

City Council Chamber, City Hall, Tuesday, October 2, 2001

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, October 2, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Bert Keller, John E. Castillo, Annise Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll Robinson; Mr. Paul Bibler, Assistant City Attorney; Mr. Richard Cantu, Director, Citizens Assistance Office; and Ms. Martha Stein, Agenda Director present. Council Member Rob Todd out of the city. Council Member Mark A. Ellis absent on business. Council Member Gabriel Vasquez out of the city on city business.

At 2:00 p.m. Vice Mayor Pro Tem Boney Tem Castillo stated that they would begin with some presentations while they gained a quorum and the first presentation would be Council Member Goldberg who would present a proclamation to the Texas Renaissance Festival King and Queen. Mayor Brown, Mayor Pro Tem Boney, Council Members Tatro, Quan, Sanchez and Bell absent. Vice Mayor Pro Tem Castillo presiding. (NO QUORUM PRESENT)

Council Member Goldberg stated that he knew the representatives were present from the Texas Renaissance Festival and presented them with a proclamation that proclaimed that Lee P. Brown, Mayor of the City of Houston, hereby proclaimed October 2, 2001 as Texas Renaissance Festival Day in Houston, Texas. Council Members Boney, Sanchez and Bell absent. Vice Mayor Pro Tem Castillo presiding.

King Henry VIII stated that they had a proclamation to present to the City of Houston, which stated that the City of Houston, Shire of Harris, was both now and forever to be considered a Sister City of New Market Village, Shire of Grimes, given under his hand, Henry Tudor VIII. Council Members Boney, Sanchez and Bell absent. Vice Mayor Pro Tem Castillo presiding.

Vice Mayor Pro Tem Castillo stated that the next presentation would be by Chief Chris Connealy recognizing promotions of diversity. Council Members Boney, Sanchez and Bell absent. Vice Mayor Pro Tem Castillo presiding.

Chief Connealy stated that the fire department, for far too long, had not done well with promotions to the upper ranks with representation of their various minority groups within the department, that he had been working very hard and partnering with Mayor Brown to overcome that stigma of the past where minorities had not enjoyed promotion to the upper ranks of the department, that they had made history recently with some promotions to the ranks of Senior Investigator, Assistant Arson Investigator, Senior Fire Alarm Dispatchers, Junior Dispatcher and a Captain position in the department, that he first wanted to bring their attention to the first female captain in the history of the Houston Fire Department who worked in Emergency Operations, Captain Rebecca Wilson who was recently promoted, that just prior to Captain Wilson being promoted, Ms. Darla Reed became a Junior Fire Alarm Dispatcher which was the equivalent rank of Captain, that in the rank of Senior Investigator was Leo Gonzalez and Ed Arthur, that they now had an Hispanic in the senior ranks of the Arson Division, that holding a Chief rank in the Arson Division they had two promotions, Cecil Callihan and Donald Hains, that Donald Hains joined the very verified group of an African American holding a Chief rank in the firefighters, that in the supervisory level in the Dispatch Center was the recent promotion of Michael Smith, Jarvis Butler, Mike Herman, John Hucks, Thomas Huscack, Kenneth Paine and Lorenzo Diaz, that of that group they had an African American as Senior Captain, Captain Butler and also Captain Diaz, who was Hispanic and which further helped the diversity of the department, that as Fire Chief he could assure them that he would work aggressively because there had been those who had been disenfranchised in the Houston Fire Department, that he was never in the clicks and had worked his way up through the ranks and he wanted to be an advocate of those, especially

in the minorities in the Houston Fire Department, to get them promoted to the upper ranks of their great fire department, that they would continue to work aggressively in that capacity, that they had broken some significant barriers recently and would break more in the future to make it a better fire department. Council Members Boney and Bell absent.

Council Member Parker stated that she wanted to acknowledge her old friend Lena Honeycut, who she believed was the first woman captain in the department and was glad to see they had gotten some more. Council Members Boney and Bell absent.

Mayor Brown invited Mr. Richard Allen to join him at the podium and stated that Mr. Allen was the CEO of the Space Center Houston, that as they all could appreciate the fact that September 11, 2001 had changed all of their lives and in fact changed the world and it really highlighted the fact that they had public servants, police and firefighters and EMS personnel who go out there and put their lives on the line every day, that in New York, Washington and Pennsylvania they did that without hesitation and sadly many lost their lives desperately working to save others, that as they spoke right now, police and firefighters continued the recovery process, that in honor of the events and to salute the brave men and women who put their lives on the line every day for the safety and well being of the residents of Houston, Space Center Houston was giving two complimentary tickets to each Houston Police and Fire employee, that he wanted to join Space Center Houston in their admiration and respect for the good work of their police officers and firefighters for what they did every day, that in their day to day lives they kind of took it for granted but they were out there working on their behalf so they could go about with a relative degree of freedom, but in times of crisis their dedication and commitment certainly stood out. Council Members Boney and Bell absent.

Mr. Allen stated that to echo the Mayor's thoughts they were certainly were appreciative of the men and women that protected the City and State and Nation, that they at Space Center Houston felt that inviting the local police, fire and EMT workers out to Space Center Houston to have a day of fun on them could just be a small token of gratitude for the hard work that they do, that he was present to give the Mayor the big ticket today. Council Members Boney and Bell absent.

At 2:13 p.m. Mayor Brown called to order the meeting of the City Council, and Council Member Keller led everyone in prayer and the pledge of allegiance. Council Members Boney and Bell absent.

Mayor Brown stated that they had a large list of speakers today and Council policy was that when they had such a large list they would invoke the one minute rule. Council Members Boney and Bell absent.

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

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

Mayor Brown requested the City Secretary to explain the one minute rule, and the City Secretary stated that under the Rules of Council established in Chapter 2 of the Code of Ordinances, if the total time of the speakers for any Council meeting was greater than 150 minutes it should be announced that the speakers time would be one minute each, furthermore

the section went on to say that the total time for Council to ask questions of each speaker was a collective amount of one minute also. Council Members Boney and Bell absent.

Mayor Brown stated that for those present who were standing, that Council meeting was being televised in the City Hall Annex. Council Members Boney and Bell absent.

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

Ms. Linda Garcia, 902 Maroby, Houston, Texas 77017 (713-643-1195) appeared and stated that she was present regarding the library's master plan, that she was a member of the ad hoc committee under Dr. Kay Stripling and the Southeast Area District, that she had the opportunity to visit with the kids in the neighborhoods and the schools and the parents and she heard so much about some of the libraries, like the Park Place Library in the Southeast area, that was lacking books, the computers were slow and there was nothing to do, that things like this bothered her and she was coming before the City Council on the this program for the support and adoption of it to help the kids, that they did not want to discourage them and keep them from reading and getting the materials they needed in these libraries; that she wanted to thank Mayor Brown for coming out on Saturday for the dedication for Colonel Juan Seguin, their ancestor, that the family appreciated it. Council Members Boney and Bell absent.

Ms. Loretta Martinez, 947 Gazin, Houston, Texas 77020 (713-673-7418) appeared and stated that she was a library patron and her children were library patrons, that she wanted them to please vote yes on October 3 for the library strategic master plan, that her children were both in Vanguard and she had to constantly keep them stimulated, therefore they had seen programs at Pleasantville, Heights, Stanaker, Central, Tuttle, Flores, Kashmere Gardens and Fifth Ward, that what she did every summer was get the calendar of events and they hit all of the libraries so they could see everything, that they enjoy the summer reading program and look forward, like many other children in Houston, to what the program had to offer, however with technology constantly changing the computers had to be constantly upgraded and sometimes when her children were taking a lengthy time at the library she logged on and some of the computers were running very slow so they needed to be upgraded constantly, so for them to please vote yes on October 3<sup>rd</sup>. Council Members Boney and Bell absent.

Mr. Pat Powers, 6601 Neff Street, Houston, Texas 77074 (713-771-7448) appeared and stated that he raised five children and they lived in Westbury, that about every week his children went Meyer Library and they benefited greatly from the program they had there, that he fully supported the very professional library master plan that had been presented to Council and thought it would bring them into the 21<sup>st</sup> Century and urged everybody to support it, that there may be some minor details that people did not like about it, but in general in needed to be supported, that there were three brief points, that one thing in the report in the master plan it said that peer comparison to like size cities of Houston ranked in the bottom one fourth and this should be a wake up call for them, that they needed an excellent library system, that they did not want to be in the bottom one fourth of cities of like size, that the second thing was that the goal of doubling the square footage for the library system should be a minimum step, that he thought they at least needed to double the size. Council Members Boney and Bell absent.

Dr. Fred Aguilar, 6410 Fannin Ste. 927, Houston, Texas 77030 (713-797-0085) appeared and stated that he was present to support the master plan, that it was a bold plan to recommend sweeping changes and improvements to the current library system, that he was glad he did not sit on City Council, that they had tough decisions to make, that everyone wanted something and what would they do, that history was so important especially since in 1904 the City agreed to have a library and pay for it, that they were facing a fork in the road yet again and asked if they would turn their faces on improving the library or would they support it, did they believe it was an

important function for a City like theirs or did they want to escape the responsibility, that they were aware of the nuts and bolts of it, but what he wanted to talk about was the spirit of the plan and the spirit of the City of Houston and the spirit of the idea and concept known as the Houston Public Library, that what was their most precious resource, was it not their minds and their ability to conceive an idea and act on it, that these minds reside in all of their citizens, that Charles Lamb wrote "I love to lose myself in other men's minds, when I am not walking I am reading, I cannot sit and think, books think for me", that Samuel Johnson wrote, "A man will turn over half a library to make one book", that this City had been unafraid to spend money for entertainment, sporting facilities and other areas that did not directly influence their minds, the minds of their children and young adults that would be their future, that he was a product of learning and reading, that he used the Houston Public Library and used the public library growing up, that they were also the product of reading and education and urged each of them to prioritize improvement of the library system for it would benefit all of them, that they must fertilize minds and not lawns, they must bring the library system to its full potential and not handcuff it as they had done for the past twenty years, that it was a hard decision, but if it was easy he would be on City Council, that they looked to them for leadership and urged them to lead them to support the library. Council Members Boney and Bell absent.

Council Member Parker stated that she wanted to thank him for being present and knew that there were a lot of library supporters present and in the interest of time she would like to ask that they stand up and see how many people were present for the library, that the library master plan did pass out of committee unanimously and thought there was strong support on Council and in the interest of time she did not know if it was necessary for everybody to come forward and tell them how much they supported it, but she did appreciate everybody being present, that it made a strong statement.

Mr. Robert Gibbs, P.O. Box 4567, Houston, Texas 77208 (713-207-3239) appeared and stated that he was President of the Reliant Energy Foundation and Director of Community Relations for Reliant Energy, that he was present to tell them that they endorsed and wanted to encourage each Council Member to consider and approve the library's strategic plan, that the plan was a great blueprint, as far as they were concerned, for the community, it offered really an advance in technology to carry the library into the 21<sup>st</sup> Century, that he really thought the City deserved, as the Mayor had put it many times, world class everything, including a world class library system, that they had a great public and private relationship with the library and the City of Houston and he thought the results proved that, that they had over 300,000 children who carried library cards and using the library and certainly those facilities needed to be upgraded and kept on the increase, so please approve it. Council Members Boney and Bell absent.

Mr. Barry Bishop, 11218 Valley Stream, Houston, Texas 77043 (713-365-5580) appeared and stated that he was Director of Library and Information Services at Spring Branch Independent School District and supported the Houston Public Library Master Plan, that many of their students also used the Houston Public Library to do their research, homework and find exciting books to read, that the Texas State Library and Archives Commission just published a study that said that there was a very high correlation between good libraries and high student achievement and he suspected that although it did not address the public libraries his guess was that it was a reasonable assumption that the better their public libraries were, since their students used the same facilities, the better educated they would become, so he strongly urged them to support the Houston Public Library Master Plan. Council Members Boney and Bell absent.

Mr. Jim Myers, 7171 Harwin, Houston, Texas 77036 (713-784-5560) appeared and stated that he was President of the Southwest Houston 2000 the coalition for the Greater Fondren Southwest area, that yes he was present to support the master plan for the library, but

specifically to point out one area why he believed the plan was well done and that of course the Frank Branch, that the Frank Branch located at West Bellfort and Fondren was the only branch furthest west in the Fondren Southwest area and it was slated to be expanded, about triple the size it was now, serving a very unique ethnically mixed area that was specifically had many apartments and moving it any where else would become an inconvenience for the children as well as it was the furthest west branch serving the Fondren area including the Glenshire and Braeburn Valley West and encouraged them to pass the bond issue. Council Members Boney and Bell absent.

Council Member Goldberg stated that some changes were made before, that he thought there was a plan where both the Morris Frank Branch and the Meyer Branch would be totally removed but instead a regional library, a big regional library would be put in its place serving the community for both those libraries, but since then that plan had been changed or modified to the current plan and asked if that met with his approval, and Mr. Myers stated that absolutely, that they felt that by consolidating or closing both Meyer and Frank and moving it east and west would be a disservice to the strong heavy population, especially the apartments that were in the Greater Fondren Southwest area, that they agreed with the plan as it had been revised and as it sits now, and that was to slightly enlarge Meyer and greatly enlarge Frank. Council Members Tatro, Boney, Castillo and Bell absent.

Ms. Patricia Lasher, 2317 Mimosa, Houston, Texas 77019 appeared and stated that as Chairman as the Houston Public Library Board she was present to urge that they adopt the strategic master plan, that they had a lot of folks present for the library and she would like for them to know, as she was speaking, that they were present urging the adoption of the plan, but if someone had to leave they had registered their support of the plan and they would not take that as any notion that they had changed their minds because they were not present when their names were called, that every enduring and great City had a great library system and this plan was important because it gave them a guideline for what they were going to do over the next ten years, that it had to be flexible just as they had to be flexible, but what they had done was that this plan was important because it was what the people of Houston had told them to tell the Council that they wanted, that she was present for the library users and present for the children who check out Richard Scary's "Busy Busy World" and read about how to read about how to be fireman, that to please adopt the plan and let them to forward the next ten years with their library. Council Members Boney, Castillo and Bell absent.

Mr. Fred Landry, 9320 Grannis, Houston, Texas 77074 (713-941-6055) appeared and stated that he and his future wife had just moved to Houston from Louisiana and were proud to say they were both card members at the Stanaker Branch, that there was an incident that occurred just recently last week, that his future was in the library and a young Hispanic youth was trying to find a book on Madagascar and he was asking her because the staff was completely busy, that he thought that the traditional square footage per population, that Stanaker served 45,500 people, and four tenths of a square foot per population would make a requirement there of 18,000 square feet and Stanaker right now was only 8,700 square feet and so it goes to show them what a great need they had in support of the bond issue that was proposed on October 3<sup>rd</sup>, that he was at the main branch on McKinney, and he was lucky he had been all over the world, and he saw newspapers there from Australia, England, the Times of England, that he had traveled these places and it was very interesting, that he would hope they would support the bond issue and the master plan. Council Members Boney, Castillo and Bell absent.

Ms. Mary May, 5001 Navigation, Houston, Texas 77011 (713-926-1849) had reserved time to speak, but was not present when her name was called. Council Members Boney, Castillo and Bell absent.

Ms. Marina Tristan, University of Houston, Houston, Texas 77204 (713-743-2846) appeared and stated that she was present to also urge them to support the bond proposal to help with improvements to the library, that personally and professionally she had many opportunities to visit the Houston Public Library and as a parent and in her position as Assistant Director of Arte Publico Press at the University of Houston, that as she visited the libraries she was most notably struck by how the library had evolved since she was a child, that today the library was not just a place to check out books, but it was a community center, it was much more than just books, that it was a place where people could go for ESL classes, for computer classes and for any number of opportunities, for vaccinations, training, etc., that the other thing that she thought was most notable about libraries today was that she saw the children there after school, children, who unlike her children who were fortunate, did not necessarily have a wonderful place to go after school, that these kids if they did not have the library where would they be, they would be out on the street, that she urged them to support the library. Council Members Boney, Castillo and Bell absent.

Ms. Zarine Boyce, 2121 Kirby Dr., Houston, Texas 77019 (713-807-0888) appeared and stated that she was the Secretary of the Houston Public Library Board, that she was present to request that the City Council please adopt the master plan, that she wanted to emphasize how important the library was to a community, that she had been on the board since 1996 and it was brought home to her how very important it was when she helped Ms. Ruth Ann Stimley to celebrate the opening of their first new branch in nine years, the Stimley-Blue Ridge Branch, that the neighborhood was so excited and the people were so involved in the opening and were so happy to have a library and that was when she realized that the library was not just a place for books but it was a place for the community center, that recently when they celebrated the success of their power card challenge there was a young lady who did home schooling from the library, that she really firmly believed that the library was an integral part of the City and was very important from the youth right across the broad spectrum of all ages. Council Members Boney, Castillo and Bell absent.

Ms. Patricia Metcahe, 5807 Arboles, 77035 (713-721-7062) appeared and stated that today she was wearing a number of hats speaking in favor of the library proposal, that of a former college professor who taught college students how to teach youth, that of a parent of a college graduate who was both traditionally and home schooled through the use of a library, a precinct judge concerned with the quality of life in their neighborhood, an avid genealogist and a past President of Clayton Library Friends and continuing volunteer over there with the 1,500 member support group for Clayton Library, that she had just returned from a convention trip in the northern part of the U.S. in which she did research in five libraries in five different communities, being there from the start of the day to the end of the day and it reminded her of how important the libraries were to the community, that earlier in the day they had the older folks and families with children, and then they had the kids come in from school, that she thought they needed to make sure they had this opportunity for the kids here also. Council Members Boney and Bell absent.

Mr. Dan Hrna, 11920 Beechnut, Houston, Texas 77072 (281-564-9800) appeared and stated that he was present with a Resolution from the Alief Super Neighborhood Council Number 25, that they supported the strategic master plan and they also urged the Council to approve the funding for the funding for the \$260 million of expended cost, that he wanted to file the resolution with the City Secretary. Council Members Boney and Keller absent.

Mr. Don Pusch, 318 Whitecap, El Largo, Texas 77586 (281-326-3278) appeared and stated that he was President of the Clayton Library Friends and was present to represent the Clayton Library Friends Executive Board, that there were several vital things included in the library master plan, the build out of the second floor of the Clayton Library, refurbishment and

renovation of some of the out buildings in the original Clayton Home, they were very in favor of that and urged passage of the Houston Public Library Master Plan, that they were also gratified to see that technical information was addressed in this plan and was under the impression that there would be a follow up on information technology strategic plan, that they looked forward to seeing that and looked forward to participate in the development of that plan. Council Members Boney and Keller absent.

Ms. Laura Thorp, 121 E. 16<sup>th</sup>, Houston, Texas 77008 (713-861-9256) appeared and stated that she was President of the Houston Heights Association and wanted to thank the Houston Public Library system for listening to their constituents, that when the first strategic plan was published the Heights Library, a National Registered Building, was designated for replacement, that immediately they formed a library task force and made Barbara Gubbin, the Director of the Houston Public Library and Council Member Vasquez aware of their concerns, that the library staff had been very receptive to their requests and Allison Landers and T.R. Lynch had made themselves available to them whenever they had a question, that in 1924 when the site was chose for the Heights Library much thought was given to a central location in the community, that Heights Library was located near several elementary schools, two middle schools and two blocks from Reagan High School, that there was good access by bus, bicycle, pedestrian and automobile, that much emphasis was given to student programming, that the Houston Heights Association supports the revised 2010 Strategic Master Plan which puts much emphasis on neighborhood libraries which were the center of their communities. Council Members Boney and Keller absent.

Ms. Theresa Padilla, 7418 Aldson, Houston, Texas 77020 (713-674-8317) appeared and stated that she was present on behalf of the library and the master plan, that Denver Harbor's Tuttle Library was very much in need of everything, as they all knew, that she was representing the children of the area who needed those computers in the library and who needed a lot more, that they were very heavily populated, that they had five elementary schools, one high school and one little small library, 6,500 feet, that was all they had, that they should have a lot bigger library to serve all those children who really needed it and who were deprived because they did not have the computers that they should have there, that everything that all other children in the City needed theirs did too and more. Council Members Boney, Keller and Bell absent.

Mr. Marvin Rich, 9607 Cedarhurst, Houston, Texas 77096 (713-723-1406) appeared and stated that he was a second generation Houstonian and a lifelong patron of the Houston Public Libraries, that he recently served for six years as a member of the Texas State Library and Archives Commission which sets the rules and regulates the public libraries and distributes funds from State and Federal sources for public libraries, that as a State commissioner he had the opportunity to learn of the activities and operations of libraries throughout the State and was very proud to say that the Houston Public Library system and the area library system was among the best in Texas, but while they were among the best some of the other major cities also had made improvements and progress in expansion of the branches, staying open for longer hours, both during the week and on weekends, and for providing technological advances needed to attract business and high tech industry, that this was illustrated by a lead article in the Texas Library Journal and he would like to urge them to accept the master plan and to fully fund the objectives that were recommended. Council Members Boney, Keller, Castillo and Bell absent.

Ms. Marie Flickinger, 11426 Sage Canyon, Houston, Texas 77089 (281-481-5656) had reserved time to speak, but was not present when her name was called. Council Members Boney, Keller, Castillo and Bell absent.

Ms. Virginia Toney, 14306 Chadbourne, Houston, Texas 77071 (281-493-6993) appeared

and stated that she was interested in the Houston Public Library but mostly she was interested in the branch called Clayton Library, their genealogical library, that she hoped they had all been there because it truly was a treasure in Houston, not only was it good for seniors like herself to keep their minds active by doing their research, but she had seen many classrooms there, teachers bringing their students there to study their family roots, that on two occasions she had taken people back to MD Anderson Hospital, who were in town for treatment, that had used their library, that she could tell them that she bought a book call The Source and it was supposed to be touting all of the things that were important, that on page 702 they had selected research libraries, that in Texas the Dallas Library was mentioned, that was the only one in Texas, that they mentioned Cleveland and Detroit, but not Houston, that lets build the library and have Clayton to be the outstanding library in Texas. Council Members Boney, Castillo and Parker absent.

Mr. David Singleton, 12018 Briar Forest, Houston, Texas 77077 (713-402-3853) appeared and stated that he was the past President of the Clayton Library Friends, the support group for the Clayton Library, that what he was excited in the master plan was, that as a business person it gave him as a support person, a track to run on with specific goals and objectives that he could hang his hat on, that his focus was with the Clayton Library, which brought a lot of visitors into the town because of the nature of their well respected library, that it also supported a very large cross section of their community, that he supported the completion of their main building, the renovation of the house that was there, the Clayton Home, but more than that he needed to tell them that their support with a master plan like this enabled a person like himself, who was dedicated to the support of their library system, to grab a hold of the goals and objectives and get the people that he worked with excited about what they were trying to accomplish and therefore help them achieve the community goals outlined in that master plan. Council Members Boney, Castillo, Parker and Sanchez absent.

Ms. Ruby Cooper, 8814 Linda Vista, Houston, Texas 77028 (713-631-4450) appeared and stated that she was present to speak about Lakewood Library, which was flooded and completely destroyed in the flood back in June, as a lot of other things were, that she supported the master plan, but they needed their library enlarged now and not in 2010, that Council Member Galloway was doing the best she could with this and she did support the plan but the young people out there needed the library because the schools were giving them lessons that they had to look up in books or on computers and most of the children out in northeast Houston did not have access to a computer in their homes, so they went to the library. Council Members Boney, Castillo and Parker absent.

Ms. Rita Beeler, 7305 Keller, Houston, Texas 77012 (713-649-0107) appeared and stated that she represented the Pecan Park Civic Association and was speaking for the Melcher Library, that they needed a lot of help there and did not need to be put off, that they talked about not having enough room, but what it was that there was a vacant lot across the street on the west side and an extension of the land on the east side, so there was no excuse for their not having a bigger library. Council Members Boney, Castillo and Parker absent.

Mr. Manuel V. Flores, 3901 Eddie, Houston, Texas 77026 (713-403-6281) appeared and stated that he also wore a lot of hats, that he was an engineer for SWB or FDC company and therefore understand the need for the standards for their having a master plan and he supported the master plan, that he was also a member of the Tejano Association for Historical Preservation and the Hispanic Genealogical Society of which hat he was wearing today, that on September 14, 2001 they had the 22<sup>nd</sup> Annual Conference on Hispanic Genealogy and History in Houston, that it was in the Galleria and they had a bus trip that started out with the Holocaust Museum and the Clayton Library, that it was kind of ironic because a little over 20 years ago a lot of Hispanics were turned away from the Clayton Library because they were told there was nothing there for



them, that part of the irony was that they were right, there was very little there because there were very little resources in that library before the 1840's and in the last twenty years that had changed and there were a lot that fit the ethnic profile of Houston and the library did support, that he urged them to support Clayton, the Texas Room and other resources of the public library. Council Members Boney, Keller, Castillo and Parker absent.

Ms. Joyce Owens, 6936 Bellfort, Houston, Texas (713-649-3705) appeared and stated that she was President of the Bellfort Gulfcrest Revelie Super Neighborhood Council as well as Executive Director for Trinity Bethel Community Development Corporation and was present to ask them to support the library plan, that their library was the only library they had in their super neighborhood area, that they were in District I and right now they did not even meet ADA Standards, so it was her understanding that they had been looked over numerous times with budget cuts and whatever and now they were coming before them and were collecting petitions from all of their civic clubs, businesses and everyone in their area supporting their library and asked them to also support it. Council Members Boney, Keller, Castillo and Parker absent.

Mr. Mike Staley, 2809B West Lane Dr., Houston, Texas 77027 (713-599-0911) appeared and stated that he flew out of Detroit this morning just to be present, that it was a pleasure to stand at the podium and ask for their vote on the bond issue and the CIP for the new libraries, that he was with the Stella Link Redevelopment Board and they donated land to the City of Houston Library to the tune of \$1.5 million and had worked with the City on a distant learning center grant of \$750,000 from Kay Bailey Hutchinson and Ken Benson and they wanted to see the Council stand for excellence and knew they did and asked that they please vote for those priorities, that Council Member Goldberg had his work cut out for him to ask Barbara Gubbin to make a standard of excellence in their new library in their area and they looked forward to it. Council Member Boney absent.

Council Member Parker stated that Mr. Staley had come to the committee and raised the issue of the library size and she knew he was aware of it, but she wanted to report it again that at the last Council meeting they raised that issue and the Mayor committed to finding some more money to raise the library to at least the minimum standard of the new master plan and if he could secure matching funds from the County and from Stella Link, and Mr. Staley stated that they had it from Stella Link, that they offered to challenge to the City in that the master plan really called for a minimum of 22,000 square feet and their library was only going to be 20,000 square feet, but with the distant learning center they needed to push it up to a minimum of 24,000 square feet, that they had \$200,000 and the City had matched that and they were going to the County in the next couple of days and if they wanted to make a phone call before they got there they were welcome to do that, that they were going to match that and built a fabulous library, that one thing he wanted to mention was that the principals of Mark Twain Elementary and Pershing Middle School, were really excited about now they good develop programs to get the kids involved in their Houston Library and he thought that was the challenge they had before them. Council Member Boney absent.

Mr. Ricardo Avila, 3914 Floyd Street, Houston, Texas 77007 (713-880-3337) appeared and stated that he was a teacher at Madison High School in the south district and was present to support the strategic master plan also with the Houston Public Library systems, that he was also present to let them know how important the Vinson Public Library Branch was to them at Madison High School, that they had a club called the Pan American Club and were 50 members strong and every Saturday the Vinson Public Library had been their haven to support the community outreach programs that they had in place, that they went out into the community and invited all the parents of the community to come to all of the events at Madison High School, that they had also started some Spanish internet classes at the Vinson Public Library to help the Hispanic Community in the south district, that they also started some introductory citizenship

classes at the Vinson Public Library as well as story time classes, that even though it was a small branch they did seem to overwhelm them with the 50 or more students that did show up on a Saturday, so rather than be out they were at the Vinson Public Library. Council Member Boney absent.

Council Member Goldberg stated that he had wanted to comment on the previous speaker, Mr. Staley, that he would be remiss if he did not take the opportunity to point out that they could enlarge the Stella Link Library, that right next door was Fire Station No. 37, which did need to be renovated and relocated, that he had been trying to work on that for about a year, so any help that he could get from the fire department in getting a land acquisition for the new station so that this new Stella Link Library could be extended to the biggest capacity as possible. Council Member Boney absent.

Mr. Arthur Moore, Jr., 8800 Broadway, No. 4812, Houston, Texas 77061 had reserved time to speak, but was not present when his name was called. Council Member Boney absent.

Mr. Willard Hunter, 4801 Scott, Houston, Texas 77004 (713-572-9854) had reserved time to speak, but was not present when his name was called. Council Member Boney absent.

Mr. T. Edward, 6322 Scott, Houston, Texas 77004 (281-536-6604) had reserved time to speak, but was not present when his name was called. Council Member Boney absent.

Mr. Steven Williams, no address, no phone had reserved time to speak, but was not present when his name was called. Council Member Boney absent.

Mr. Michael Gonzalez, 5108 Clay, Houston, Texas 77023 (713-938-3151) had reserved time to speak, but was not present when his name was called. Council Member Boney absent.

Mr. Eduardo Castellanos, 7607 Arnim, Houston, Texas 77087 (713-645-4850) appeared with his attorney Mr. Enrique Ramirez who stated that they were present specifically on an issue that would be presented to the City Council within the following weeks, that they urged the Council, prior to that time, that they take the time to review the issues, the proposed amendments that were going to be made to the police authorized tows, Section 8 of the City ordinance, specifically they asked the Council to ask the question of who was behind the changes and ask the reason why, that it was big towing business in the City of Houston and they needed to follow up and find out prior to that day why they had taken this position, that the things they should ask is why do they want zones and why were they requesting that the towing equipment be changed from sling to hydraulic lifts, that he asked the Council to please review the proposed amendments before they were actually presented before the City Council. Council Members Tatro and Boney absent.

Ms. Suzanne Pool, P. O. Box 1035, Missouri City, Texas 77459 (281-438-5427) appeared and stated that she was President of the Houston Professional Towing Association, that last Tuesday, Regulatory Affairs proposed a vendor's agreement for police towing drafted by Paul Bibler, Legal Department, that Mr. Bibler's proposal was fair and allowed all the towers to compete, an amendment re-adding the five zones was also proposed and without their knowledge, Ross Allyn, lobbyist for Jannette Rash, circulated an amendment list to Council Members on the Regulatory Affairs Committee, restricting all sling trucks from the contract and requiring \$1 million insurance, that the requirement for the trucks to be one and a half tons was unrealistic, the cars were lighter and smaller and did not require one and a half ton trucks, the one and a half ton trucks would be an accident waiting to happen, that they could not see the smaller trucks and cars at their side, that they sit up too high to see all the traffic around them, which was what caused the fatality at Gessner, now visualize the same trucks speeding to the

scenes along with 20 or 30 other one and a half ton trucks. Council Member Boney absent.

Mr. Charles Steinruck, 5615 Effingham, Houston, Texas 77035 (713-721-3632) appeared and stated that he would like City Council to look at what the past two speakers spoke about, that he had been in the business for 19 years in the wrecker industry and was in business for himself and this would destroy him, his four children and his wife, that they were out there to make a living just like everybody who was sitting in the Council chairs. Council Members Boney and Quan absent.

Mr. Mark Embrey, 6456 McGrew, Houston, Texas 77087 (713-644-6400) appeared and stated that he was a small business owner and had two wreckers on the road, that he recently got into the business and to do so he left another complete business, that he was doing well in, to transfer into the wrecker business and what he found out was that the new regulations, would in essence just drive him out of the business, that he had two older trucks, between 8 and 12 years old, and they were very fine trucks and had been running in the City of Houston for about 10 and 15 years and were safe and had been inspected every year, that he did not see any reason why he, as a small business owner, had to cough up to buy a brand new truck every four years, that he pay about \$5,000 per year for insurance for the two trucks and to have a \$1 million insurance policy was unrealistic. Council Members Boney and Quan absent.

Council Member Parker asked Ms. Embrey if his problem was with the creation of zones, the insurance policy or the type of trucks and Mr. Embrey stated that it was with the types of trucks, the insurance policy and the big money driving these new regulations, and Council Member Parker stated that it was her understanding that a lot of automobile manufacturers and auto companies recommended against certain type of tow trucks, so called sling trucks, that they were damaging to vehicles, and Mr. Embrey stated that there were very few trucks, such as his sling truck, that very few vehicles could not tow, that if they did damage a vehicle, for instance the ones who had the spoilers underneath, then he would not tow them and would pass them on to a vehicle who had a wheel lift, and Council Member Parker stated that she hoped that all wreckers would do the same thing, but somehow she did not think that always happened. Council Members Boney and Quan absent.

Mr. Mark Sandstrom, 5920 Beverly Hill No. 66, Houston, Texas 77057 had reserved time to speak, but was not present when his name was called. Council Members Boney and Quan absent.

Ms. Georgia Auderer, 8106 Wayfarer, Houston, Texas 77075 (713-991-2485) appeared and stated that she had a problem with flooding, but her problem could be solved if they just got the water to the two main flood control ditches, that she was three houses from one flood control ditch and two blocks from the other, that she had gotten water twice and almost three times, that this last time they took pictures and went down to the flood control ditch and it was half full, that they went to the other one and it was half full, that water would not run upstream, that they had been trying for 10 years and actually in 1999 they had some engineers out and they wrote them a nice letter that it would be taken care of, but it was just a matter of getting the water in the middle of the subdivision uphill to get to the flood control ditch, that they had pictures and a diagram if they could just meet with someone, and Mayor Brown stated that Mr. Wes Johnson, Public Works, was present and would meet with her. Council Members Boney, Keller, Quan and Robinson absent.

Council Member Tatro asked if Pastor Jerry Talbot was present in the audience from Oak Forest Baptist Church, that they were going to do a proclamation to the Oak Forest Baptist Church for their 50<sup>th</sup> Anniversary and he wanted to recognize that event, that they were a little late in getting the proclamation to the Council and Pastor Talbot was probably caught up in

traffic, so they just wanted to wish Oak Forest Baptist Church a Happy 50<sup>th</sup> Anniversary and would present the proclamation to the pastor. Council Members Boney, Keller, Quan and Robinson absent.

Mr. Pete Rouse, 2020 Hollister, Houston, Texas 77080 (713-932-6326) appeared and stated that there was a crisis in the Houston Fire Department, that over 60 District Chiefs who worked in all parts of the City were present to speak as one voice, that due to the continuing staffing shortage the effectiveness of this department was unacceptable, that the staffing shortages were most noticeable at fire instances when the first arriving crews were faced with already advanced fire conditions, that today the District Chiefs Technical Advisory Committee was present to give them a report, that they were an independent group, non political and non affiliated with Local 341 or the command staff, that they had written the report because they had a genuine concern for the department and because they had untold years of first hand on the scene experience with the capabilities of fire fighting crews, that after himself they would have five speakers to give them an overview of the report and would speak on the following, that nationally what was the standard of care to be expected in the fire service, a quick comparison of their department with others across the Country, how the staffing shortage directly affected the citizens of Houston, the affects of staffing shortages on high rises and other possible mass casualty incidents and finally an overall review of their report and closing remarks, that they had a copy of their report for each Council Member. Council Members Boney, Keller, Quan and Robinson absent.

Mr. Richard Mumeey, 626 South Ripple Creek, Houston, Texas 77057 (713-464-6480) appeared and stated that he was a District Chief of the Houston Fire Department and was present to address the issue of standard of care of fire apparatus staffing in the Houston Fire Department, that all of the national organizations accept the standard at a minimum of four firefighters per apparatus, that the National Institute of Occupational Safety and Health, when they investigated the line of duty deaths of firefighters Kimberly Smith and Louis Mayor, over a year ago, made the following recommendations, that all engines in ladders in Houston respond with four firefighters, that in addition they said that in high risk areas they should have five firefighters on engine companies and six on ladder companies, that these national standards were quantified to the specific situation here in Houston and in their own workman analysis in 1995, that the result of that analysis was that this City started meeting the standard of care for fire apparatus from late 1995 to mid 1999, that TriData came in and they said that while they thought the department was not in crises a year ago there were problems underneath the surface that could erupt and that resource deployment issues could degrade services if not addressed, that these chiefs were present to tell them that those issues had not been addressed and the situation had deteriorated and the quality of service had declined, that they were present to tell them that they were in crises and they were in crises because on September 1<sup>st</sup> the State imposed Senate Bill 382 which made applicable the OSHA 2 in and 2 out standard and what they meant to them was that they had to stand outside until they could count four firefighters and that was a dilemma for them because over three fourths of their fire apparatus was staffed with three, that this just tortured them, that they could not stand this and it went against everything a firefighter was about and that was why they were present. Council Members Galloway, Boney, Keller and Robinson absent.

Mr. Harvey Yaw, 2020 Hollister, Houston, Texas 77080 (713-932-6326) appeared and stated that after the tragedy in New York many sports figures were interviewed and everyone of them stated that sports was only a game and should be put in its proper perspective, that Council had not put sports in its proper perspective, that funding had been found to build a baseball stadium, a football field and a basketball arena and also not too mention a train on Main Street, that to this date funding had not been found to adequately staff their fire apparatus, that they had a list in the report of neighborhoods that City Council was playing Russian roulette with

and were receiving sub standard public safety, that he had an extensive list of neighborhoods that were responding with three people on their engines and those citizens were not receiving the same type of care that the engines that were responding with four members were, that it was now time to get their priorities straight and back the fire department instead of the sports teams. Council Members Galloway, Boney, Keller and Robinson absent.

Mr. John Holleman, 10515 Main, Houston, Texas 77025 (713-668-4481) appeared and asked what did this lack of staffing mean for the citizens of Houston and their leaders, that it meant simply that firefighters could not accomplish their most important objective and that was early intervention into their emergencies, that they knew what they did two years ago when they had four on a fire truck and knew what was happening now, that four did make a difference, that they had a 100% increase in civilian fire deaths this year over the year before and all of the studies since 1975 had predicted this exact outcome, that these staff studies had empirically shown that firefighters and citizens were injured and killed at a significantly higher rate when fire trucks were staffed with three as compared to four, that if their plan was to continue to staff with three then that must mean that their plan was to continue to injure and kill their citizens at a significantly higher rate, that it was stated this past week that the only reason they were present today was for playing politics, well they were not playing, they were not into politics, that it was not a game to them, that it was too serious for that, that death and destruction was what they did every day and these were their realities, that each chief behind him and every firefighter in the field could tell them tragic real life stories, this was not a game. Council Members Galloway, Boney, Keller and Robinson absent.

Mr. Matt Stuckey, 1901 Milam, Houston, Texas 77004 (713-495-3402) appeared and stated that before the first hose line could be advanced on a high rise fire there was an extensive framework support structure that had to be setup to allow them to make an intelligent and well supported attack on a fire, that even with staffing of four people on each fire apparatus it was very difficult for them to do that and have people left over to actually advance hose lines into the fire, that with three people on the apparatus it was absolutely impossible, that what it meant was that they went well into the second alarm companies before they actually began fire fighting and they were talking about a lag time of 15 to 20 minutes burn time and it was incredible what a fire could do in that period of time, so what they wanted to say here today was that if they were going to be expected to deal with high rise fires they really needed at least 5 people on engine companies and at least 6 people ladder companies and the same was true to deal with extensive mass casualty incidents. Council Members Galloway, Boney, Keller and Robinson absent.

Mr. Jimmie Gill, 460 T.C. Jester, Houston, Texas 77007 (713-880-1800) appeared and stated that he was the Chairman of the District Chiefs Technical Advisory Committee and the Chairman of the Emergency Medical Services Committee, that they had heard his colleagues speak of staffing comparisons, standards, regulations and the Senate bill and they spoke of HFD's daily crisis and how seriously public safety in Houston was compromised, that the Director of FEMA, Joe Alba, stated in a news conference at the disaster in New York that firefighters across the Nation were first in line for budget cuts and the last in line for recognition and this had to stop, that to the Mayor and City Council Members, public safety did not stop with an increase in police presence, an increase in firefighter staffing was as equally important when it came to public safety, that the citizens deserved it and demanded it, that the District Chiefs of the Houston Fire Department were asking for their help, that Chief Connealy was a confident leader and with appropriate funding and an uninterrupted direct line of communication to the Mayor and City Council could provide the citizens of Houston the kind of safety they deserved, that in closing he would just like to say that as long as America had a strong military, police officers and brave firefighters there would always be a tomorrow. Council Members Galloway, Boney, Keller and Robinson absent.

Mr. Steven Williams, 1907 Freeman, Houston, Texas 77009 (713-223-9166) appeared and stated that for those of them who place their hands over their ears and not listen or hear this crisis and for those of them who place their hands over their eyes and not see and recognize this crisis and for those of them who place their hands over their mouths and not speak about the crisis, they will not go away, that his other remarks were intended for the audience, to those district chiefs who were present today he commended, applauded and respected them because he worked for them and they were the inspiration for professional firefighters, that to the citizens and to the media listen to what had been said and hear the message, that if they did not understand then ask the professionals that were doing the job, that this needed to be corrected. Council Members Keller, Quan and Robinson absent.

Council Member Parker stated that she heard some complaints and thought they were valid complaints but had yet to hear anybody on Council say they did not believe in four to five firefighters on a truck, that she had yet to hear a recommendation as to how to resolve it other than more money; should they shut down apparatus and move firefighters so they have four on a truck, was that a recommendation, that they added an academy class so they could have more new firefighters coming in, that a new firefighter was not worth an experienced firefighter, but they were doing that, and she asked him to tell her his recommendations, that they had one district chief who said stop spending money on sports facilities, and she knew they were smarter than that and knew that they knew they could not spend that money for firefighters so she asked that he tell her what his recommendation was, and Mr. Williams stated that it did come down to funding and the fact remained that experience did speak for itself, that they could not get enough firefighters through the academy quick enough to take care of the staffing need and it needed to be done now, that it meant giving attention to where attention was needed and finding the funding, and Council Member Parker asked finding the funding for what, and Mr. Williams stated staffing on the apparatus to provide public safety, that it was public safety that they were speaking of, and Council Member Parker asked if he was asking for more overtime money or were they asking to shutdown apparatus and move firefighters, give her three specific things they could do to improve staffing, that she had not heard one yet and that was her frustration on this, that no one wanted the firefighters killed and no one wanted citizens killed, tell her something besides give them more money, what would they spend the money on, and Mr. Williams stated that they had to create a budget that could provide the staffing, whether it was overtime, they had to bring the people in, that was one, that they had to accurately staff through training, and where was the budget to support all that. Council Members Keller, Quan and Robinson absent.

Upon questions by Council Member Boney, Mr. Williams stated that a fire cadet class cost in excess of a million dollars, that as it stood right now they were trying to process 70 cadets and there was a 20% call ratio that they would only enjoy about 50 of those on the apparatus when they graduate, and Council Member Boney stated that the numbers he had just been handed stated that it cost \$2.5 million for one cadet class of 75 cadets to become firefighters, that they had to deal with the numbers and if they were going to come to Council and ask for a raise or ask for X number of firefighters, they really had to add up the numbers, so if it was \$2.5 million or \$1 million then they needed to say they needed 10 classes and needed \$10 million and then bring that and ask Council to cut \$10 million for it. Council Members Keller, Castillo, Quan and Robinson absent.

Upon questions by Council Member Sanchez, Mr. Williams stated that in the classes that started there were 70 in each of the classes at this time, that there had been some call ratio or attrition because of failure, that the attrition, as they had been tracking it, it was close to 20% so out of 70 they may get 50 plus, that this year, because of a Council amendment there was a fourth class, and out of those four classes they would only enjoy two of those graduating and

being on the apparatus by the end of the budget year. Council Members Keller, Castillo, Quan and Robinson absent.

Council Member Tatro stated that he did not think that anybody would debate that the City's top priority was safety, the provision of safety for both the police and firefighters, and he asked when did the firefighters Meet and Confer contract expire, and Mr. Williams stated that it expired on June 30, 2000, that they had been without a labor contract for over a year, that he would always hold out for hope that they could come up with a Meet and Confer agreement, but was there light at the end of the tunnel, it was very dim right now but they would continue working for it. Council Members Galloway, Keller, Castillo and Robinson absent.

Mayor Brown asked Chief Connealy to answer their questions about Meet and Confer, and Chief Connealy stated that they were hopeful they could get a contract soon, but he would tell them that the negotiations were continuing and he did not see anything happening immediately. Council Members Galloway, Keller, Castillo and Robinson absent.

Council Member Sanchez asked Chief Connealy if he was involved in the negotiations, and Chief Connealy stated no, that he had two assistant chiefs there on his behalf, and they negotiated directly with representatives from the Houston Fire Department and Lonnie Vara was the chief negotiator for the City. Council Members Galloway, Keller, Castillo and Robinson absent.

Mr. Larry Britt, 1706 S. Meio River, Houston, Texas 77059 (281-494-5490) appeared and stated that he had been a Houston Fire Fighter since 1976, that he was encouraged by some of the things he heard today from his colleagues, but he also had a concern, that he was encouraged that they had the energy and vitality to do the reports and would hope that it would carry onto the negotiations, but he was concerned about the politicizing of the issue, just as they saw today he did not think they needed to be talking about this in front of the public, that he thought they needed to go behind closed doors and needed to negotiate and state to the table and come out with some kind of solution, that creativity was what they needed, that also he wanted to emphasize that this Council and Mayor Brown had done something for the fire department, that Mayor Brown had replaced about 60% of the City's fire trucks and had dedicated \$9.4 million to the renovation of the facilities, the fire stations and other facilities. Council Members Galloway, Keller and Robinson absent.

Upon questions by Council Member Sanchez, Mr. Britt stated that he worked for the fire prevention, and Council Member Sanchez asked if he was aware that the ambulance at Fire Station 101 in Kingwood had been and was being routinely dispatched across the City, that in fact it was dispatched to Station 25 with CPR in progress, and asked Mr. Britt if he was asking him that he should conduct this business behind closed doors and not make people in the City of Houston aware that a victim was having CPR performed on him and they were having to call an ambulance from north of the Airport up near Humble to this patient and asked if that was his suggestion, and Mr. Britt stated no, that what he was suggesting was that they needed to take this into negotiations and iron them out, that he did agree that they needed minimum staffing and was all for minimum staffing, that was to protect the firefighters and the citizens, but he did not think they should air it out in front of the public on a political agenda, and he hoped that this was not a political agenda, that this problem had been existing more than just today or yesterday, that it had been existing through other administrations, that he did not see where Mayor Brown or any of the Council Members should be held for the failure to correct the problem, that he thought what they all should do was put their energies together and come up with some kind of solution to the problem and not batter on each other, that they the Council, were responsible for finding the money, that he had seen tax rollbacks and other issues that had not really been constructive to the fire department. Council Members Tatro, Galloway, Keller and Robinson absent.

Mayor Brown stated that Council Member Sanchez made a statement about what happened in Kingwood and asked Chief Connealy if he was aware of that, and Chief Connealy stated that no he was not aware of that, that obviously if there was an ambulance running from that distance it was hard to imagine that there was not something closer by, but would be glad to get with the Council Member to see what the specifics were, that no doubt they had an engine company that was a first responder, that he would also say that they had added 17 ambulances and added 15 paramedic squads, the largest expansion of EMS since the inception under Mayor Brown's leadership, so they had a tremendous expansion of EMS and would be adding additional units later this month, that this was something that had been building for sometime and the EMS system had not been addressed, that the Mayor stepped up to the plate and they were making significant progress, and Council Member Boney asked that Chief Connealy get with the Finance and Administration Department and get the facts on the money left over last year. Council Members Tatro, Galloway, Keller and Robinson absent.

Mr. Otis Jordan, 7663 S. Glenwillow, Houston, Texas 77789 (281-438-4124) appeared and stated that he was the President of the Black Firefighters Association of Houston, that he was a captain at Station 80 and they responded to a CPR call around 10:00 a.m. that morning and they got to that call and it was a false alarm, that it was a baby and he was alright, that they disregarded everybody and returned back to the station, that on the way back to the station a box was called in, a house fire just around the block, that they responded within a minute and Channel 2 came and did some filming on the fire, that it was just an example that the system did work sometimes, that there were going to be times that it might not work, but the system was working in the fire department, that today they were present to say that in the past four years that Mayor Brown and this fire chief and the past fire chief had replaced over 60% of the fire trucks, that before he became Mayor they had 10 fire trucks, 1988 C grades that were broke, that all of those C grades were fixed now and were working fine and they were using those for reserves, that he was off for one year for back surgery and those were fixed and now he could ride on them, that Mayor Brown had dedicated \$9 million to facility renovations and had hired more than 300 new firefighters, that he had continued to honor the past contract with the firefighters even though the contract had expired, that he was working with City Council on getting four men on the fire trucks, that things took time and it was not going to happen overnight, that they had this problem way before Mayor Brown was the Mayor of the City, so it was kind of bad to come in and put all of this stuff on one person, that the Chief was present with a deal on the promotions and diversity in the fire department, change. Council Members Tatro, Galloway, Keller and Robinson absent.

Council Member Sanchez asked Chief Connealy if he was unaware of the ambulance at Station 101 being dispatched into the 25<sup>th</sup> district or did it not happen, and Chief Connealy stated that he was not aware of it, that he could not tell them that it had never happened but he was not aware of the specific instance that he was talking about, that if there was a need they could be dispatched, but they also make sure that they back in ambulances to Kingwood when there was no ambulances available for service, that was their protocol. Council Members Galloway, Keller and Robinson absent.

Council Member Quan stated that he was somewhat stunned by all of the district chiefs being present today, that he certainly did not hear anything new either, that these were concerns that they had known for a while and had been trying to address and the last two speakers, he thought, at least brought constructive criticism saying that they understood that things did not change overnight, that they did not have \$100 million or something like that which they could suddenly address to these concerns but thought they were making a bonafide effort and wanted to work with the fire department but did not think this public display, and trying to condemn Council and the administration by being present, served any constructive purpose in the overall



safety of the City, that they were willing to work with them, that they were trying to put monies aside and were putting more classes out there but nothing happens overnight, that he asked for a little more patience and constructively try to negotiate to get these problems soled together. Mayor Brown, Council Members Galloway, Keller and Robinson absent. Mayor Pro Tem Boney presiding.

Mr. Robert LeBlue, 2801 Rolido Dr., No. 42, Houston, Texas 77063 (713-974-1025) appeared and stated that he was present to speak about the Houston Fire Department and the standard of treatment in the training academy, that he was recently terminated because he was accused of cheating on an exam, that the accusation was made of changing his answers during the review during the exam, that three accusers, also cadets, stated that they saw him with writing instruments on his desk and only one of the accusers allegedly saw him change his answer, that if three cadets were watching him it would only seem natural that they would be curious about his intent, that also he had not been the only cadet to have writing instruments on the desk, that the instructors began a policy of making the whole class run the towers when one cadet had a pen or pencil out, as discipline to remind them, so why did the cadets not correct him so that the whole class would not get in trouble, that also there were five other people who sat in his immediate area who did not see him with a pen or pencil, that he was sure they would have seen the mistake before anyone else had, that the letter also stated that three other cadets witnessed him with a pen or pencil only, but only one of the cadets said that they had actually seen him change his answer, that if three of them were watching him did they not think that all three of them would have seen him change his answer instead of just one of them, that he believed he was falsely accused. Council Members Galloway, Keller and Robinson absent.

Mayor Brown stated that he would ask someone from the fire department to follow up on his concerns, that he thought Chief Sims was present and would meet with him. Council Members Galloway, Keller and Robinson absent.

Council Member Quan asked Mr. Leblue if when he was dismissed did he go through any procedure to protest and was his complaint heard, and Mr. Leblue stated yes, that they gave them a review board and he hired an attorney, that his attorney was not allowed to get any of the information that they had against him and he was not allowed to be present when they questioned the witnesses during the whole trial, that his attorney knew just as much as he did, that they called him and stated that he had been accused of cheating, that he did not know when, where or how he cheated, that they just said that he cheated and was to go to a review board, and Council Member Quan stated that it did sound suspicious and stated that he should talk with Chief Sims and see what resolution would come out of it, that he did have a right to at least be confronted by his accusers on exactly what he did. Council Members Galloway, Keller and Robinson absent.

Ms. Sheri Cortez, 8722 Sterling, Houston, Texas 77031 (713-988-0772) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Keller and Robinson absent.

Ms. Carla Washington, 1119 Cottage Oak, Houston, Texas 77091 (713-683-8092) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Keller and Robinson absent.

Mr. Anthony Hilliary, 8022 Cabot, Houston, Texas 77078 (713-635-2626) appeared and stated that he was present to speak about flooding, that recently there was a house that was built next door to him and HUD's Houston office estimated that it was elevated approximately two feet above his property line, that during the last two floods he sustained \$52,000 worth of damage and he was the care taker for his brother who was paralyzed and he almost drowned

when the water flooded, that the curious thing about this was the fact that there was plenty of raw land around the area where he lived and this particular house was built right next door where the runoff was, that he did not flood because of rising water he was flooded because of the runoff from next door, that he was curious as to how every party that was involved with the construction of that house was associated in doing business with the City of Houston. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that he would ask Mr. Wes Johnson from Public Works would meet with him and would get all the details from him and would make sure they would take some safeguards. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Ms. Margaret Burgmon, 3110 Groton Dr., Houston, Texas 77051 (713-738-8343) appeared and stated that she was a neutralized United States Citizen and had resided in the Sugar Valley Subdivision for 35 years, that she was an active volunteer in the community, church and local school, that she was referred to as a crusader for truth and justice, that as she stood before them this afternoon seeking the truth she asked who recommended that good quality concrete streets in Sugar Valley should be black topped that the citizens of Sugar Valley could not accept this disfigurement in their streets, that it was a wasting of taxpayers dollars, that even the supervisors expressed reservations about this project, that the explanations were fuzzy, that what was capital improvement and why was it so important, that this personification was eroding the citizens right to say no they did not want or need that, that capital improvement says that's okay, they had no voice, needed or not, hello communism welcome to government policy. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that he would have Wes Johnson meet with her, that he was told that the project had been put on hold until they could bring resolution to it. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Council Member Boney stated that this was a most unusual case, that he also got a call on this matter from Ms. Margaret Jenkins, that the citizens in Sugar Valley said they had concrete streets and there was nothing wrong with them and then some contractor with the City went out and overlaid them, but they did not need overlay, and Ms. Burgman stated that she had pictures to pass out, and Council Member Boney stated that the staff had to recognize that if the streets did not need any work not to do it. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Council Member Goldberg stated that he had also been puzzled about this and so whenever there was an asphalt overlay project that went into a subdivision of District C he literally walked or rode the streets and told them they were not to do it there because it looked perfectly fine, however he had been explained that some times there were hairline cracks in the street and it was more of a waterproofing procedure to prevent further water damage and cracking of the street. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Dr. Daniel Torres, 27 Thistlewood Place, The Woodlands, Texas 77381 (281-381-2002) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Ms. Heldi Duffer, 3401 Donvale, Houston, Texas 77063 (832-251-6645) had reserved time to speak, but was not present when her name was called. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Ms. Gladys House, 1605 Andrews, Houston, Texas 77019 (713-742-6995) had reserved time to speak, but was not present when her name was called. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Mr. Norman Graves, 2419 Lexford Ln., Houston, Texas 77080 (713-467-4105) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Keller, Castillo and Robinson absent. (NO QUORUM PRESENT)

Mr. Hans Marticiuc, 602 State Street, Houston, Texas 77007 (713-237-0282) appeared and stated that he realized that potholes and water mains were very important, but he guessed what happened in New York had set everything into perspective and on behalf of the Houston Police Officers Union, which represented 90% of the 5,400 police officers who served and protect the citizens of Houston he would like to make three simple points, that one, they support and have confidence in President Bush as he prepares the Nation for its response towards the terrorists attacks on American citizens in New York, Washington and Pennsylvania, that two, they support and have confidence in Governor Perry who yesterday announced a formation of a task force on homeland security that would help Texas coordinate with federal and local authorities, and three, they supported and had confidence in Mayor Brown, who had began the urgent task of providing Houston with more equipment, more training, more assessment of various dangers, and to quote the Houston Chronicle, "more coordination and cooperation among the various entities that would respond in a calamity", that it had been 21 days since the World Trade Center and the Pentagon were hit, and as police officers they would never forget their brothers and sisters in law enforcement and public safety who gave their lives in the line of duty, that was why they, the HPOU (Houston Police Officers Union), established a disaster fund to help victims and their families, that they had seeded it with \$150,000 of their own money, that it was also 35 days before the election in Houston and unfortunately during this time it was not unusual for candidates to attempt to gain recognition by saying or doing anything they could to win their respective campaigns, but this year there was no time for politics as usual, all of them now knew just how dangerous these times were, that this year like probably no other time false and misleading statements to alarm the public would bring unwanted negative attention to their City, that it was wrong to suggest that President Bush or Governor Perry or Mayor Brown were not doing everything in their power to protect the citizens of Houston, that he urged the news media to report the truth instead of political rhetoric, that finally to get at the truth he would quote briefly from the Houston Chronicle an article from September 30<sup>th</sup> by Todd Ackerman titled "Local medical officials prepare for biological, chemical attack", "In truth, Houston is probably more prepared than most cities, say local experts. For the past five years, groups have been meeting to plan for bioterrorism. Two years ago, they made laminated charts and cards listing major biological and chemical agents, their symptoms, treatment and how to detect them, and distributed them to medical personnel around the City. Two thirds of Houston's "first responders", such as emergency workers and paramedics, have had bioterrorism training in the past five years, compared with 3 per cent nationally, according to a report by Washington's Center for Strategic and International Studies. Most Texas Medical Center hospitals have had such training, whereas the same study found only 20 percent of hospitals nationwide have.", that on behalf of the Houston citizens and police officers, God bless Houston, God bless police officers, firefighters, emergency personnel who were prepared to protect the City at all times, especially now at these times of uncertainty. Council Members Galloway, Keller and Robinson absent.

Council Member Sanchez asked if Mr. Marticiuc if he was suggesting that someone was putting out false information, and Mr. Marticiuc stated that he saw what went on here today, with the firefighters, and he respected the firefighters for what they did, but thought that they had to get into the negotiating table, that he was not present to negotiate the firemen, but they had to get

to the negotiating table, get into a room and work these things out, that he held rallies and made a lot of noise but they did not have the World Trade Center attack 21 days ago. Council Members Galloway, Keller and Robinson absent.

Ms. Stephanie Gaithe, 1602 State Street, Houston, Texas 77007 (713-237-0119) appeared and stated that her fellow City employees in the Houston Fire Department were among the best in the Nation, and just like Houston Police Officers, did a great job day in and day out, that in the Meet and Confer negotiations process with the Houston Police Department they worked out a very nontraditional and progressive bargaining agreement, that at every stage in the process the City of Houston told them that they needed to construct a police contract that made it possible for the City to maintain parity between the Police and Fire Departments, which would take care of employees in the Houston Fire Department also, that they did not get everything they wanted, they negotiated substantial benefit changes, including many provisions and police overtime, that this change in overtime made it possible to increase staffing levels in the Houston Police Department without hiring additional personnel, that as a result police officers and the public benefited at the same time, that police officers knew how much money they were going to make and the public got more hours of police protection, that now more than ever, as Houston prepared with civil defenses in the wake of the terrorists attacks in New York, Washington and Pennsylvania, the wisdom and foresight of this approach became more and more obvious, that they were hopeful that the firefighters association would be able to reach an agreement soon on a new contract with the City, and until then it did not help anyone's cause to have individuals lob unfounded and insulting accusations at Mayor Brown or their public safety officials during this time when they needed greater cohesion and coordination than ever before. Council Members Galloway, Keller and Robinson absent.

Mayor Brown asked if the Police Meet and Confer contract had any adverse impact on her personally, and Ms. Gaithe stated that actually it did, that she recently took the lieutenants promotional exam and with the Meet and Confer they added assessment center and also educational points, that if it would have just been the written, as in the old plan, she scored number two and would have been promoted last week, and Mayor Brown asked that being the case did she still support the process, and Ms. Gaithe stated that yes she did. Council Members Galloway, Keller and Robinson absent.

Mr. David Schovajsa, 4800 W. 34<sup>th</sup> Street, Houston, Texas 77092 (713-956-6662) appeared and stated that he was President of the Limousine Association of Houston, that they recognized first that many of their concerns needed to be addressed by and before the Houston Airport System, Finance and Administration and the FFA, that they had begun that process and hoped to follow it to a successful conclusion and they also wanted to register their concerns before Council, that the tragedy in New York affected the entire Nation and the limousine industry was not immune, but it seemed that the Houston limousine industry was being punished, that limousine drivers were being unfairly barred from entry at the airport terminals and they asked that this restriction be lifted, that by City ordinance drivers must have criminal background checks run in order to be licensed to drive a limousine vehicle, which had been inspected and certified by the City's Transportation and Regulation Section, that there had been very little negative impact on the illegal solicitation problem, that solicitors commonly park in the public parking areas after a number of cars searched removed their licenses from their upper chest and entered the terminals quite unopposed, that there was very little attempt on the part of ground transportation to thwart illegal solicitation, that indeed solicitors and GT personnel and been seen chatting together while the solicitor waits for another potential customer, that the continued denying driver entry into the terminals was a farcical response to the security precautions, especially when other and larger international gateways allowed driver entry. Council Members Galloway, Boney, Keller, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Council Member Castillo stated that they had this complaint before and believed there was a response that it was due to FFA regulations under the current conditions and asked if that was still the case, that he believed there was a difference between the way they were treated at Hobby versus Bush, and Mr. Schovajsa stated that was correct, that at Hobby drivers could enter the terminal, that ground transportation personnel did inspect the vehicle, they inspect the trunk and so forth and the driver fills out paperwork and then he is allowed to enter the terminal, that at Intercontinental apparently the only place where any documentation needed to be filled out was Terminal C. Council Members Galloway, Boney, Keller, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown asked if there was anyone in the audience present to answer the question and Ms. Paez stated that she could not speak for the Department of Aviation, that they said it was FFA regulations, that one of the things they asked the industry last week was to give them a list of grievances in writing, which he was prepared to do, and then they could address them with the Department of Aviation, that the difference in the treatment between Intercontinental and Hobby was because Hobby was a regional airport and Intercontinental was international, so their regulations would be different, however the industry had said that they had surveyed several of the international airports around the Country and would be giving them the survey results and then they could deal with the Department of Aviation, and Mayor Brown asked Ms. Paez to meet with Mr. Schovajsa and get the specifics of his concern and work them through Aviation or wherever they needed to do so, and Council Member Castillo asked if it was going to take some time could they at least get them some port-a-potties out at IAH, and Ms. Paez stated that they had asked the Aviation Department that last week when they had their meeting with the limousine drivers and they were reluctant to put any port-a-potties out on the curb because that posed a security risk, that they could not have anything within 300 yards at the terminal. Council Members Galloway, Keller, Sanchez and Robinson absent.

Mr. Jose Lozano, 10211 Ripple Lake, Houston, Texas 77065 (713-304-1888) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Keller, Sanchez and Robinson absent.

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

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated Tuesday, October 2, 2001, full moon in Pieces, that hello gals and guys of the globe this was Galvan, candidate for Houston City Council At Large Position Number 5, and expressed his campaign goals until his time expired. Council Members Galloway, Keller, Sanchez and Robinson absent.

Ms. Cheri Butler, 1315 Greenspark Way, Houston, Texas 77067 (281-734-4164) appeared and stated that she had previously been present, that she was writing again in regards to the first letter concerning the wrongful termination by Metro, that she had a conversation with Mr. Franks in regards to the matter with hopes of reinstatement, but because of the issue of noncompliance before the deadline, which was not correct, that there was no deadline placed before her expect on April 24, 2001, that she felt in her heart that things were not going to be in her favor because in the month of August she received another letter of wrongful termination from Metro, that she thought it was best to bring this issue to someone with more authority, that after speaking with Mr. Franks a second time with no return calls as promised she thought that maybe she should try to request a response and again she returned to the Office of the Mayor of Houston, that if her former employer did not want to respond to him in a manner that was proper she thought there

was something wrong with that. Council Members Galloway, Keller, Sanchez and Robinson absent.

Mayor Brown stated that Mr. Richard Cantu would meet with her and see if they could be of any help to her. Council Members Galloway, Keller, Sanchez and Robinson absent.

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. Council Members Galloway, Keller, Sanchez and Robinson absent.

Ms. Deborah Elaine Allen, (would not give address nor phone number) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Keller, Sanchez and Robinson absent.

Mr. Brian Cweren, P. O. Box 20175, Houston, Texas 77225 (713-294-5810) appeared and stated that he was asking Council to vote against Item No. 19, that he had come before them on several occasions and had showed them a chart and thought they understood that the house meant a lot to them, that he thought they understood that there had been a lot of questions asked but no answers to why buildings had been moved. Mr. Cweren displayed and explained a chart showing the site and plan for expansion of the South Central Police Substation and stated that when they pulled the records they would see that this was the way it was, that the plan was only changed recently after he spoke before Council several months ago, that they would not be stopping the project by leaving their house out of the development, that they had not been offered a fair price for the property and had not been treated fairly on it. Council Members Galloway, Keller, Sanchez and Robinson absent.

Upon questions by Council, Mr. Cweren stated that he hoped that Council would take a strong look at this particular case and under these facts and seeing how this property did not make or break anything leave them out of it, especially since they were not even being offered what the people next to them were being offered, that they had owned the house for at least 30 years and had ties to it for a little bit longer, that he had people tell him that the property was not even needed, that they wanted it just to have it, that it was even worse than temporary parking, that there were vacant lots that they could go and condemn with no house on them, that security concerns had been cited, that he had talked with Mr. Hollingsworth, and had tried to meet with Chief Bradford, who refused to meet with them, that they had done everything under the sun to save the house and they deserved credit for something, that their house was the only one that was going to be condemned, the rest were vacant lots, that they were told that there were no more offers, that the final offer came out to approximately \$66,000 which was \$5 per square foot plus improvements, that the offer was dated September 18, 2001, that he spoke with Mr. Lewis, Legal Department sometime last week and he said that no further offers would be made, that he did not make a counter offer, because he thought that Council would be misled that their attempts to save the property were strictly to get money, that he had a very sharp competing interest because he actually wrote a letter explaining how the appraisal was not accurate and that surfaced among several Council offices and the word got back to him that this was all purely an attempt to get more money out of the City, that he did not own any part of the property, that the owners were members of his family. Council Members Tatro, Galloway, Keller, Sanchez and Robinson absent. (NO QUORUM PRESENT)

Ms. Carmen Arrieta, P. O. Box 572014, Houston, Texas 77257 (713-953-0022) had reserved time to speak, but was not present when her name was called. Council Members Tatro, Galloway, Keller, Sanchez and Robinson absent. (NO QUORUM PRESENT)

At 4:13 p.m. upon motion by Council Member Quan and seconded by Council Member

Goldberg, City Council recessed until 9:00 a.m., Wednesday, October 3, 2001. Council Member Todd out of the city. Council Member Ellis absent on business. Council Member Vasquez out of the city on city business. Council Members Tatro, Galloway, Keller, Sanchez and Robinson absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, October 3, 2001

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, October 3, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, John E. Castillo, Annise Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll Robinson; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Mr. Anthony Hall, City Attorney; Ms. Martha Stein, Agenda Director present. Council Member Gabriel Vasquez out of the city on city business.

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

At 9:08 Mayor Brown reconvened the meeting of the City Council and stated that the first item would be the report from the City Controller and Finance & Administration. Council Members Tatro, Galloway, Boney, Todd, Ellis Keller, Castillo, Parker, Quan and Robinson absent. (NO QUORUM PRESENT)

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

Ms. Judy Johnson, Deputy City Controller, stated that the City Controller was out of the Country on City business at a trade mission in Ecuador, that she was pleased to present the monthly report for August 2001, that usually at this time of the year with only two months into the fiscal year they would not have that much to say about the City's fiscal condition, however the events of September 11, 2001 had brought a great deal of uncertainty to the overall economic situation in the Nation and Houston as well, that in talking about the City's condition she would try to separate those factors that had to do with the Trans that were already in place before September 11<sup>th</sup> and what potential changes were in place since then, that the first item she would bring to their attention in this monthly report was that the Aviation Funds were all stated at budget, both for revenues and expenses, that was not because they believed it was likely but that they had not yet gotten any finite estimates of the expectations they would have, that the Aviation Department was working with and they had been in conversations with them on those subjects and F&A was involved as well and hoped to have some better estimates in the next few weeks; that the General Fund revenues through August did not have many surprises, that they would bring two items to their attention that were related to Trans that were occurring before September 11<sup>th</sup>, that those were in Property Taxes and Municipal Courts revenues, that as to Property Taxes when they applied the same methodology that they had been using last year to very successfully predict Property Tax revenues those numbers indicated a potential of \$5 million over budget, that the Property Taxes were \$630 million, however they had not changed their estimate, the reason that it was in a declining they would expect to collect a smaller portion of the delinquent taxes and they were concerned that they had indeed begun a declining economy; that the Municipal Courts revenues were still running behind last year, the same as they were last month, that if this trend of tickets and collections continued throughout this fiscal year the revenues could be as much as \$3 million below budget, however they had not adjusted

their revenue projection because it was simply far too early in the fiscal year to make conclusions based on only two months worth of data; that for the Sales Tax revenues they had used the same estimate as Finance & Administration had which was based on the Barton Smith report, that they also ran some "what if" analysis on their own and some of those were a bit speculative but they were trying to determine what the potential range that they would be looking at was and they came with the same overall range as that of Dr. Smith's projections which would mean that they would be expecting a potential low of around \$326 million and a potential high figure of maybe \$340 million, that all of those were compared to a budget of \$345 million, that the number that showed in the report was about \$331 million, that the City Controller did talk to the State Comptroller last week about the situation statewide and the State Comptroller had still not made any estimates of potential declines in Sales Taxes but promised to keep them updated as soon as they did, that overall in the General Fund revenues the Sales Taxes were the very most sensitive to the changes that were occurring in the economic conditions, that Property Taxes may be affected as well, that keeping that in mind through the second quarter of the year, through June, the Texas economy was, to quote the State Comptroller's report "weakened but still growing", that now they were concerned that they may have entered a decline, that some economists, however, were already talking about a v shaped recession in which case that very vast decline could be followed by a very fast recovery, which could possibly take place before the end of this fiscal year, and that concluded her report. Council Members Galloway, Todd, Parker and Quan absent.

Dr. Scheps, Director, Finance & Administration stated that he would be referring to Page 7 of the MOFAR and as they could see on page 7 they really made two main changes in terms of formal changes to their projections, that one was in Sales Tax, and they distributed Dr. Smith's numbers last week and distributed his memo yesterday and they had reduced their Sales Tax estimate, that they had also taken a positive change in terms of the interest earnings based on the favorable Trans borrowing that they did at the beginning of the year, so overall those were the only changes, that the letter itself had some warnings, however, although not reflected in the numbers they wanted to mention those certain things, that one was the additional security costs, that there were generally four areas where the General Fund, and he was not talking about Aviation or Water/Waste Water, just General Fund now, four areas where there were unbudgeted expenses that may or may not be able to be absorbed, that it sort of depended on things as they unfolded, that one was in the fire department where reservists had to be replaced on overtime if they were called up and he believed that as of yesterday there were seven that had been called up, that police department generally related to downtown events and security, that the Building Services Department for their City building security, and then some additional training money for the strike team, and that totaled, according to his letter, about \$900,000, that he mentioned yesterday that was possibly a little low but they were still refining those numbers and it depended on how long the reservists were gone and how long the heightened level of security took place, that they were roughly saying it was going to impact them about \$1 million; that he had mentioned the Extra Board Program here because that was a place holder placed in the budget at their instructions assuming that they would have a successful Meet and Confer, that as this moment that was straight time overtime and that had not occurred as of yet and in order to keep the staffing ratio at the current level they were using that money now at a time and a half basis, so \$6 million only goes two thirds as far when used on a time and a half basis, that he was just suggesting that at this stage that was something they ought to recognize as a higher level of expense than was placed in the budget for the same amount of staffing; that finally retiree health insurance, he had a graph on page two of his letter which showed that they had set up a budget with a certain number of retirees and that number got exceeded very quickly after the budget was adopted and new legislation was put in place, that could be a significant additional cost to the General Fund but depended again on how those positions were replaced and whether or not those positions were replaced, that retirees paid a little more for their health insurance and the City paid a little for their health insurance, but to the extent that an active employee was not



replaced there was an offset there, so those were three areas that he wanted to highlight as areas of concern; that the Mayor had implemented expenditure controls as he had announced and each department was developing a plan for cutting expenditures in face of the Sales Tax and additional expenditure increase and those plans would be talked about next week and would be finalized presumably toward the end of next week; that presentation changes had occurred in the document and they now had the Rainy Day Fund explicitly shown on page 9, Municipal Courts Technology Fund was now listed on page 37; that he had concurred with the Controller that it was really too early to actually show changes and projections in the Aviation Fund and C&E Fund, although both would be negatively impacted by the events of September 11<sup>th</sup>, but they were just not sure about quantifying that as this time; that in terms of Debt Management, they had postponed and there were no airport transactions being done, that they had a refunding that was scheduled to be done two days after the disaster in New York and that had been postponed, as had all airport transactions throughout the United States; that the Water Waste Water refunding was going forward and would be priced two weeks from now; that the short term interest market had become so favorable or unfavorable, if they were doing a cash defeasance it was not the time to do that when those short term rates were so low, so that had been postponed until the market was more favorable, and that concluded his remarks. Council Member Parker absent.

Council Member Ellis stated that on page 1 of the Controller's letter she states that "Property Tax projections were at budget, our estimates utilizing current data from HCAD Projections Revenues to be \$630 million in revenue, and that was at the 65.5 cent rate as well as an adjustment for the collection rate and the Tax Incremental Reinvestment Zone", but then in the comparative projection they placed a number of \$624 million in there and asked what was the reason for that discrepancy, and Ms. Johnson stated that it may be a little confusing and wanted to go over the analysis, that what they had done was to use a statistical rolling average of collection rates applied to the total of the levy, which sort of took into account the same overall collection rate for delinquent taxes as well as the current tax collection rates, that this had proved to be somewhat successful in the past in predicting total collections and worked very well last year, however, when they used that method they came up with \$630 million, that Dr. Scheps would tell them that he disagreed with the validity of that method, that what she was saying that the reason they did not change their official projection, which remained at budget at \$624 million, was because the changes in the economy that had been noted and predicted in the last three weeks, they felt that they should not rely on the collection rates that they had in 1999, that they used a collection rate applied to current and delinquent taxes which was right about 100%, that the \$624 million was based at 97.5% rate, and Dr. Scheps stated that there were two collection assumptions, one was current collection rate, the 97.5%, and one was the delinquent amount they were going to get, so they used two assumptions, 97.5% and \$23 million in delinquent collections and they would find that in the memo of two weeks ago, that if they broke it up they used a smaller current collection rate, but to get to their number they would have to have about a \$26 million to \$27 million delinquent collection rate, that it had never been higher than \$21 million; and Council Member Ellis stated that in the letter it stated that they were going to have \$630 million in ad valorem property tax revenue, and Ms. Johnson stated that the estimate using the same methodology they had used in the past, which made an assumption about delinquent tax collections, it assumed that the same rate of delinquent taxes would be collected as they collected from 1997 through 2000, that basically tells them it assumed a rising economy, but they thought it had significantly changed in the past three weeks, and that was why, although the underlying analysis that they used since the last two years, used the rolling average, that she did not want to tell their staff members to change their methodology, but subjectively they knew that the economy was not the same economy that it was three weeks ago, that it may recover more rapidly, but one of the first things that people were not going to pay, if the economy was slipping, was a delinquent tax bill, and Council Member Ellis asked what number she was going by and Ms. Johnson stated \$624 million.

Council Member Bell asked Dr. Scheps if the number he referenced on page 2, the \$900,000 that he referenced in additional security costs, did that include or not include Aviation and Dr. Scheps stated that it did not, and Council Member Bell asked if the \$900,000 referenced on page 2 was only an estimate of what it would cost if they had the increased security measures in for a couple of months, and Dr. Scheps stated that actually that was not correct, that he may have given that impression yesterday, and since his question yesterday he had gone back and confirmed what they had done and that was a years worth of additional police protection, that it was not all related to added police officers and overtime, there was some distribution changes of existing officers, but in direct answer to his question that presumed that the police protection would remain for the remainder of the year, that it was an estimate for Building Services and was an estimate for the remainder of the year, that the estimate for additional firefighters going on reserve duty was like six months worth of reserve duty, that it was a little confusing yesterday, but he confirmed it and thought the number was relatively good and they should not have in the General Fund too much of an upward surprise in that number, that he was just trying to generally say that the number could change because they may or may not know what was going to be in place six months from now, that it was a general uncertainty and he could not be absolutely certain, but his research with those four departments was that it should be a good annual number for the remainder of the year, that Airport could easily be ten times that number, that they were only looking at General Fund for the police department, that they were looking for additional police officers at large gatherings, perhaps downtown security and that sort of thing.

Council Member Tatro stated that he thought the projections were solid, that they may have a Sales Tax hiccup and other actual sources may go up because of the events of September 11<sup>th</sup>, but on the ad valorem side he did not know if that was a valid statement, that he did not believe that was the case since their appraisals were in, that not even Tropical Storm Allison was going to affect those and on the Houston economy, Allison had much more direct impact on their appraisal and property values and that was not even going to have an impact of lowering their appraisal values and providing relief for all the flooded victims, that if there was anything that would impact their ad valorem base it would be Allison, so he would just ask for caution in utilizing reasons for fluctuations in revenues. Council Members Galloway and Parker absent.

Council Member Boney stated that he would think that if somebody's house was destroyed in the storm Allison then their property appraised value would be less, that it sounded like it to him and asked if that was a fair statement, and Dr. Scheps stated that not in this number, that this number was property as valued as of last January, so next year the valuation related to Allison would hit a year from now, and Council Member Boney stated that it seemed obvious to him that they needed to take the most conservative approach and keep their tax rate the same and pray and manage as closely as they could so as not to prudently get into trouble that they could avoid or they would try to work through the rest, so he urged them to accept the report, accept the tax rate and be kind of focused on what things they could do to lessen expenditures and hold the line with regard to revenue wherever they could. Council Member Galloway absent.

Council Member Robinson asked if there may be a gap in overtime funding for the fire department if they continued the same burn rate and asked if they had spent about \$2 million over the last two or two and a half months, and Dr. Scheps stated that he did not have the answer, that Council Member Robinson had asked the same question yesterday and he was going to put all that together, but it sounded about right, and that was the purpose of the \$3 million warning, and Council Member Robinson asked if he had responded to Council Member Bell that the extra police funding on an annualized basis about \$1 million, and Dr. Scheps stated that the \$1 million, only in General Fund, included Building Services and training and the police department was about a quarter of that, about \$200,000 to \$300,000 on an annual basis for the

remainder of the year, and Council Member Robinson stated that he would like to visit with him some more on that, and he asked Dr. Scheps if he could find out for him how much money they had in the budget for police overtime, that he wanted to know where they were in the normal course of police overtime expenditure and had they been spending down some of that in response to the circumstances that had occurred since September 11<sup>th</sup> and that money may run out, and Dr. Scheps stated that undeniably they had been spending some of that since September 11<sup>th</sup>, and Council Member Robinson asked if they had any police officers who were reservists and what kind of fiscal impact would that be, and Dr. Scheps stated that he did not have the number but would get an analysis for him. Council Member Galloway absent.

Upon questions by Council Robinson, Ms. Johnson stated that there was not any difference at all in the appraised values that they were using versus the ones that Finance and Administration had used in the underlying analysis, that she thought that the concern both sides had was what were the collection rates, because that was the one factor that changed rapidly due to economic conditions, and Council Member Robinson stated that he would like to visit with both of them some more on that issue. Council Member Galloway absent.

Council Member Castillo moved to accept the financial report, seconded by Council Member Boney. All voting aye. Nays none. Council Member Vasquez out of the city on city business. Council Member Galloway absent. MOTION 2001-1066 ADOPTED.

## **MAYOR'S REPORT**

Mayor Brown stated that he wanted to use his time today to discuss the downtown construction, that as they knew they were doing a great deal of construction downtown right now, utility work, and a lot of it was being done by Metro and had been delayed for about four years because of a lawsuit and now they were getting it all done, that it was kind of like remodeling their home while they were still living in it, that it was inconvenient, but thought the final result would far outweigh the inconvenience they had, that as he drove around downtown every day he shared the frustration that many other people had and he was committed to minimize the difficulties and they asked for patience as they transformed their downtown, that when they finished they would probably have the best downtown street structure any place in the world, so it was his chief objective to make this process as smoothly as possible, and to accomplish that objective he had established a downtown street construction task force and its sole purpose was to address this issue, that Mr. Haines chaired that task force and he had asked him to give them an update on where they were and what strategies they were using and what progress they had up to date. Council Members Tatro, Galloway and Robinson absent.

Mr. Haines stated that he would like to call their attention to the television screens, that they had some slides to show them relative to some of the initiatives they had been involved in over the course of the last month or so, that the Mayor asked that they put together a task force that would consist of representatives literally of every jurisdiction that had anything to do with downtown construction and that task force was assembled the second week of August 2001 and he would like to give them this report today, that the agenda that he was going to deal with five basic headings, Reality, Downtown Objectives, Team Players: Problem/Solution, Task Force Strategies and Post Script, that this to him was a very interesting and reveling exercise as they began to address the reality of downtown, that there were 293,000 people, pedestrians or travelers who impact the City's sidewalks and streets downtown everyday, that they represent the largest metropolitan area of the Country in terms of the number of buses that go through the central business district, 800 per day, that they were currently, as of today, managing over 300 right of way permits, that they also had a lot of development downtown, in fact 14 different construction projects that were not related to street construction, that impacted the lanes, and then in the form of entertainment, the downtown had become a lively place of entertainment and

special events, that there would be some 13 home games at Enron Field, a bicycle tour, three different festivals, two different parades, a fun run and the Grand Prix, that all of these activities impacted the accessibility of the motoring public in the downtown lanes, that what they did, once they went through and inventoried what the reality of downtown really was, was to develop four different objectives that they would invoke as part of the task force's initiative, Zero-Sum Formula, that they would not consider taking lanes out of service without offsetting putting lanes back in service, that second was maximize lane capacity efficiency, a third and important point that they believed had not been paid much attention to was the importance of improving pedestrian access and safety, and finally the fourth was to ensure fair but aggressive enforcement of the responsibilities they had, that in the process they identified literally as one might accept the same players represented both the problem and the solution, so they convened through this task force representatives from the City, Metro, Downtown District, utility companies, developers and contractors, that he personally met with virtually every utility company and every developer and building owner that was involved in any kind of construction downtown, that the task force worked specifically to improve their communications with each other recognizing that this was a multi jurisdictional initiative and that was collaboration between agencies was going to be important, that for example one of the things that they wanted to pay attention to was that this was not just a construction program but they still had 293,000 people to get in and out of downtown, to begin their problem depth definition and then go forward with it twice a week formal meeting frequency, that as to the strategies, the first one being their zero sum formula, they had delayed construction, because of this particular strategy, on both Pierce and Milam, they were holding on those two projects until they could open more new lanes, that they were pushing to open new lanes on Fannin below McKinney, McKinney to Pierce, Pierce elevated and Louisiana, that Metro had been pushing those projects forward in a very aggressive way and they were coming together, that the second was lane capacity efficiency, as of this date was to accelerate the pothole repair and street maintenance program, that since August 8, 2001 they had dropped nearly 1,000 tons of asphalt to upgrade or improve the drivability of a lot of the downtown streets, that they shifted their maintenance and non emergency work to night and weekends and they had enlisted the help of the utility companies to do the same, then they met with anyone involved with special events and asked them to manage through the coordination of any lane closures and to minimize that, and then importantly was a recapturing of lanes, that they had been able to bring back into service lanes around Jones Hall at Louisiana and Milam, which were significant portal streets going onto the interstate system, that Rusk, Bell, Commerce and an intense effort on Travis Street, through skin patching and pothole repair, that finally they initiated an intense effort between the City and Metro to begin overlay projects on lanes that, while streets may be under construction, that they would not be completed within those six to twelve months period of time and for them that represented an eternity to the motoring public and to just simply allow those lanes to deteriorate they thought was unacceptable, that they had initiated overlay projects, that even though Fannin was now under construction they could travel on new pavement or overlay all the way from Commerce to Wheeler Avenue, that they had seen capacity of the traffic increase significantly, that the overlay east and west streets were Fannin, Walker, Lamar, Brazos Capitol and Hadley to Jefferson, that in the area of improving pedestrian access they had created a crosswalk and sidewalk task force and what they found was that there was inconsistency agency standards related to sidewalk specifications and particularly addressing pedestrian safety, that task force was in the process of completing a consistent and uniform set of standards, that they had also made the commitment that they had to hard surface those crosswalks and the head of their disabilities group, Kim King, had been involved with this and were also looking at meeting the needs of the handicap as well, that they intended to bring to Council an ordinance by the end of October which would incorporate revisions in the street and sidewalk ordinance and allow for some increased capacity to enforce permits; that in the area of enforcement they had redesigned or restated what they called peak hours and were looking at a consistent level of activity, that any petition to take a lane out of service would have to go to the task force for review and approval,

that they had put together a rapid response team which was working in partnership with Metro, that under the response team the responsibility or the fault would be less important than getting the problem fixed and then they would bill the responsible party later; and he pointed out a listing of the significant downtown projects that were in addition to street construction going on, that there was a lot of activity in downtown Houston now; that the significance of the task force, he believed, was that they had expanded their scope and beginning last week they had incorporated the Texas Medical Center and Midtown into their initiatives of coordinating traffic and transportation initiatives and they believed it was working well; and he pointed out two slides relative to congestion in other major metropolitan areas in the Country. (Note a copy of his report is on file in the Office of the City Secretary). Council Members Ellis, Parker and Robinson absent.

Mayor Brown stated that he wanted to express his appreciation to Mr. Haines and the task force members, that he found it easier to get around and found that many other people also found it easier based upon the e-mails, letters and phone calls he was now receiving, so they were doing a good job and he appreciated it. Council Members Ellis, Parker and Robinson absent.

Council Member Castillo requested a hard copy of Mr. Haines report. Council Members Ellis, Parker and Robinson absent.

Council Member Bell stated that based that on the comments, phone calls and e-mails he received people were horrified by the situation downtown and did not find it easy to get around at all and based on his own personal experience it had not been easy to get around, especially during rush hour, that he was glad to see that finally several months later that traffic management was no longer offensive to the administration, that he knew when he talked about a traffic management plan and the need for one last spring the response from the Mayor's office was that it was offensive, that he was curious as to what happened to Chief Storemski's efforts, that they were told last January that he was going to oversee a traffic management plan, that he was curious as to what happened to that plan and if it had been incorporated into this plan, and Mr. Haines stated that Chief Storemski was an integral part of the task force and his charge was enforcement, that he was a member of the task force and a significant player and through his efforts they had been able to introduce some clout into the enforcement, that he had also helped them to recognize that there were weaknesses in terms of enforceability of certain of the things they wanted to do, and Council Member Bell asked Mr. Haines if he had heard correctly that pothole repair was basically non-existent prior to August 8, 2001, and Mr. Haines stated that it was marginal, that prior to that time there was a feeling that the construction would take care of itself in terms of downtown work, that he was not dealing with potholes outside of downtown, that for example they found that on Fannin and Travis both of those streets were being allowed to deteriorate with the expectation that there would be a new street built at some point and what they concluded was that it was not doing the traveling public one bit of good at all, that it would be a minimum of six months to a year or longer before they would see any kind of improvement on those streets that were falling apart, that Public Works came up with the idea to go ahead and put overlays down and do some intensive patching and pothole repair work while the construction was going on in order to get the traffic moving without having broken axles or taking lanes out of service, that they executed that plan on August 8, 2001, and Council Member Bell asked if they had instituted grid technology yet to where they could lay all of the construction projects out on a grid and figure out the traffic patterns and figure out the kinds of things they were talking about in terms of not wanting to shut lanes on one street while they had another one closed down with the same traffic pattern, and Mr. Hines stated yes and that he would invite him and other Members of the Council to feel free to come up to the conference room on the fourth floor, they had between flood plain maps and this particular project they had the entire downtown gridded by project, by lane closure and by activity, that they had it up there about six weeks now,

and Council Member Bell asked how many people they had in Public Works responsible for traffic planning and Mr. Haines stated that he did not know, that Mr. Wiersig oversaw that particular element for them and was doing a fine job. Council Members Ellis, Parker and Robinson absent.

Council Member Keller stated that he was glad they had taken the bull by the horns, that he felt in his opinion that they had placed confidence in TranStar in facilitating some of this, that he thought it was an excellent plan and thought the Street Cut Ordinance was historical and the keyword, once again, was going to be enforcement and execution and not paper, that he supported the plan and thought it was well thought out, that what he wanted to make sure was that when they found out where they were going and proceeding without the visible permit that they did not just get a letter, that he was going to ask the taskforce who was in command and in charge, and Mr. Haines stated that the Mayor had asked that he chair the group because it did consist of several disciplines and several different jurisdictions, that as to the enforcement, however, Chief Storemski had that responsibility and he and his officers were doing a very good job between him and Doug Wiersig's group in Traffic and Transportation, that this was execution, they were putting pavement down and were enforcing the rules, that they were going to have to bring a new permitting revision ordinance to Council, and Council Member Keller asked when would they go straight to the top and get it to where it was their head dealing with our head guy, and Mr. Haines stated that happened during the task force meetings and Chief Storemski typically would bring a report and say this was what happened, and he could tell them that since he had been involved with this he had made personally two calls to the top of an organization on this matter and encouraged them, that one was getting their non-emergency activity off of the streets during the peak times of the day and putting them on the evening hours and the other was actually an infraction and they got their attention, and Council Member Keller stated that he was going to work with them on this and was going to call Mr. Haines and hold him responsible to lamb blast the CEO's of some of these companies. Council Members Tatro, Todd and Parker absent.

Council Member Boney stated that he wanted to commend Mr. Haines and thought they ought to commend staff more often than they do, that sometimes things took time and remembered when the Street Cut Ordinance came to Council that they debated it about two or three months before they finally felt they had a consensus and got the thing into law and now as Council Member Keller had stated they wanted to make sure they were getting the kind of enforcement they really needed, that he also wanted to commend Chief Lambert from Metro because he was working with the task force as well, that they had a good team working together.

Council Member Quan stated that he applauded the effort to try to address these problems, and asked Mr. Haines if they had ever defined what a pothole was, that they were supposed to get a definition, and Mr. Haines stated that he believed the definition came out in their monthly report, that his activity downtown was to smooth the streets off, and Council Member Quan stated that he noticed on Walker and some other streets the lanes were not aligned and asked if he had noticed that, and Mr. Haines stated that he had, especially on Walker and believed that Mr. Wiersig had taken care of the problem on Walker, and Council Member Quan asked what was the right of way occupancy permit and how did it work, and Mr. Haines stated that right now when somebody wanted to encroach on a lane of traffic they had to come to the City for a permit, that the number of days depended on the project and so on, that what they found when they were looking at that ordinance was that there really was a deficiency, in fact the Legal Department had informed them of this, that there "was not a true enforceable permit involved", and that was what they were going to be coming back and talking to Council about, and Council Member Quan asked what they were doing on light synchronization and asked if the task force was looking at that at all, and Mr. Haines stated no but they would take a look at it, and Mayor Brown stated that they were looking at it and they should have in the next several months about

1,000 more lights synchronized throughout the City, that it was an ongoing project and they were working on it, and Council Member Quan asked if Metro had completed all of their projects in the downtown area, and Mr. Haines stated no, that they were doing two major sets, the light rail as well as the transit streets, that there were several more projects yet to come and would be through the year 2004 before Metro projects were completed in both the downtown and Midtown areas, that at the time Ms. DeLibrio addressed Council she was outlying the projects that were under construction and would be completed before the end of the calendar year. Council Members Tatro, Galloway, Boney and Parker absent.

Mayor Brown stated that in answer to his question there was a uniform definition of potholes and it was in the monthly financial report and on potholes they had advertised to the public that if they saw one to call 311, that now they had only one phone number and they could call on any complaint they had and if they wanted to use the internet they could get on the City of Houston.gov and go to the link that says potholes and they could report a pothole, that there was a process in place to fix the pothole and get back to them and let them know it was fixed, that he wanted to commend Public Works for doing that, that they were responding rapidly on addressing each one, so they had reached the public. Council Members Boney and Parker absent.

Council Member Todd stated that he wanted to thank the administration for being responsive to his phone calls, that he had gotten a number of calls from groups and the public about the state of the transportation system downtown and wanted to acknowledge that the administration was working hard with the judges, that there was a separate group of judges that were working on transportation issues around the courthouse complex downtown and had been actually working independently outside the City, that he knew the administration was working hard with them and wanted to thank the administration for working with them; that he had a chance to meet with Mr. Tollett and walk some of the streets downtown and look at the state of the sidewalks and also the situation with traffic downtown during certain hours and knew that there was one section of Main Street blocked off and there did not appear to be any road work going on, that at night there was a serious problem there with congestion, that if there was no road work going on they ought to open up the streets so the traffic could flow down there; that on the sidewalks he knew there were a couple of spots down there where the lighting was not particularly good but there were building materials and holes in the sidewalks and it was kind of a barrier down there and if they did not do something about the condition of the sidewalks eventually someone would trip and injure themselves. Council Member Keller absent.

Council Member Sanchez stated that one of the biggest problems that a number of people had brought to their attention was a lack of incident management, particularly on freeways and on major thoroughfares when there was an accident and both cars could be moved, and asked what they were doing in terms of incident management and were they even looking at that. Council Member Keller absent.

Mayor Brown stated that they work with the Greater Houston Partnership and the County on what was called TRIP 2000, where they used the resources at Texas A&M Traffic Institute and put together a very comprehensive traffic analysis dealing with reducing congestion and part of that was incident management and stated that Chief Bradford could give them a briefing on that.

Council Member Sanchez moved to suspend the rules to hear from Chief Bradford, Seconded by Council Member Boney. All voting aye. Nays none. Council Member Vasquez out of the city on city business. MOTION 2001-1067 ADOPTED.

Mayor Brown asked Chief Bradford to give them a briefing on the component that dealt with

incident management that he had been working on, and Chief Bradford stated that the TranStar Center played a vital role in what they did, they had Houston Police personnel stationed 24 hours a day at the TranStar Center in conjunction with that there was direct communication with the police dispatch center, that unfortunately there were many accidents and many citizens refused to move their cars to the side as required by law and in some instances there is not serious injury or no fatality and citizens still operate under the myth that they should not move their vehicle until a police officer has arrived on the scene, that they had police officers trying to prioritize their response strategies and truly during rush hour situations, accidents that had blocked the freeways was a priority incident, that traffic on the freeways gridlock to the extent at some point that it is difficult for police officers to get to those locations as well, that working with Metro Police Officers through the TranStar Center they had put notices out to the police officers to get to the location and direct the cars to clear the freeway as soon as possible, that the downside was when the officer gets there the officer is tied up because now they are mandated to file a report so they did not have the opportunity to keep working the freeway, that they had redirected the attention of their motorcycle officers and have those officers on the freeway because they could move a little bit more easily around some of the congestion on the freeway system, so they were looking forward to seeing what impact that was going to have by having the solo officers, as they called the motorcycle officers, working more diligent on the freeway, that he concurred that it was a problem and simply the fact that citizens did not understand that they were required by law to move their vehicles to the side, that about three weeks or so ago the Mayor and others kicked off a campaign over at TranStar, "Steer It, Clear It" that if they could steer it, clear it, that he thought the media did a pretty good job the first couple of days helping to get the message out, but he had not heard very much lately on the news concerning "Steer It, Clear It", that they needed to emphasize it and get the message out, a public education campaign, that it went in line with the "Don't Run the Red Light" ad that they kicked off just before the tragedy of terrorism struck the Country and understandable some of the resources were redirected and now he thought it was time to get the PSA back on board. Council Members Tatro and Quan absent.

Upon questions by Council Member Bell, Chief Bradford stated that the directive to the police officers was when they got there they were to instruct the drivers to get off the road if they could and in attention to that there was another directive that indicated that police officers should be careful of how they park their vehicles and in many instances he had the opportunity to observe how police officers in good faith respond to the scene but they would park their police vehicle in a way that impeded traffic more so, so in that same correspondence it did urge the officers to clear the freeway as quickly as they possibly could and be mindful of how they park their police cars, and Council Member Bell stated that obviously adding to it were the wreckers and was curious if the police department taking the position that there was nothing they could do about that because of the Supreme Court decision, and Chief Bradford stated that there was very little they could do in the way of enforcement but they had regular dialog with the various wrecker associations in town and asked for voluntary compliance and they had seen some compliance on the part of the wrecker drivers. Council Members Tatro, Quan and Robinson absent.

Mayor Brown stated that ended Mr. Haines presentation, and wanted to thank Mr. Haines and the task force and wanted to extend his thanks to all of the members for doing a very good job, that Chief Storemski was present and when he was police chief he had worked with Chief Storemski and every time there was a tough problem he would call on him and he continued to do a good job. Council Members Tatro, Todd and Parker absent.

Council Member Castillo moved to suspend the rules to consider Item Numbers 54, 55, 27, 19, 62, 62a and 30 out of order, seconded by Council Member Boney. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Tatro and Quan



absent. MOTION 2001-1068 ADOPTED

54. MOTION by Council Member Castillo/Seconded by Council Member Tatro to adopt 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** – **(This was Item 7 on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. Council Members Goldberg, Sanchez and Todd voting no, balance voting aye. Council Member Vasquez out of city on city business. MOTION 2001-1069 ADOPTED
55. MOTION by Council Member Ellis/Seconded by Council Member Parker to adopt recommendation from Director Department of Public Works & Engineering for condemnation of Parcel IYO-3, located at 2314 St. Emanuel Street, owned by Margarete 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** – **(This was Item 8 on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG)** – was presented. Council Members Goldberg, Todd, Quan, Sanchez, Tatro and Robinson voting no, balance voting aye. Council Member Vasquez out of city on city business. MOTION 2001-1070 ADOPTED
27. RESOLUTION authorizing the Board Members of the Houston Small Business Development Corporation to serve as board members of a New Community Controlled Non-Profit Corporation to provide qualified Small Businesses with access to additional sources of Capital – was presented, and tagged by Council Members Galloway, Boney, Keller and Robinson absent.
19. 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** – was presented.

A roll call vote was called on Item No. 19.

ROLL CALL VOTE:

Mayor Brown voting aye

Council Member Vasquez out of city on city business.

Council Member Tatro voting no

Council Member Castillo voting aye

Council Member Galloway voting aye

Council Member Parker voting aye

Council Member Goldberg voting no

Council Member Quan voting no

Council Member Boney voting aye

Council Member Sanchez voting no

Council Member Todd voting no

Council Member Bell voting no

Council Member Ellis voting no

Council Member Robinson voting no

Council Member Keller voting aye

MOTION 2001-1071 FAILED

62. MOTION by Council Member Sanchez/Seconded by Council Member Tatro to amend Section 2 of Item 62A below 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 - **TAGGED BY COUNCIL MEMBER TATRO**

Council Member Sanchez stated that this was a simple motion to rollback the taxes by one cent, that it was not a one percent property rollback but a one cent rollback, that he would just invite the Mayor to look at the MOFAR and beginning in 1997 the percentage of City finances financed by property taxpayers had increased exponentially, in fact, in the 2002 budget 46% of the City's net revenue came from property taxes, that the cost of government between 1997 and 1998 fiscal year increased \$62 million, that between 1998 and 1999 it increased \$90 million, that in the subsequent year it increased by \$44 million, and finally in this year by \$109 million, that there had been a growth of \$324 million under the Mayor's administration, that they had seen even the County look at a modest property tax rollback and HISD revise its tax rate, that they had seen the federal government giving rebates, that Council voted for a two cent rollback in the last budget and this simply would restore those two cents in a year in which they were continuing to experience record revenues in terms of property taxes so he would ask favorable consideration for this amendment by his colleagues and give property taxpayers in the City of Houston modest relief. Council Members Todd and Robinson absent.

Mayor Brown stated that he wanted to respond to one aspect of what he said as to the County's rollback, that he thought that it would probably cost more to process the checks than they would save under the County's tax rollback the average taxpayer would save \$1.50 per year and that was not a lot of money, that he would just refer them to an article in the Houston Chronicle in the headlines "Tax Worsens City's Economic Problems" and they quoted Barton Smith, who as they knew was the City's consultant and it concluded by saying "what the biggest drags on economy here, and that was Houston and around the Country, was the uncertainty, with uncertainty in the air the normal reaction was to wait", and that was what he thought they should do, that there was a letter put out by Dr. Scheps which talked about their possibilities of having less money based upon what they had seen in the recent weeks from their Sales Tax and just for the audience, the memorandum said that one penny decrease in the tax rate had the effect of saving the average homeowner about eighty cents a month and only one third of the City's revenue loss would be distributed to the homeowners, that the rest would go to businesses and it was Dr. Scheps opinion that the money would be better spent addressing the significant problems facing the City, that they had a number of firefighters present yesterday talking about the need for more firefighters and they would not get those firefighters if they cut the budget, nor would they keep the same level of service they had right now if they cut the budget by even the one cent that they were referring to, that he thought the better thing for this Council to was to understand that this was not the time to make decisions as they were proposing, that

they did not know what was going to happen, what they did know was that they were not bringing in as much money as they had anticipated, and as a result of that he had implemented cost controls right now, because it could conceivably become much worse than it was right now and he urged Council not to pass the item.

Council Member Bell stated that they owed it to their constituents to be responsible, and this would be irresponsible, that all they had to do was to compare where they were last year when they were discussing the tax rate rollback and where they were now, that last year they were looking at a projected \$28 million surplus, there would be ample money with the tax rate rollback to meet the needs that had been passed the previous June, that they voted on a budget this June and the Council Member who now proposed this tax rate rollback did not bring forth any proposals at that time or amendments on how to cut the budget, instead he joined the many of them in looking for how they could find additional funding for the fire department, which many of them agreed was important, that now if they were looking at a surplus, he thought that it would be responsible to talk about tax relief, but they were not, and as of the Fiscal Affairs Committee meeting yesterday, they were looking at a \$22 million shortfall and that money could grow as they moved forward, that they did not know what the full extent of the terrorists attack had on their economy and would continue to have and so now was not the time to engage in rolling back the tax rate, that now was the time to engage and continue to discuss a tax dividend proposal and he would like to thank the chair of the Fiscal Affairs Committee for allowing that to go to committee and the Mayor for his support and the Finance and Administration Department for their willingness to draft a proposal that hopefully could be voted on later this month, that he thought that was responsible tax relief and that after the fiscal year had run its course they could look at where they stood and see if they had ended the fiscal year with a surplus and decide how much should be refunded to tax payers, that this was a guessing game right now and a dangerous guessing game and he would recommend a no vote.

Council Member Boney stated that he wanted to join Council Member Bell and his remarks and urge his colleagues to rise above partisan politics and look at the obvious, that he had talked to some of his colleagues about this matter and it was clear and undeniably so that their economy was troubled and clear that their expenditures were increasing rapidly in the areas of security, that he would urge a roll call vote and dispose of this and match the tax rate to their passed budget and try to manage those dollars, and then he would really hope that the Fiscal Affairs and Council Member Bell go to the State Legislature and try to get a handle on the appraisal district because that would lower the burden as well and de-politicize some of these assumptions.

Council Member Tatro stated that how they ran the business that equaled service and thought that the notion that cut in revenues somehow equaled the cut in services was just not true, that he wholeheartedly supported the penny, that it was time now and it was not a cut in services it was the efficiency in government that they needed to continue to work on. Council Members Castillo and Parker absent.

Mayor Brown stated that when Tom Rolen came to the City Council he came to ask them to approve contracts and based on the fact that they had an unusually hot summer and no rain as a result they had an unprecedented number of breaks in their water and sewer supplies and he told this Council, and he thought honestly so, that he needed some help to get it done, so it was not appropriate to criticize someone for asking for the assistance necessary to do the job, that no one would prudently staff up for what happened last summer so he did the right thing, he asked for contracts to get the job done.

Council Member Robinson stated that he was glad they had the discussion and debate and thought it was always in the best interest of the citizens of Houston to talk about the fiscal affairs

of Houston, that he agreed with Council Member Bell and the Mayor that the more prudent course of action for them was to establish the process for a tax dividend program and start working towards that goal.

Mayor Brown stated that he circulated a letter to their Fiscal Affairs Committee indicating that the administration supported Council Member Robinson's proposal that he surfaced last year for a tax payer dividend, but that meant they had to take care of some of the things they were mandated to do and then give the tax payers their money back, so he supported what Council Member Robinson had been pushing for a couple of years.

Council Member Todd stated that he was a yes vote on this item, that he thought the item had to do with a couple of things, that he thought it had to do with controlling the growth and size of government, that it also had to do with faith in their Country and City to endure and to carry on, that he was not a pessimist and did not think that their current economics was going to be a negative in the future and suspected that by the time the holidays came around they were going to have a different mood in this town and Country, that right now people were scarred a little bit and apprehensive about the way things were going, but thought that within 30 days time the market was going to be showing some good signs, that he thought that at this point they needed to go ahead and vote yes on Council Member Sanchez's motion and make certain that taxpayers get some relief.

After further discussion by Council, Council Member Galloway moved to call the question on Item No. 62, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1072 ADOPTED

A roll call vote was called on Item No. 62.

ROLL CALL VOTE:

Mayor Brown voting no

Council Member Vasquez out of city  
on city business.

Council Member Tatro voting aye

Council Member Castillo voting no

Council Member Galloway voting no

Council Member Parker voting no

Council Member Goldberg voting aye

Council Member Quan voting no

Council Member Boney voting no

Council Member Sanchez voting aye

Council Member Todd voting aye

Council Member Bell voting no

Council Member Ellis voting aye

Council Member Robinson voting no

Council Member Keller voting aye

MOTION 2001-1073 FAILED

62a. ORDINANCE providing for the assessment, levying and collection of ad valorem taxes for the City of Houston, Texas for the Year 2001 – **(This was Item 34 on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBERS SANCHEZ, TATRO, VASQUEZ, KELLER, CASTILLO, BONEY and ROBINSON)** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0894 ADOPTED

MOTION 2001-1074 omitted in error.

Council Member Robinson moved to suspend the rules to consider Item Numbers 41, 42 and 59 out of order, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1075 ADOPTED

30. ORDINANCE approving and authorizing contract between the City of Houston and **HOUSTON AREA WOMEN'S CENTER** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0895

ADOPTED

Council Member Robinson moved to suspend the rules to hear from a representative of the Houston Area Women's Center, seconded by Council Member Boney. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1076 ADOPTED

A representative of the Houston Area Women's Center stated that she thanked the Council and that they appreciated the vote in these times with money being tight, that the Houston Area Women's Center, in its work to help battered women and rape survivors, needed all the help they could get, and Mayor Brown stated they appreciated all they did.

41. ORDINANCE appropriating \$2,650,000.00 out of Airports Improvement Fund and \$1,350,000.00 out of Federal Aviation Administration Grants Fund and approving and authorizing contract for professional consulting services between the City and **LEIGH FISHER ASSOCIATES** for General Planning Services for the Houston Airport System; Project No. 583B, CIP A0368 - **DISTRICTS B- GALLOWAY and E – TODD** – was presented.

Council Member Robinson stated that he was in support of the item, that it was one of the Master Plans and was at Ellington Field and wanted to make sure that he would visit with Mr. Vacar so they would include some analysis of the potential impact of that proposed San Jacinto rail line on their property, and Mayor Brown stated that it would be included.

Council Member Todd stated that Ellington Field was in his district and was in an area that was basically surrounded by homes, on one side by Houston and on the other by Pasadena and certainly with what was going on right now and their increased need for air security the role of the federal government and the air guard out there had greatly increased, that he would hope when the study was done that in addition to looking at what the commercial uses were out there for the City that they make certain that they provide whatever it was that the air guard needed in terms of cooperation and coordination of those two plans, that there was a lot of talk out in the community about the future of the field, what it should or should not be and he anticipated that there would be a few public hearings on the issue.

After further discussion, a vote was called on Item No. 41. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Sanchez absent. ORDINANCE 2001-0896 ADOPTED

42. ORDINANCE appropriating \$625,000.00 out of Airports Improvement Fund and \$1,875,000.00 out of Federal Aviation Administration Grants Fund and approving and authorizing contract for Professional Consulting Services between the City and **RICONDO & ASSOCIATES, INC** for Master Plan Study at William P. Hobby Airport; Project No. 583A, CIP A-0442 - **DISTRICT E – TODD** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Sanchez absent. ORDINANCE 2001-0897 ADOPTED

59. 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 42 on Agenda of September 26, 2001, POSTPONED BY MOTION #2001-1049)** – was presented.

Council Member Tatro stated that he supported the item, that his questions and the reason for their delay had to deal with the property but not with the item and that was the mitigation requirements, that they had issued a letter seeking some answers to questions about the particular mitigation for this very flood prone area back in July and it was not until late last night, after repeated phone calls to the flood plain administrators, that they finally got some answers and those answers were very cursory answers, that they were not in depth answers and so they still had to do quite a bit of homework to find out the answers to the questions they asked, that he did not intend to delay the item but was very disappointed that the questions they asked arrived after repeated attempts to get that information for their constituency who had some substantial issues about it, that he would appreciate a little more timely and full disclosure from the Flood Plain Administration Department with respect to the questions they asked. Council Members Sanchez and Robinson absent.

Council Member Parker stated that she shared Council Member Tatro's concerns about this and also supported the item because she thought they had to move forward on it, but thought the issue of mitigation, once the development started was a crucial one and was concerned that the district Council Member could not get a good answer to his question, that this was an area that flooded heavily during Tropical Storm Allison and they wanted to make sure that nothing they did on the new construction site exacerbates the problem that they had over there.

A vote was called on Item No. 59. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Sanchez and Robinson absent. ORDINANCE 2001-0898 ADOPTED

### CONSENT AGENDA NUMBERS 1 through 53

#### MISCELLANEOUS - NUMBERS 1 and 2

1. RECOMMENDATION from Director of Human Resources for approval of the Holiday Schedule for Calendar Year 2002 – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Bell and Robinson absent. MOTION 2001-1077 ADOPTED
2. RECOMMENDATION from City Attorney for adoption of Alcohol Free Zone for Incarnate Word Academy at 609 Crawford, Houston, Texas - DISTRICT I - CASTILLO – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Bell and Robinson absent. MOTION 2001-1078 ADOPTED

#### ACCEPT WORK - NUMBERS 13 through 16

13. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$3,134,206.00 and acceptance of work on contract with **JERDON ENTERPRISE, L.P.** for Renovation of Kelley Service Center to Accommodate US59 HOV Lane, GFS L-0030-01-3 01.43% over the original contract amount - Solid Waste Special Revenue and Enterprise Funds DISTRICT H - VASQUEZ – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Bell and Robinson absent. MOTION 2001-1079 ADOPTED
14. RECOMMENDATION from Director Department of Public Works & Engineering for

approval of final contract amount of \$2,344,114.41 and acceptance of work on contract with **KCC GROUP** for Fleet Maintenance Complex Parking Lot and Tire Changing Building, GFS R-0268-36-3 (4503-2) 02.66% over the original contract amount - Enterprise Fund - **DISTRICT H - VASQUEZ** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Bell and Robinson absent. MOTION 2001-1080 ADOPTED

15. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$633,908.55 and acceptance of work on contract with **JIMERSON UNDERGROUND, INC** or Interwood MUD Lift Station Diversion; GFS R-0536-04-3 (4275-36) 09.67% under the original contract amount - Enterprise Fund - **DISTRICT B - GALLOWAY** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Bell and Robinson absent. MOTION 2001-1081 ADOPTED
16. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,887,734.00 and acceptance of work on contract with **LAYNE-TEXAS A Division of Layne Christensen Company** for Construction of Katy Addicks Water Wells No. 12 and No. 13, GFS S0100-WC-3 (10449-1) - 03.27% under the original contract amount Enterprise Fund - **DISTRICT A - TATRO** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Bell and Robinson absent. MOTION 2001-1082 ADOPTED

#### **PROPERTY - NUMBER 18**

18. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel AY1-1, located in the 14800 block of Grisby Street, owned by the M6 Remainder I LLC, a Delaware limited liability company, George Huerbolsheimer, Managing Director, for the **GRISBY LIFT STATION ACCESS EASEMENT PROJECT**, CIP R-0267-57-1 - **DISTRICT G - KELLER** – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Members Bell and Robinson absent. MOTION 2001-1083 ADOPTED

#### **PURCHASING AND TABULATION OF BIDS - NUMBERS 20 through 25**

20. **BLUEBONNET STRODER CO., L.C.** for Concrete Work Project for Department of Public Works & Engineering - \$313,375.00 - Enterprise Fund had been pull from the Agenda by the Administration and was not considered. Council Member Bell absent.
22. **AMEND MOTION #99-1587, 9/8/99**, TO INCREASE spending authority by \$42,250.00 from \$169,000.00 to \$211,250.00 for Equipment, Special Truck Body Contract for Various Departments, awarded to **RUSH TRUCK CENTER OF TEXAS, HOUSTON** - General Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Bell absent. MOTION 2001-1084 ADOPTED
23. **TURTLE & HUGHES, INC** for Electric Lighting, Parts & Fixtures for Various Departments \$748,859.48 - General, Enterprise, Fire Revolving and Fleet Management Funds - General

Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Bell absent. MOTION 2001-1085 ADOPTED

25. **AMERICAN LASER, INC** - \$199,142.50, **AMERICAN TONER PRODUCTS (Bid No. 1)** \$235,120.20, **AMERICAN TONER PRODUCTS (Bid No. 2)** - \$952,888.80, **CORPORATE EXPRESS IMAGING** - \$62,237.19, **CUSTOM COMPUTER SPECIALIST** - \$58,735.10, **SAMMY ENTERPRISES & SERVICES** - \$70,254.00, **SMARKETING BUSINESS SYSTEMS, INC** \$124,424.00 and **UNISOURCE** - \$371,429.40 for Printer, Fax, Toner Cartridges, Part II for Various Departments - \$2,074,231.19 - General, Enterprise and Building Inspection Funds - General Fund – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Bell absent. MOTION 2001-1086 ADOPTED

### **RESOLUTIONS AND ORDINANCES** - NUMBERS 27 through 53

31. ORDINANCE issuing a permit to **AIR PRODUCTS, L.P.**, a Delaware Limited Partnership, for building, constructing, maintaining, operating and repairing a ten-inch pipeline for the transportation of industrial gases underneath portions of Space Center Boulevard, West Linkage Road, Saturn Lane, and El Camino Real, within and being public street rights-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT E - TODD** - General Fund – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0899 ADOPTED
34. ORDINANCE approving and authorizing the conveyance by the City of a Drainage easement out of the Garden Villas Lift Station Site to the Harris County Flood Control District; Parcel Number SY1-082; subject to the terms and conditions of the easement - **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0900 ADOPTED
36. ORDINANCE approving and authorizing two contracts between the City and the **TEXAS DEPARTMENT OF HEALTH**, Women’s Health Laboratories for Pap Smear Screening and Reporting Services; providing maximum contract amounts - \$113,464.00 - General and Grant Funds – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0901 ADOPTED
38. ORDINANCE approving and authorizing contract between the City of Houston and **TECHNOLOGY & DISPUTE RESOLUTION CONSULTING, INC** for Expert Witness Services relating to the lawsuit styled the John Corporation and U.S. Vanguard, Inc. v. City of Houston and Cherry Moving Company, Inc. d/b/a Cherry Demolition in the 234th District Court of Harris County, Texas, Cause No. 99-35722 - \$30,000.00 - Property & Casualty Fund - **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0902 ADOPTED
39. ORDINANCE approving and authorizing amendment to sponsorship agreement between the City and **BAY OAKS COMMUNITY ASSOCIATION, INC** for Garbage Collection Service for the respective subdivisions - 10 Months - \$9,720.00 - **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0903 ADOPTED



43. ORDINANCE approving and authorizing agreement for participation in the Electronic Fingerprint Program between the City of Houston and the **FEDERAL AVIATION ADMINISTRATION** at George Bush Intercontinental Airport/Houston; providing a maximum contract amount **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0904 ADOPTED
46. ORDINANCE approving and authorizing amendment No. 1 to contract for Professional Materials Engineering Laboratory Services between the City of Houston and **HERCULES ENGINEERING AND TESTING SERVICES, INC** at George Bush Intercontinental Airport/Houston, Project No. 556, CIP A-0374, A-0376 and A-0378 - **DISTRICT B - GALLOWAY** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0905 ADOPTED
50. ORDINANCE appropriating \$110,00.00 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **INTEGRATED LOGISTICAL SUPPORT, INC** for Wastewater Facilities Safety Improvements, CIP R-0302-07-2 (WW4827); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0906 ADOPTED
51. ORDINANCE appropriating \$2,824,700.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **E. P. BRADY, INC** and approving and authorizing professional services contract for engineering testing services with **ATSER, LP**, for 30-inch water line along Oak Tree Street, Neuens Street, and Campbell Road, GFS S-0900-74-3 (WA10647); providing funding for construction management and contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A- TATRO** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0907 ADOPTED

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

**MISCELLANEOUS**

3. RECOMMENDATION from Director Library Department for approval of the Standards for Excellence, Library Master Plan – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1087 ADOPTED
4. RECOMMENDATION from Director Parks & Recreation Department for approval of the Park System Master Plan – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1088 ADOPTED
5. RECOMMENDATION from Director Department of Solid Waste Management for approval of additional funding in the amount of \$500,000.00 for Solid Waste Disposal on contract with **WASTE MANAGEMENT, INC** - General and Disaster Recovery Funds – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION

2001-1089 ADOPTED

6. RECOMMENDATION from Director Department of Solid Waste Management for approval of additional funding in the amount of \$1,200,000.00 for Solid Waste Disposal on contract with **WASTE CORPORATION OF TEXAS, INC** - General and Disaster Recovery Funds – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1090 ADOPTED
7. RECOMMENDATION from Finance & Administration Department to create an exception to Motion 2001-1369 to allow usage of intermediaries for the purpose of insurance policy procurements through the City of Houston’s Insurance Broker – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1091 ADOPTED
8. RECOMMENDATION from Director Finance & Administration Department and the City Controller for approval of a purchaser term sheet for the sale of Tax and Revenue Anticipation Notes, Series 2001A (the Series 2001A Notes”), and awarding the sale of the notes – was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1092 ADOPTED

**DAMAGES**

9. RECOMMENDATION from City Attorney for settlement of lawsuit styled **WILLIAM NUGENT et al. v. City of Houston et al.**, Civil Action No. H-98-3915 in the United States District Court for the Southern District of Texas - Property and Casualty Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez.

Council Member Todd asked the Legal Department to provide him with some examples of what sort of initiatives they would be talking about, and Mr. Hall stated that the reason it was worded that way was because they obviously did not know at this point, that he wanted to make two points in response to his question about the provision, that it addresses one of the principal claims in the original law suit but it was important for Council to remember different maybe than the impressions they got from the media reports was that there was no finding of discrimination by anybody in the lawsuit, that the issue that was resolved was an issue that involved State Law and whether or not they were giving their test at the right time, were they giving their test before or after other things were considered that the State Law said should not have been, that the question of discrimination was one that was left open, but they resolved the issue, at least, to the satisfaction of all the parties, that the reason it was there was that nobody was certain what the consequence of changing the process they use would be, so the settlement said that if in fact they did not get results that were representative that would be something that could be presented to the court with some narrowly tailored resolution and obviously he could not tell him at this point what it would be, and Council Member Todd stated that he would tag the item. Council Member Quan absent.

Council Member Boney asked if there was any legal impact to the tag, and Mr. Hall stated that Mr. Fisher had handled this, that it had been a very delicate matter in the federal courts and would ask him to respond, that they were not sure and had not anticipated the tag, that he was advised that with Council not meeting next week there was already scheduled a meeting with the judge where it was anticipated that this would be presented and approved, that it was difficult to say that the judge would not delay consideration of this. Council Member Quan absent.

Council Member Todd stated that he would be happy to remove his tag if the item could be moved to the end of the agenda. Council Member Quan absent.

Council Member Boney moved to consider Item No. 9 at the end of the agenda, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Quan absent. MOTION 2001-1093 ADOPTED

### ACCEPT WORK

10. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$390,251.00 and acceptance of work on contract with **SUMCO, INC** for Parks to Standard Program - Bid Package No. 18 Edgewood & DeZavala Parks, GFS F-0363-18-3 and F-0363-19-3 - 04.85% over the original contract amount - Parks Consolidated Construction and CDBG Grant Funds - **DISTRICTS E - TODD and I - CASTILLO** – was presented, moved by Council Member Castillo, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1094 ADOPTED
11. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$817,451.36 and acceptance of work on contract with **PRIME CONTRACTORS, INC** for Life Safety Package - Miller Outdoor Theatre, GFS F-0363-41-3 - 04.27% over the original contract amount - Parks Consolidated Construction Fund - **DISTRICT D - BONEY** – was presented, moved by Council Member Castillo, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. MOTION 2001-1095 ADOPTED
12. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$243,310.06 and acceptance of work on contract with **TIMES CONSTRUCTION, INC** for Parks to Standard Program Phase II James Wiley Park Water Playground, GFS F-0363-46-3 02.06% over the original contract amount - Accumulated Unexpended Fund - **DISTRICT I - CASTILLO** – was presented, moved by Council Member Quan, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. MOTION 2001-1096 ADOPTED

### PROPERTY

17. RECOMMENDATION from Director Department of Public Works & Engineering declaring that the City of Houston does not need for road purposes 73,220 square feet of land, located at Texas Avenue and Hamilton Street, Lots 8, 9 and 10, Block 174, South Side Buffalo Bayou, so the State of Texas Department of Transportation can sell the property to the abutting property owner, Lanny Glick - **DISTRICT I - CASTILLO** – was presented, moved by Council Member Castillo, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. MOTION 2001-1097 ADOPTED

### PURCHASING AND TABULATION OF BIDS - NUMBERS 20 through 26

21. **ONDEO NALCO COMPANY (Bid #2)** for Chemical, Liquid Polymer Flocculent Contract for Department of Public Works & Engineering - \$10,800,000.00 - Enterprise Fund – was presented, moved by Council Member Castillo, seconded by Council Member Sanchez. All

voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. MOTION 2001-1098 ADOPTED

24. **DDS AGGREGATES, INC** - \$1,438,197.00 and **GULF COAST STABILIZED MATERIALS** \$593,640.00 for Cement, Stabilized Sand for Various Departments - General and Enterprise Funds – was presented, moved by Council Member Castillo, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. MOTION 2001-1099 ADOPTED
26. **HOUSTON GALVESTON AREA COUNCIL** for Household Hazardous Waste Collection, Transportation and Disposal Services through the Interlocal Agreement for Cooperative Purchasing for Various Departments - \$1,300,000.00 - Street & Drainage Maintenance Fund – was presented, moved by Council Member Castillo, seconded by Council Member Sanchez. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. MOTION 2001-1100 ADOPTED

**RESOLUTIONS AND ORDINANCES** - NUMBERS 27 through 53

28. ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 344** to enter into a Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes all of the area in Harris County Municipal Utility District No. 344; providing for the publication of notice of such hearings; containing other provisions relating to the foregoing subject; providing for severability **HEARING DATES - WEDNESDAY - 9:00 A.M. - NOVEMBER 7 & 14, 2001** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. ORDINANCE 2001-0908 ADOPTED
29. ORDINANCE calling public hearings at which interested persons will be given the opportunity to be heard on a proposal for the City of Houston to disannex **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 361** pursuant to a proposed Strategic Partnership Agreement and on a proposal by the City of Houston to annex for limited purposes all of the area in Harris County Municipal Utility District No. 361; providing for the publication of notice of such hearings; containing other provisions relating to the foregoing subject; providing for severability **HEARING DATES - WEDNESDAY - 9:00 A.M. - NOVEMBER 7 & 14, 2001** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Todd absent. ORDINANCE 2001-0909 ADOPTED
32. ORDINANCE granting authority to **BROADWING COMMUNICATIONS SERVICES, INC, a Delaware Corporation**, to encroach upon and use the public way of the City of Houston, Texas, pursuant to Article XIV, Chapter 40, Code of Ordinances, Houston, Texas, for the purpose of laying, constructing, leasing, maintaining, repairing, replacing, removing, using, and operating therein, telecommunications facilities for providing authorized telecommunications services; providing for related terms and conditions – was presented, and tagged by Council Member Keller. Council Member Goldberg absent.

Council Member Keller stated that the item before them granted to Broadwing the use of the public right of way for telecommunication services, that he was made aware back in July that Broadwing had violated the City's street cut ordinance during two instances, that both of those instances had occurred at Main and Naylor, in Council Member Vasquez's district and had worked with him on it and supported their efforts. Council Member Goldberg absent.

Council Member Quan stated that he wanted to add his tag also and asked Mr. Hall if they had a franchise agreement with the City or the State and asked how they were regulating Broadwing, and Mr. Hall stated that he was going to ask Ms. McAbee to give them details, but as they knew they had an ordinance that basically required that they treat all telecommunication providers the same, that his understanding was that the encroachment was not an unusual request, that the issues that were raised by Council Member Keller were legitimate ones and did not know or could not give them a response from a legal perspective of how they would treat somebody who had previously demonstrated that they may be a bad actor.

Council Member Tatro moved to suspend the rules to hear from Ms. Debra McAbee, Legal Department, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Goldberg absent. MOTION 2001-1101 ADOPTED

Council Member Quan stated that he was trying to determine under what franchise agreement were they operating and what rights did the City have vis-à-vis that agreement to control what they did as far as the streets, that he knew they had the Street Cut Ordinance but what other authority did the City have, and Ms. McAbee stated that they had authority under the franchise, that they had a right of way ordinance that they enter into, and that was what this was, with a non certificated telecommunications provider, that certificated telecommunications providers do not typically come to the City for franchise because they were exempt from the franchise requirements under State Law, as they had discussed before, that they did not fall under the State law so they had to come to the City for the franchise which was what was on the agenda today, that they were subject both to a franchise requirement and a street cut permit requirement, so they had two ways to monitor them, that if they had been a certificated telecommunications provider they would not be a franchisee but would still be subject to the street cut ordinance. Council Member Goldberg absent.

Council Member Robinson stated that he wanted his tag added also, and Mayor Brown stated that the item had been tagged by Council Members Robinson, Quan and Keller. Council Member Goldberg absent.

33. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of a 10-foot wide sanitary sewer easement containing 1,912 square feet of land, being located in Unrestricted Reserve A, Block 1, Monroe Crossing Subdivision, T. M. Dorsett Survey, A-222, Harris County, Texas; vacating and abandoning said tract of land to Tipton Construction Company of Texas, Inc., the abutting owner, in consideration of owner's payment of \$1,912.00 and other consideration to the City - **DISTRICT I - CASTILLO** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Goldberg absent. ORDINANCE 2001-0910 ADOPTED

35. ORDINANCE approving and authorizing an occupancy agreement between **COMMUNITY DOULA PROGRAM**, as occupant, and the City of Houston, Texas, as owner, for space in the Magnolia Multi-Service Center - **DISTRICT I – CASTILLO** – was presented, and tagged by Council Member Quan.

Council Member Quan stated they had some questions concerning the financial status of the organization and would like to get clarification on that. Council Member Goldberg absent.

37. ORDINANCE appropriating \$50,000.00 out of the Homeless and Housing Consolidated Fund and authorizing agreement between the City of Houston and **INDEPENDENT**

**HEIGHTS BAPTIST PASTORS AND MINISTERS ALLIANCE, INC** to provide a grant to subsidize a portion of the costs to acquire twenty (20) residential lots to be developed as ten (10) affordable single-family houses - **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Goldberg absent. ORDINANCE 2001-0911 ADOPTED

40. ORDINANCE appropriating \$775,663.00 out of Convention & Entertainment Construction Fund, awarding construction contract to **CHARTER ROOFING & WATERPROOFING** for construction of Roof Replacement for Wortham Theater, CIP B-0058; providing funding for contingencies relating to construction of facilities financed by the Convention & Entertainment Construction Fund - **DISTRICT I - CASTILLO** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. Council Member Goldberg absent. ORDINANCE 2001-0912 ADOPTED
  
44. ORDINANCE approving and authorizing contract between the City of Houston and **IDENTIX, INC** for an Automated Applicant Fingerprint Identification System for the Houston Airport System \$231,691.50 - Enterprise Funds - **DISTRICTS B - GALLOWAY and E - TODD** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0913 ADOPTED
  
45. ORDINANCE approving and authorizing contract between the City of Houston and **ROGER H. BATES**, a Sole Proprietor, for professional consulting services in connection with a Traffic and Earnings Report and General Financial Advisory Services for the Houston Airport System \$475,000.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E - TODD** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0914 ADOPTED
  
47. ORDINANCE appropriating \$141,405.98 out of Water and Sewer System Consolidated Construction Fund and \$92,952.31 out of Affordable Housing Uptown Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **W & W ASSET MANAGEMENT, INC** for Construction of Water, Sanitary Sewer and Storm Sewer Lines, CIP S-0800-37-03 and R-0800-44-03 - **DISTRICT C - GOLDBERG** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0915 ADOPTED
  
48. ORDINANCE appropriating \$728,700.00 out of Water & Sewer Consolidated Construction Fund and approving and authorizing professional engineering services contact between the City of Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for the Development of a Systematic Water Line Replacement Process using Historical Repair Work Data, GFS S-0035-87-2 (WA10711); providing funding for contingencies relating to project management of the Water & Sewer Information Management System financed by the Water & Sewer System Consolidated Construction Fund – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0916 ADOPTED
  
49. ORDINANCE approving and authorizing amendment to contract between the City and **POST, BUCKLEY, SCHUH & JERNIGAN, INC** for Design of Neighborhood Street Reconstruction Project 441, N-0374-01-2 (SB9042) - **DISTRICTS D - BONEY; E - TODD and H - VASQUEZ** – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0917 ADOPTED

52. ORDINANCE appropriating \$4,600,000.00 out of the 12A Consolidated Dangerous Building Fund to be used by the Neighborhood Protection Division of the Public Works & Engineering Department for Demolition, Asbestos and Lead Abatement and Demolition Support Services in regard to buildings determined to be dangerous and to pose a public health and safety hazard – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0918 ADOPTED
53. ORDINANCE appropriating \$29,342,378.00 out of Equipment Acquisition Consolidated Fund for purchase of FY2002 Equipment – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0919 ADOPTED

**MATTERS HELD** - NUMBERS 56 through 62A

56. 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 – (**This was Item 17 on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBER TATRO**) – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0920 ADOPTED
- 56a. MOTION by Council Member Boney/Seconded by Council Member Parker to adopt recommendation from Finance & Administration Department to award to **BADGER METER, INC** for Water Meters, Cold Water Contract for Department of Public Works & Engineering \$12,475,677.50 – (**This was Item 17a on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBER TATRO**) – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1102 ADOPTED
57. 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** – (**This was Item 22 on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBER TATRO**) – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0921 ADOPTED
58. 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 40 on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG**) – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1103 ADOPTED
60. 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 43 on Agenda of September 26, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG**) – was presented.

Council Member Goldberg moved to postpone Item No. 60 for one week, seconded by

Council Member Tatro. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1104 ADOPTED

61. 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 44 on Agenda of September 26, 2001, POSTPONED BY MOTION #2001-1065) – was presented. All voting aye. Nays none. Council Member Vasquez out of city on city business. ORDINANCE 2001-0922 ADOPTED
  
9. RECOMMENDATION from City Attorney for settlement of lawsuit styled **WILLIAM NUGENT et al. v. City of Houston et al.**, Civil Action No. H98-3915 in the United States District Court for the Southern District of Texas - Property and Casualty Fund – was again presented.

Council Member Todd stated that based on the City Attorney's interpretation of the effect of that particular clause he would not tag the item and would support it.

A vote was called on Item No. 9. All voting aye. Nays none. Council Member Vasquez out of city on city business. MOTION 2001-1105 ADOPTED

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

Council Member Ellis stated that his first item had to do with the long overdue Southwest Multi Service Center, that he received a memo last week from the project manager on that project stating that the multi service center was being shortchanged, that when he first started the discussions on the multi service center about 18 months ago he demanded that they put a mini public library into the center, which everybody agreed, and they thought it would be a great idea for that community, which was the Gulfton Community, that he believed they had completed the design but now the project manager was coming back to them saying there was not CDBG (Community Development Block Grant) money there, that \$1.8 million was necessary for that portion of the multi service center, that he would ask the Mayor to get involved in this, that he thought the project was necessary for that community and knew how much of a strong advocate he was towards the library projects and so forth and thought it would be good for the community, and Mayor Brown stated that he would look into that, and Council Member Ellis requested that he have someone report back to him on that.

Council Member Ellis stated that it came to his attention that they had been awarding a number of professional services contracts and had been doing them legally because they were \$15,000 or less because they did not have to come before Council, that the complaint he had as he looked at a report that was generated for him by the Controller's office at his request, he noticed that they had a professional services contract with an attorney in town where they awarded three \$15,000 contracts on the same day and that seemed to him that it might be circumventing the Council's authority, that he knew that when they had purchases that were less than \$15,000, that he knew it went up to \$25,000 as of September 1, 2001, they received a report on that and when they had a settlement that was less than \$15,000 they received a report on that and he would request the Mayor's office to start sending out a report of those professional services contracts which were being approved by different departments, that were less than \$25,000, and do it on a monthly basis so they were aware which contracts were going out, because at present they had to go and request that information, and Mayor Brown asked that he let him have the ones he was talking about and he would take a look at them, and Council Member Ellis stated that it was Nellie T. Santos and on May 7, 2001 they approved three



contracts with her, all for \$15,000 which would be the maximum, and Mr. Hall stated that he would get him a report on it. Council Members Castillo and Robinson absent.

Council Member Goldberg stated that he wanted to congratulate the Mayor on some of the cautionary measures he had taken to guard and protect against any kind of chemical or biological terrorists attacks, that he had read some of the articles in the paper and felt very good about some of the safety precautions, that there were three things that he would like for his office to check on, that one would be gas masks provided for police officers in their vehicles, two would be gas masks for every firefighter in their stations, and three, that he knew they did have some bomb detection canines, but that they would have an adequate supply and were up to date, and Mayor Brown stated that they did have a process of looking at all of that and had been working with the Baker Institute ever since he was at the Baker Institute and had continued that process so they would add that to the agenda. Council Members Castillo and Robinson absent.

Council Member Galloway stated that she had a concern with the voting machines that people would be using in the early voting this year, that she had gotten with Beverly Kaufman and also spoke with the director of library service to have the machines set up in their library so a person could go in during their own time to get some type of training on how to use those machines, that she was successful in getting one location whereas one of the staff persons in the library did get trained in order to assist people coming into the library on how to operate it, that she was hoping that the Mayor's administration could get together with the director of library service to maybe get more machines stationary in their libraries, that they would have one located at the Scenic Woods Library starting this week so people in that community could go during the day and look at the machine and try to operate it, and so she was hoping that they could maybe expand that to other libraries as well, and Mayor Brown stated that was a good idea and would look into it. Council Members Castillo and Robinson absent.

Council Member Galloway stated that she had spoken to some of the business owners and concessionaires at the airport and they had been drastically affected by what happened on September 11, 2001 and they were losing a lot of money and their business was suffering, that she did not know what they as a City could do to try to give them some type of assistance, that she knew that President Bush did offer some type of assistance for the airlines themselves as far as financial, and did not know if they could give them some type of concession on their rent and would hope that the administration could look into something for them, and Mayor Brown stated that they were already looking into it, that it was a national problem, not just Houston, that he served on a committee established by the US Conference of Mayor's, the cities that manage airports, and that was one of the items they had on their agenda and hopefully they could get some federal relief for related aviation services such as the concessionaires, so they were aggressively working on it and would probably be looking at some legislation to get them some help. Council Members Todd, Castillo and Robinson absent.

Council Member Quan stated that this coming Saturday, at Allen's Landing, they would be having the first Dragon Boat Festival in Houston's history, that he did not know if people were familiar with dragon boats they had about 24 people in each boat and had a drummer, that it was going to be an exciting festival and wanted to invite everyone to attend that. Council Members Todd, Ellis, Castillo, Bell and Robinson absent.

Council Member Quan stated that also this Saturday they would be having the City's Sports Day and believed that City Council had two teams in the Sports Day this year, the softball team as well as a volleyball team, so he also encouraged Council Members to participate in that. Council Members Todd, Ellis, Castillo, Bell and Robinson absent.

Council Member Quan stated that last Saturday he had a chance to participate in the

Airport System's 5K Walk, that he had a chance to walk with Eric Potts and several hundred airport employees to raise monies for their Consolidated Municipal Employees Campaign and he wanted to encourage all Council Members to join the 1% Club and thought they had a poor track record in the past and wanted to really improve upon that. Council Members Todd, Ellis, Castillo, Bell and Robinson absent.

Council Member Quan stated that with campaign season here he was seeing a lot of yard signs and a lot of signs on easements and utility poles and things like that and thought it set a poor example for them as elected officials not to be following the law themselves regarding placement of those signs and encouraged people voluntarily to observe what the law states regarding placement of those signs and try not to trash the neighborhoods in the City. Council Members Todd, Ellis, Castillo, Bell and Robinson absent.

Council Member Taro stated that he wanted to second Council Member Galloway's voting machine idea to get them into a City facility, if possible a library, because early voting would be all electronic, except if by mail, and he knew they had a couple of civic clubs in his area request that Beverly Kaufman's office bring them by and demonstrate, that he planned to early vote and had not yet seen the machines and thought if in any way they could facilitate that education at their libraries between now and early voting day would be great education and help. Council Members Todd, Ellis, Castillo, Bell and Robinson absent.

Council Member Tatro stated that he wanted to thank the Public Works employees, that over the last week they had a lot of meetings over specific issues, the bike trail issue, that he wanted to thank the Bike Trail Coordinator and Mr. Showri for meeting with him, and Karen Phillipi on a water meter issue, and Dr. Scheps on not only ROCIP but on the tax rate and Jim Gill who also met on the tax rate, that Dr. Scheps also met with him on the street assessments, which were two other agenda items. Council Members Todd, Ellis, Castillo, Bell and Robinson absent.

Council Member Keller stated that he received numerous calls and compliments, that the emergency overlay of San Felipe was done and it was a slight delay because of the events of September 11, 2001, that he wanted to thank Public Works and the administration for getting this portion done, that they had the complete four phase project funded and underway, that his constituents were extremely excited about it, that he was getting ready to go to Grady High School, right on San Felipe, and they were going to give the City something as a thank you for that, that he wanted to thank Robin Green, that this weekend they had a main break because of the original contractor and Robin just took the ball and made it happen, that he got it taken care of and sifted through all the finger pointing and made it happen and got it fixed, that he could not thank Robin Green enough for the work he had done on behalf of the City and especially District G, that also to Doug Wiersig and Robert DeShirley, Nottingham Elementary thanked them greatly, that they had gotten letters from the principal and some of the parents out there for getting the flashing school lights up and working, that very close by they had Westside High School and he wanted to thank Mike Cordova for getting the sidewalks around Westside High School completed. Council Members Tatro, Galloway, Todd, Ellis, Castillo, Bell and Robinson absent.  
(NO QUORUM PRESENT)

Council Member Boney stated that yesterday they had some constituents from Sugar Valley complain that they had overlaid their concrete street, which was in good shape and did not need any repair at all, that it was most extraordinary when citizens come and say that nothing was wrong with their street so why did they come and overlay it and mess it up, that he particularly wanted a report on that one, because if they had some overlay money for District D he could point out some streets that seriously needed work, that they got calls from a number of well organized and strong civic club leaders that nothing was wrong with their concrete street at

all, that they did not understand it and he wanted to find out where their supervisors were who chose those streets and why. Council Members Tatro, Galloway, Todd, Ellis, Castillo, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Council Member Sanchez stated that they made another list, unfortunately not at the top, that for some time they had heard that they post the bike lines on the internet so that folks could have access to the maps, and that was one of the reasons they were listed at the top of the list of worst cycling cities and would encourage them to get that map out and thought that would help them, that he knew that Metro made a decision to pull the bike racks off of Metro buses and perhaps the Mayor could prevail upon Ms. DeLibrio to revisit that policy, and Mayor Brown stated they would take care of that. Council Members Tatro, Galloway, Todd, Ellis, Castillo, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

Council Member Parker stated that she had been for two years, ever since they took the traffic light out at Westheimer and Taft, to try to get it reinstalled and would like the folks at Public Works to visit with her on that, that she had sent memos and they said no they did not think it was justified, that yesterday a police officer who regularly worked security at a club at that intersection called her aside and expressed his concerns and asked her to raise the issue again, that if one of their officers was concerned that there were too many wrecks and a lot of pedestrians darting across the street she would really wish they would revisit that, and Mayor Brown stated they would take a look at that. Council Members Tatro, Galloway, Todd, Ellis, Castillo, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

There being no further business before Council, the City Council adjourned at 11:35 a.m. upon MOTION by Council Member Keller, seconded by Council Member Robinson Castillo. All voting aye. Nays none. Council Members Tatro, Galloway, Todd, Ellis, Castillo, Quan, Bell and Robinson absent. (NO QUORUM PRESENT)

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

MINUTES READ AND APPROVED

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Anna Russell, City Secretary