerns since it had been in operation, that he knew it was an ongoing issue and he would hope that they were making some effort to learn what options might be available to the community in terms of what they could do. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Ellis and Vasquez absent.

There being no further business before Council, the City Council adjourned at 9:56 a.m. upon MOTION by Council Member Quan, seconded by Council Member Robinson. All voting aye. Nays none. Council Members Tatro, Galloway, Goldberg, Boney, Todd, Ellis and Vasquez absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary