

City Council Chamber, City Hall, Wednesday, November 14, 2001

A Regular Meeting of the Houston City Council was held at 9:00 a.m. Wednesday, November 14, 2001, with Mayor Lee P. Brown presiding and with Council Members Bruce Tatro, Carol M. Galloway, Mark Goldberg, Jew Don Boney, Jr., Rob Todd, Mark A. Ellis, Bert Keller, Gabriel Vasquez, John E. Castillo, Annise Parker, Gordon Quan, Orlando Sanchez, Chris Bell and Carroll Robinson; Mr. Anthony Hall, City Attorney, Mr. Paul Bibler, Senior Counsel, City Attorney's Office; Mr. Richard Cantu, Director, Citizens Assistance Office, Ms. Debra Dillard and Ms. Sonja Ojeda, Citizens Assistance Office; Ms. Martha Stein, Agenda Director present.

At 9:09 Mayor Brown called to order the meeting of the City Council, and Council Member Castillo led everyone in prayer and the pledge of allegiance. Council Members Tatro, Galloway, Boney, Todd and Bell absent.

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

Council Members Keller and Vasquez moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Members Tatro, Galloway, Boney, Todd and Bell absent.

HEARINGS - 9:00A.M.

1. **PUBLIC HEARING** 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 for the City of Houston to annex for limited purposes all of the area in Harris County Municipal Utility District No. 344 - was presented.

The City Secretary stated that Mr. Jerry Wood would make remarks concerning the hearing. Council Members Tatro, Galloway, Boney, Todd and Bell absent.

Mr. Wood stated that the Strategic Partnership Agreement that the hearing was covering would allow the City of Houston to annex for limited purposes a utility district that was on the City's boundary in the Lake Houston Area, that it was located on the south side of West Lake Houston Parkway at the beltway, between the city limits and the beltway, that the area right now had no development in it and the area would have single family residential and commercial development because of its location at West Lake Houston Parkway and the beltway, that the agreement provided for the City to received all of the sales tax collections that may occur in the future as a result of the development in the commercial sections of the district, that the City would provide emergency services within the district and the City would be reimbursed for those services to be provided in the district through an assessment to any future home owners on their monthly water bill, that the area in question was about 385 acres. Council Members Tatro, Galloway, Boney, Todd and Bell absent.

The City Secretary stated that no one had reserved time to appear at the hearing. Council Members Tatro, Galloway, Boney, Todd and Bell absent.

Council Member Castillo moved to close the hearing, seconded by Council Member Ellis. All voting aye. Nays none. Council Members Tatro, Galloway, Boney, Todd and Bell absent. MOTION 2001-1217 ADOPTED.

2. **PUBLIC HEARING** on a proposal for the City of Houston and **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 361** to enter into a Strategic Partnership Agreement

and on a proposal for the City of Houston to disannex all of the area in Harris County Municipal Utility District No. 361 to annex such area for limited purposes - was presented.

The City Secretary stated that no one had reserved time to appear at this hearing and Mr. Wood would make remarks again. Council Members Tatro, Galloway, Boney, Todd and Bell absent.

Mr. Wood stated that this Strategic Partnership Agreement would enable the City to annex for limited purposes Harris County MUD 361, that the significance there would be that the first part of the action would have them de-annex the territory of MUD 361 and then re-annex it for limited purposes, that they would be empowered to then convert that to a general purpose annexation at whatever point the district fully had developed its utility system, that the financial arrangements and the service arrangements were the same as in MUD 344, that these districts were adjacent to each other on West Lake Houston Parkway in the Lake Houston area, that the area of this district was 373 acres and would be developed largely for single family residential development, that the reimbursement for City services would come through an assessment to be paid monthly by the home owners and administered by the utility district as the City reports the cost for the service to the area. Council Members Tatro, Galloway and Todd absent.

Upon questions by Council Member Quan, Mr. Wood stated that it was sort of a conversion, from general purpose to limited purpose annexation, that the limited purpose would enable them to provide emergency services and enforce ordinances within the area, but they would not have all of the service requirements that they would normally have within the city limits of the City of Houston, that those remaining services would either be provided by Harris County in some cases or generally by the homeowners association, which was typical, that they would not collect property taxes, but would collect sales taxes, instead of being reimbursed through property taxes they would get reimbursement through an assessment on their monthly water bills based on the cost of the services they provide, that the City would provide the district with an accounting for the cost of the services provided and then they would reimburse the City by an assessment on the water bills, that it would allow them to have the area developed and then they could annex it after the area had fully developed without any other requirements they could just simply convert it to a general purpose annexation, that the Strategic Partnership Agreements were entirely voluntary, that there was no way they could coerce anyone into entering into one of them, that in this particular case any resident who buys a house there would know that they were in the City of Houston and the conversion would simply be a change in their status within the city limits of the City of Houston, so it would not be like an annexation of an area which was entirely outside the city limits of the City of Houston, that they did have the right to vote in the City elections, but not in bond elections because they would not be paying property taxes. Council Members Tatro, Galloway and Todd absent.

Council Member Robinson moved to close the hearing, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Tatro, Galloway and Todd absent. MOTION 2001-1218 ADOPTED.

Council Member Robinson moved to suspend the rules to consider Item Numbers 43 and 55 out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1219 ADOPTED.

43. ORDINANCE appropriating \$1,303,684.48 out of City of Houston Airport System Subordinate Lien Revenue Bonds, Series 200B (NON-AMT) Construction Fund, CIP A-0475, awarding construction contract to **JERDON ENTERPRISE, L.P.**, and approving and authorizing professional services contract for engineering testing services with **GROUND TECHNOLOGY, INC** for Westside Wetlands Mitigation, Project No. 586 - **DISTRICT B** -

GALLOWAY - was presented, and tagged by Council Member Tatro. Council Members Galloway and Todd absent.

55. ORDINANCE approving and authorizing on contract between the City and **PATTON BOGGS LLP** for Federal Representation; providing a maximum contract amount - 3 Years - \$953,000.00 General Fund – **(This was item 35 on Agenda of November 7, 2001, POSTPONED BY MOTION #2001-1212)** - was presented.

Council Member Vasquez stated that he was passing around an amendment to Item No. 55 which was basically that the contract for Patton Boggs should be for two years with a one year renewal and the one year renewal should be contingent upon City Council approval, that he had several concerns about this particular agenda item, that first of all the purpose of the actual contract, that it was unclear whether they were getting legal advice or if Patton Boggs was serving to help the City acquire federal dollars and in any event if it was legal advice then he thought they were overpaid and if the purpose was to help acquire federal dollars then he thought they were being unproductive, that he would like to see the City contract with a firm that specialized in the acquisition of federal dollars and at the same time he recognized that given this late notice they did need assistance in the immediate short term and that was why he put for a one year contingency, that his third concern was financial in the sense that given where they were as a City and the potential sales tax he questioned whether or not this was a wise use of dollars in terms of the entire one million dollars, that his amendment would allow them some time to look through the issue and dig a little deeper to see if there were firms out there that specifically specialized in the acquisition of federal dollars, whether it be grant dollars or program dollars and offered the following written motion to amend:

“The contract with Patton Boggs LLP shall be for two years with one one-year renewal. The one year renewal shall be contingent upon City Council approval.”

Council Member Robinson stated that he shared some of Council Member Vasquez’s concerns and his biggest concern, in terms of productivity, he did not think that for the money they were paying they were getting the kind of return on the dollar from the lobby firm and he preferred to see the City have a smaller more focused firm, that Patton Boggs was a great law firm, but they were not really as aggressive, hungry and committed to the City as he thought they ought to be, that he would support the amendment but intended to vote against the overall item. Council Members Galloway and Todd absent.

A vote was called on Council Members Vasquez’s written motion to amend Item No. 55. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1220 ADOPTED.

A vote was called on Item No. 55 as amended. Council Member Robinson voting no, balance voting aye. Council Members Galloway and Todd absent. ORDINANCE 2001-1027 ADOPTED.

MAYOR’S REPORTS

CONSENT AGENDA NUMBERS 3 through 48

MISCELLANEOUS - NUMBERS 3 and 3-1

3. RECOMMENDATION from Chief of Police for Extension of Injured on Duty status for Police Officer **BILLY G. WILLOUGHBY** - was presented, moved by Council Member Boney,

seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1221 ADOPTED.

- 3-1. RECOMMENDATION from Director Department of Human Resources to increase funding for current contract between the City and **METRO** for purchase of Employee Transit Passes - \$16,000.00 - Disaster Recovery Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1222 ADOPTED.

PROPERTY - NUMBERS 5 through 9

5. RECOMMENDATION from Director Department of Public Works & Engineering, reviewed and approved by the Joint Referral Committee, on request from Robert Lin, Lin Engineering, Inc., on behalf of Scott Street Limited Partnership [Scott Street Group, LLC (Pamela Barineau, president), managing general partner] and Missionary Village Apartments Company (John N. Barineau, II, Marilyn Whitehurst, Evelyn Quinn, and Barineau Investments, LP, a family trust (John N. Barineau, III and Marilyn Whitehurst, trustees), general partners], for abandonment and sale of a portion of a utility easement, located within Lots 5 through 8, Block 1, Biamonte Addition, and Mt. Pleasant Street, from Lot 7, Block 1, Biamonte Addition to its cul-de-sac terminus, in exchange for the conveyance for a corner clip, a new cul-de-sac, a water line easement and a utility easement, Parcels SY2-018A, SY2-018B, SY2-022, AY2-147A, AY2-147B, KY2-035, KY2-036 and VY2-006 - **DISTRICT D - BONEY** - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1223 ADOPTED.
6. RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel A99-111, located 72 feet south of Wilburforce Street, owned by Rudolph Norris, for the **ELLA BOULEVARD (WHEATLEY) PAVING PROJECT from Pinemont to West Little York**, CIP N-0546 - **DISTRICT B - GALLOWAY** - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1224 ADOPTED.
8. RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel CY1-1, located in the 9000 block of Kirby Drive, owned by Marinter USA, Inc., a Texas corporation, and American Mutual Properties, Inc., a Texas corporation, George Anthoulis, President, for the **KIRBY #3 LIFT STATION PROJECT**, CIP R-0267-65-1 - **DISTRICT D - BONEY** - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1225 ADOPTED.
9. RECOMMENDATION from Director Department of Public Works & Engineering for purchase of Parcel KYO-101, located at the northwest corner of the Sam Houston Parkway and Clarborough Place, owned by Metropolitan Transit Authority of Harris County, a public body corporate and politic organized and existing under Chapter 451, Texas Transportation Code, Shirley Taliaferro, Director of Real Estate, for the **KATY-ADDICKS WATERLINE EASEMENTS PROJECT**, CIP S-0900-47-2 - \$45,139.00 - Enterprise Fund - **DISTRICT A- TATRO** - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1226 ADOPTED.

PURCHASING AND TABULATION OF BIDS - NUMBERS 12 through 19

12. **SOUTHERLAND CONSTRUCTION COMPANY** for Door Replacement Project at the George R. Brown Convention Center for the Convention & Entertainment Facilities Department \$161,699.00 and contingencies for a total amount not to exceed \$169,783.95 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1227 ADOPTED.
13. **TEXAS DEPARTMENT OF HEALTH** for Certification and Re-certification Testing of Emergency Medical Technicians and Paramedics for Fire Department - \$90,750.00 - General Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1228 ADOPTED.
15. **FLUID CONSERVATION SYSTEMS, INC** for a Leak Detector Correlator System for Department of Public Works & Engineering - \$39,250.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1229 ADOPTED.
16. **LAY-SU & ASSOCIATES, INC** - \$99,200.00 and **PTI, INC** - \$99,090.00 for Structural Analysis Services for Department of Public Works & Engineering - Dangerous Building Consolidated Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1230 ADOPTED.
17. **TROY CONSTRUCTION, L.L.P.** for Emergency Repair of Sanitary Sewer Line for Department of Public Works & Engineering - \$218,373.10 - Disaster Recovery Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1231 ADOPTED.
18. **HAHN & CLAY** for Emergency Repair of Two Centrifuges for Department of Public Works & Engineering - \$35,092.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1232 ADOPTED.
19. **FLEET SAFETY EQUIPMENT, INC** for Automotive, Whelen Light Bars and Parts for Various Departments - \$2,516,023.00 - General, Enterprise and Fleet Management Funds - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1233 ADOPTED.

ORDINANCES - NUMBERS 22 through 48

22. ORDINANCE consenting to the addition of 33.09 acres of land to **REMINGTON MUNICIPAL UTILITY DISTRICT NO. 1**, for inclusion in its district - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1028 ADOPTED.
24. ORDINANCE approving and authorizing contract between the City and the **HOUSTON**

INDEPENDENT SCHOOL DISTRICT for Safe Schools/Health Students Initiative Program \$49,920.00 - Grant Fund - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1029 ADOPTED.

25. ORDINANCE approving and authorizing Public Improvement Development Agreement between the **CITY OF HOUSTON, TEXAS, REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)**, and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** for the Design, Construction and Acquisition of certain public improvements in the Old Sixth Ward Zone; providing for the reimbursement of previously expended or committed project costs - \$112,660.00 - TIRZ Fund 918 - **DISTRICT H - VASQUEZ** had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Galloway and Todd absent.
26. ORDINANCE consenting to the assignment of the Tax Abatement Agreement between the City of Houston, **OFFICE DEPOT, INC** and **OPUS SOUTH CORPORATION** to **OFFICE DEPOT OF TEXAS, L.P.** - **DISTRICT A - TATRO** - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1030 ADOPTED.
30. ORDINANCE appropriating \$56,350.00 out of Park Consolidated Construction Fund No. 421 and approving and authorizing application for grant assistance from the U.S. Department Of Interior, for Rehabilitation of Swiney Park; declaring the City's eligibility for such grant; authorizing the Director of Parks and Recreation to act as the City's representative in the application process; authorizing the Director of Parks and Recreation to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the Program; approving and authorizing a grant agreement between the City and the **U.S. DEPARTMENT OF INTERIOR** **DISTRICT B - GALLOWAY** had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Galloway and Todd absent.
31. ORDINANCE approving and authorizing contract between the City and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for the purchase of Employee Transit Passes - \$715,851.00 - General, Grant, Enterprise and Other Funds had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Galloway and Todd absent.
32. ORDINANCE appropriating \$1,145,000.00 out of Airport System Subordinate Lien Revenue Bond Fund (NON-AMT) and approving the purchase of 34.75 acres out of the T. S. Roberts Survey, Abstract 659, Houston, Harris County, Texas, and the improvements located thereon, for the Expansion of Bush Intercontinental Airport, CIP A-0024, and approving and authorizing Purchase and Sale Agreement with Ronald Andrews, M.D., Naomi Cox Andrews, Cheryl G. Jones, Reginold M. Jones, and Howard Reiner to acquire the land and improvements thereon for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated - **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1031 ADOPTED.
33. ORDINANCE appropriating \$1,725,970.00 out of GRB Consolidated Construction Fund for, and approving and authorizing purchase from Frank L. Dailing and Rosemary Dailing, both individually and as trustees of their respective trusts, and Leo J. Dailing of a tract of land, improvements and Title Policy/Services, for and in connection with the extension of Avenida de las Americas Project; being out of portions of Lots 4 and 11, and all of Lot 5,

Block 119, S.S.B.B., Houston, Harris County, Texas; Parcel Number AY1-046; CIP B-0069-00-1 - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1032 ADOPTED.

34. ORDINANCE approving and authorizing an Untreated Water Supply Contract between the City of Houston and **HOUSTON MARINE SERVICES, INC** - Through December 31, 2020 - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1033 ADOPTED.
35. ORDINANCE approving and authorizing compromise and settlement agreement between the City of Houston and **COASTAL TECHNICAL SERVICES, L.L.C.**, to settle a claim - \$56,800.00 Disaster Recovery Fund had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Galloway and Todd absent.
36. Omitted
38. ORDINANCE approving and authorizing professional services contract between the City of Houston and **CONWAY CONSULTING, LTD.** for Airport Consulting Services for George Bush Intercontinental Airport/Houston and William P. Hobby Airport - \$110,000.00 - Enterprise Fund **DISTRICTS B - GALLOWAY and E - TODD** - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1034 ADOPTED.
39. ORDINANCE appropriating \$300,000.00 out of Street & Bridge Consolidated Construction Fund; approving and authorizing professional engineering services contract between the City of Houston and **TRAFFIC ENGINEERS, INC** for City-Wide On-Call Transportation Engineering Services, CIP N-0650-06; providing a maximum contract amount - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1035 ADOPTED.
41. ORDINANCE appropriating \$22,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Environmental Site Assessment Phase I & II Studies at Clay Brittmore Street Detention Pond Site under professional Environmental Consulting Services contract with **ROY F. WESTON, INC** (approved by Ordinance No. 99-0557), CIP S-0019-02-2 and D-0076-02-2; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A- TATRO** had not been received, and the City Secretary announced it would be considered at the end of the Agenda if received during the meeting. Council Members Galloway and Todd absent.
42. ORDINANCE appropriating \$12,100.00 out of Public Health Consolidated Construction Fund and approving and authorizing amendment to professional engineering contract (approved by Ordinance No. 99-0696) between the City of Houston and **DABNEY ENGINEERING LLC** for Design of Cooling Tower Replacement and New Fire Alarm System at North Stadium Drive Building, CIP H-0046-01-2 and H-0031-01-2 - **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1036 ADOPTED.
44. ORDINANCE appropriating \$1,563,000.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **RELIANCE CONSTRUCTION SERVICES, L.P.**, and approving and authorizing professional services contract for engineering testing

services with **OC LABORATORIES, INC** for Water Main Replacement in Songwood/Wood Shadows Subdivision, GFS S-0477-01-3 (10480); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1037 ADOPTED.

45. ORDINANCE appropriating \$1,035,000.00 out of Water & Sewer System Consolidated Construction Fund 755 (Number R-0019-RE-1, \$360,000.00 and Number S-0517-RE-1, \$675,000.00) for the purposes described herein, finding and declaring that public convenience and necessity exist for and require the Capital Improvement Projects identified in this ordinance, and approving and authorizing the purchase of easements and other interests in Real Property and the payment of the costs of such purchases and/or condemnations of such Real Property and associated costs for appraisal fees, Title Policies/Services, Recording Fees, Court Costs and Expert Witness Fees for and in connection with Capital Improvement Projects identified herein - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1038 ADOPTED.
48. ORDINANCE amending City Of Houston, Texas Ordinance No. 2000-678 relating to the grant of a Cable Television Franchise to **WESTERN INTEGRATED NETWORKS OF TEXAS OPERATING, L.P.**; containing provisions relating to the subject; making certain findings related thereto; and providing for severability - **FIRST READING** had been pull from the Agenda by the Administration and was not considered. Council Members Galloway and Todd absent.

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

ACCEPT WORK

4. RECOMMENDATION from Director Building Services Department for approval of final contract amount of \$2,488,138.62 and acceptance of work on contract with **A-TEC ENGINEERS AND CONTRACTORS, INC** for New Fire Station No. 15, GFS C-0059-01-3 - 10.29% over the original contract amount - CDBG and General Improvements Consolidated Construction Funds **DISTRICT H - VASQUEZ** - was presented, and tagged by Council Member Keller. Council Members Galloway and Todd absent.

PROPERTY

7. RECOMMENDATION from Director Department Public Works & Engineering for condemnation of Parcel AY1-9, located in the 12,800 block of High Star, owned by Anrem Corporation, a Texas corporation, Robert Kirchner, Assistant Vice President, for the **HIGH STAR LIFT STATION PROJECT**, CIP R-0267-05-2 - **DISTRICT F - ELLIS** - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1234 ADOPTED.

PURCHASING AND TABULATION OF BIDS

10. **TOTAL RECALL CORP.** for CCTV Components, Parts & Repairs Contract for Aviation and Police Departments - \$391,000.00 - General and Enterprise Funds - was presented,

moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1235 ADOPTED.

11. **AAR, INC** for Mold Remediation and Demolition Services for the Building Services Department \$38,900.00 and contingencies for an amount not to exceed \$41,895.00 - Fire Department Revolving Fund - was presented, moved by Council Member Boney, seconded by Council Member Sanchez. All voting aye. Nays none. Council Members Galloway and Todd absent. MOTION 2001-1236 ADOPTED.
14. **POM, INC** for Electronic Parking Meters for Municipal Courts - \$501,101.70 - Equipment Acquisition Consolidated Fund - was presented, and tagged by Council Members Quan, Robinson and Keller. Council Members Galloway and Todd absent.

Council Member Robinson requested that someone visit him on this item, that he understood that at the same time they were looking at outsourcing and he was just trying to see how it would work together. Council Members Galloway and Todd absent.

Council Member Keller stated that he wanted his tag added to the item. Council Members Galloway and Todd absent.

ORDINANCES

20. ORDINANCE amending **SECTION 24-6 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS**, relating to eliminating fees for Library Borrower's Cards; containing other provisions relating to the foregoing subject; providing for severability - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1039 ADOPTED.
21. ORDINANCE approving and authorizing a consent to encroach, allowing certain improvements owned by Bayou Park Limited, the abutting owner, to encroach an aggregate of 3,203 square feet, more or less, into the Bagby, Franklin, and Washington Street rights of way, adjacent to Lot 10 and Tracts 1A, 2A, 9 and 11A, Block 45B, North Side Buffalo Bayou, Harris County, Texas; subject to the terms and conditions of the consent to encroach - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Members Galloway and Todd absent. ORDINANCE 2001-1040 ADOPTED.
23. ORDINANCE establishing the south side of the 1300 block of Edwards Street within the City of Houston as a Special Building Line Requirement Area pursuant to Chapter 42 of the Code of Ordinances, Houston, Texas; making findings and containing other provisions related thereto; providing for severability - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Galloway absent. ORDINANCE 2001-1041 ADOPTED.
27. ORDINANCE establishing precincts and designating polling places for the City of Houston, Texas, Runoff Election to be held on December 1, 2001 - was presented. All voting aye. Nays none. Council Member Galloway absent. ORDINANCE 2001-1042 ADOPTED.

Council Member Boney stated that they had not reviewed all of the polling places and precincts, that the City Council Committee on Election Procedures convened yesterday and there were a number of people that talked about three precincts and one polling place and mass confusion and disorganization, that it was probably on a fairly isolated basis, but he really thought they should review the polling places with the County Clerk's office to make sure that there were

adequate resources and good signage, that there was one polling place that traditionally had been in the library at a school and had been moved to the school and 120 people went to the library and thought the polling place was not there and left, that they did not know about it, that also the Harris County Clerk's Office did not send anyone to the committee meeting, although the tax assessor sent three people, so they probably needed to have further discussion with the Harris County Clerk's Office and he would ask the Legal Department to help them out, that he was simply trying to make sure that every voter had a clear and easy opportunity to vote if they were legally registered. Council Member Galloway absent.

Council Member Castillo stated that he wondered if there would be a way to at least let the Council Members and the election judges know the location of the polling places earlier than reading them in the newspaper the morning of the election, because even then some of them change, that he knew it was complicated, not only the shortness of time but finding the physical locations to have the elections, but he thought it was in the interest of good public policy to let people know as early as possible where they were going to be voting, and Mayor Brown stated they would make that request to the County Clerk.

Council Member Boney asked the City Attorney if they could get that now, what was the soonest they could possibly get that, and Mr. Hall stated that he had to make an inquiry, that they had difficulty, obviously, contracting for places to hold the elections, and frankly he did not realize that they did not get it until the morning of the election, but he would find out.

28. ORDINANCE appointing Presiding and Alternate Judges for the Early Voting Ballot Boards, Central Counting Stations and Voting Precincts for the City of Houston Runoff Election to be held on December 1, 2001; prescribing the maximum number of election clerks for each voting precinct - was presented. All voting aye. Nays none. ORDINANCE 2001-1043 ADOPTED.
29. ORDINANCE approving and authorizing an application to the **U. S. DEPARTMENT OF HEALTH AND HUMAN SERVICES, CENTERS FOR DISEASE CONTROL AND PREVENTION** for a Continuing, non-competing grant for the City's Immunization Field and Program Services; declaring the City's eligibility for such grant; authorizing the Director of the Houston Department of Health & Human Services to accept and expend such grant funds for the January 1, 2002 through December 31, 2002 period, and to accept and expend subsequent awards, if any, during the project period; authorizing nine (9) new staff positions to be funded by the Grant \$2,347,564.00 - Grant Fund - was presented. All voting aye. Nays none. ORDINANCE 2001-1044 ADOPTED.
37. ORDINANCE approving and authorizing amendment No. 1 to contract between the City of Houston and **ALWAYS IN SEASON DECORATING SERVICES, INC** for the Rental of Holiday Decorations for George Bush Intercontinental Airport/Houston, William P. Hobby Airport and Ellington Field - \$104,000.00 - Enterprise Fund - **DISTRICTS B - GALLOWAY and E - TODD** - was presented. All voting aye. Nays none. ORDINANCE 2001-1045 ADOPTED.
40. ORDINANCE appropriating \$50,000.00 out of General Improvements Consolidated Construction Fund and approving and authorizing professional environmental consulting services contract between the City of Houston and **ENVIROSTUDY INTERNATIONAL, INC**, CIP D-0073-08-2; providing funding for contingencies relating to construction of facilities financed by the General Improvements Consolidated Construction Fund - was presented. All voting aye. Nays none. ORDINANCE 2001-1046 ADOPTED.
46. ORDINANCE appropriating \$1,045,000.00 out of Street & Bridge Consolidated

Construction Fund, awarding contract to **CONRAD CONSTRUCTION CO., INC** and approving and authorizing professional services contract for engineering testing services with **LAW ENGINEERING & ENVIRONMENTAL SERVICES, INC** for construction of Northcourt Road Paving: Guhn Road to 800 feet east of Alamo Road, GFS N-0740-01-3 (N-0740-01); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT A - TATRO** - was presented. All voting aye. Nays none. ORDINANCE 2001-1047 ADOPTED.

47. ORDINANCE appropriating \$352,000.00 out of Street & Bridge Consolidated Construction Fund, awarding contract to **CURB PLANET, INC** and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** for construction of Safe Sidewalk Program, GFS N-0610A-G3-3 (SB9029-3); providing funding for construction management and contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS C - GOLDBERG; D - BONEY; F - ELLIS and G - KELLER** - was presented. All voting aye. Nays none. ORDINANCE 2001-1048 ADOPTED.

NON CONSENT AGENDA - NUMBERS 49 through 53

MISCELLANEOUS

49. REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Gentle Edwards of **G. M. EDWARDS MOTOR SALES** regarding Application for Automotive Repair Facility License #236631201 - was presented, and Council Member Sanchez moved that the ruling of the Automotive Board be upheld, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2001-1237 ADOPTED.
50. REVIEW on the record and make determination relative to the appeal from the decision of the Automotive Board, filed by Soroush Sahami of **LONE STAR IMPORTS USED AUTO PARTS** regarding Application for Automotive Rebuilder and Dismantler License #0237651201 - was presented, and Council Member Sanchez moved that the ruling of the Automotive Board be upheld, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2001-1238 ADOPTED.
51. **SET A PUBLIC HEARING DATE** to consider the creation of a Reinvestment Zone for **R&L CARRIERS, INC** - **DISTRICT I - CASTILLO SUGGESTED HEARING DATE - 9:00 A.M. - WEDNESDAY - DECEMBER 5, 2001** - - was presented, and Council Member Castillo moved to set December 5, 2001 as the date for the public hearing, seconded by Council Member Boney. All voting aye. Nays none. MOTION 2001-1239 ADOPTED.
52. MOTION to set a date not less seven (7) days from November 14, 2001 to receive nominations for Positions A through I of the **HOUSTON CLEAN CITY COMMISSION**, the one year terms to expire February 1, 2002 - was presented, and Council Member Sanchez moved to set next Tuesday, November 20, 2001, to receive nominations for Positions A through I, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2001-1240 ADOPTED.

Council Member Boney moved to suspend the rules for the purpose of reconsidering Motion 2001-1143, 10/24/01, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2001-1241 ADOPTED.

Council Member Boney moved that Motion 2001-1143, 10/24/01 be brought back for reconsideration, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2001-1242 ADOPTED.

53. **AMEND MOTION #2001-1143, 10/24/01, TO CHANGE** the final contract amount from \$2,668,012.56 to \$2,694,962.18 for acceptance of work on contract with **PARALLAX SERVICES, INC** for construction of Fire Station No. 96 - **DISTRICT A - TATRO** - **REQUIRES THREE MOTIONS** - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2001-1243 ADOPTED.

MATTERS HELD - NUMBERS 54 through 56

54. ORDINANCE issuing a permit to **BPP-1, L.P.**, for building, constructing, using, operating, maintaining and repairing a building retention system within portions of Preston Avenue, Crawford Street and Prairie Avenue abutting Block 50, S.S.B.B.; being within 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 I - CASTILLO** - **(This was Item 20 on Agenda of November 7, 2001, TAGGED BY COUNCIL MEMBERS CASTILLO and QUAN)** - was presented.

Council Member Quan stated that last week he and Council Member Castillo tagged this item and he did not know about Council Member Castillo, but he only got a call late yesterday afternoon to discuss it and would like a two week delay to have the proper time to get a briefing on it and moved to postpone Item No. 54 for two weeks, seconded by Council Member Tatro. All voting aye. Nays none. MOTION 2001-1244 ADOPTED.

Council Member Boney stated that he wanted to mention that at least on a number of occasions when Council Members had tagged items a call comes in the day before Council, and he would think that it was obvious that if a Council Member tagged an item that they should call that office on Wednesday or Thursday, that he thought that some of the extra delays might be eliminated if they got right to the Council Members who tagged matters or asked questions.

Mr. Hall stated that he had been reminded that what the Council did on Item No. 52 they probably needed to suspend the rules for because it offended the day requirement, so Council could now move to suspend the rules to set it for 6 days from now rather than 7 days.

Council Member Boney moved to suspend the rules for the purpose of allowing 6 days to set a date to receive nominations relative to Item No. 52, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2001-1245 ADOPTED.

Council Member Castillo stated that he would like the Council to join him in recognizing the students from Houston Can Academy who were present in the Council Chambers together with their teachers and counselors, and Mayor Brown stated that he wanted to welcome them to the City Council meeting and was happy they were present.

56. ORDINANCE approving and authorizing the conveyance by the City of a tract of land out of Willow Creek Estates to the **HARRIS COUNTY FLOOD CONTROL DISTRICT** for use as a Detention Basin; Parcel Number SY1-088; subject to the terms and conditions of the conveyance **DISTRICT C - GOLDBERG** - **(This was Item 36 on Agenda of November 7, 2001, POSTPONED BY MOTION #2001-1213)** - was presented.

Council Member Goldberg stated that he originally asked for the delay on this item and was able to meet with the Harris County Flood Control District representatives and George Bravenec and Showri Nandagiri, Public Works, and they were able to work out some differences, that one of the things that he was disappointed in was the fact that both TXDOT and the Harris County Flood Control District had not set aside any money at all for the landscaping of the area around I-59 and 610, but were making an effort by hiring a consulting company to look into it, that it was a pretty huge area and it was said that it was the second busiest intersection in the entire Country so it was something that they did need to look into even if it meant coming out of City funds.

A vote was called on Item No. 56. All voting aye. Nays none. ORDINANCE 2001-1049 ADOPTED.

Item received during the meeting was considered as follows:

41. ORDINANCE appropriating \$22,000.00 out of Water & Sewer System Consolidated Construction Fund as an additional appropriation for the Environmental Site Assessment Phase I & II Studies at Clay Brittmore Street Detention Pond Site under professional Environmental Consulting Services contract with **ROY F. WESTON, INC** (approved by Ordinance No. 99-0557), CIP S-0019-02-2 and D-0076-02-2; providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICT A- TATRO** - was presented, and tagged by Council Member Tatro. Council Member Galloway absent.

Council Member Castillo stated that he had a question on the agenda, that Item No. 36 was noted as having been omitted but in the agenda packet there was an Item No. 36 related to the contract for record storage, retrieval and destruction services, and Ms. Stein stated that it was on the agenda, but was taken off due to a problem and would be back on the agenda.

Council Member Boney stated when they had their Council Committee meeting on voting policies, procedures and so forth yesterday, they were told by the attorney from the Legal Department that there was no clause in the contract with Harris County that would compel them to come to the Council meeting and talk with them if they wanted to talk, that it just seemed to him that if the City was paying a million dollars that they ought to be able to ask in a nice way that at least someone knowledgeable, if not the elected official, come and visit with the City, and asked the Legal Department if they would on the Council's behalf contact the County and perhaps find out when someone knowledgeable might be available; and second for any future contracts, generally when the City spends a million dollars they could generally get someone to come and talk with them and was wondering if the City Attorney could help them, and Mr. Hall stated that they would certainly be happy to contact them, that as they knew it was unusual to have a contracting party who would not come and visit Council about the contract that the two of them entered into, that he had not talked to the Clerk's office but it would seem to him to be a reasonable request if there were questions or difficulties and frankly they had received difficulties, comments and concerns from various people about the conduct of the election and some of the problems that were associated with it, that he would see if they could contact them on behalf of the committee and see if they would agree to at least come and explain what they were doing to try to assure that some of those problems would not reoccur and how they would address some of the problems that were brought to their attention since then. Council Members Galloway, Keller, Vasquez, Quan, Sanchez and Robinson absent.

At 9:37 a.m. Mayor Brown requested the City Secretary to call the list of speakers. Council Members Galloway, Keller, Vasquez, Quan, Sanchez and Robinson absent.

Mr. William Jones, 4300 West 34th, Ste. 120, Houston, Texas 77092 (713-686-7200) appeared and stated that he was present on behalf of Mr. Gentle Edwards and they were appealing a decision by the Automotive Board which suspended and revoked the license of Gentle Edwards, that he had an automobile dealers license as well as an automobile repair facility license and they were asking that the Council would reconsider that revocation based upon the fact that Mr. Edwards was alleged to have been operating his business as an automobile dismantler facility without a license, but the evidence that was presented basically showed that there were two vehicles of a salvage title on Mr. Edwards premises, however neither of the vehicles were in need of any type of repair, they were simply flood damaged vehicles which were not dismantled or rebuilt in any kind of way, that they also wished to show to the Council that the decision of the board seemed to be politically motivated in that the officials had previously attempted to have Mr. Edwards business shut down for violation of a deed restriction, however Mr. Edwards had been granted a variance from the deed restrictions by the particular civic club association, so they would ask that the Council would consider looking very carefully their appeal and overturn the decision, that Mr. Edwards operates a legitimate business and had a license to operate as an automobile dealer as well as to do repair and there was simply no evidence that Mr. Edwards was dismantling and rebuilding salvaged vehicles in any kind of way. Council Members Tatro, Galloway, Goldberg, Boney, Castillo, Sanchez and Robinson absent.

Mayor Brown stated that Mr. Jones was addressing that the Council had already voted on it and upheld the decision of the Automotive Board, that it was on the agenda as Item No 49 and it had been dealt with. Council Members Tatro, Galloway, Goldberg, Boney, Castillo, Sanchez and Robinson absent.

Mr. Augustine J. Castillo, 1103 Erin Street, Houston, Texas 77009 713-697-4253 appeared and stated that he had enjoyed being home for the last few months, but did not enjoy going out and walking and running and having cars being parked on the sidewalks, that he had gone from one end to the other trying to get the cars off and unless they changed their methods of transportation those that did walk had to go unto the street, that he would like to see if it was possible that while on patrol and on a regular basis if they could just stop and give tickets without the citizens calling, that with some people it did not make any difference if they called today or tomorrow they would still be parking, that hard heads were making it hard for the police department and making it hard for the neighborhoods, that Municipal Courts could help and everyone else could help. Council Members Tatro, Galloway, Goldberg, Boney, Castillo, Sanchez and Robinson absent.

Mayor Brown stated that Mr. Cantu would meet with him and make sure that the police department takes care of the problem. Council Members Tatro, Galloway, Goldberg, Boney, Castillo, Sanchez and Robinson absent.

Ms. Jeanette Rash, 2104 Lyons, Houston, Texas 77020 (713-228-8872) appeared and stated that she was present representing Incident Management Services and Texas Towing and Storage Association and wanted to invite them to the Three E Truck Safety Conference on Monday at George R. Brown Convention Center, that it would be a fabulous day, that four of the heavy duty companies in the City had come together and would do a mock demonstration of a roll over eighteen wheeler accident recovery, that Hidden Valley Wrecker Service, Dave's Wrecker Service, Dan Wheeler's and Milstead Automotive had been competitors for years but had come together to work and make Houston proud of what they did, that these companies bring together many years of experience, that she hoped that some of them would be able to attend and see what a positive influence that their industry had in congestion and incidence management and how important their industry was concerning that issue, that there would be many speakers there including the Mayor and Judge Eckels and Council Member Robinson, that

the highlight would be the mock recovery of the rollover eighteen wheeler, that they would lay the vehicle down about 8:00 a.m. and the recovery would take place about 11:30 a.m., that she wanted to take the time to thank all the Council Members, especially the ones on Regulatory Affairs, who continued to deal with their very complicated issues, and wanted to let them know that their issues were very important as what they did had an impact on people's lives every day. Council Members Tatro, Galloway, Goldberg, Boney, Sanchez and Robinson absent.

Ms. Ana Cummings, 2929 Buffalo Speedway, No. 803, Houston, Texas 77098 (713-629-1254) appeared and stated that she was a member of the Metropolitan Organization and introduced several priests, reverends and parents from Port Houston Elementary and Northside Elementary who were present with her and stated that they were present to issue a public invitation to the two mayoral candidates to come to a meeting with over several hundred TMO leaders on November 27, 2001 at Park Place United Methodist Church at 7:00 p.m., that as they knew the Metropolitan Organization was a coalition of churches and schools and there were a lot of issue they had, that they had been talking with the campaign offices for both of the mayoral candidates and would like to have an answer by the end of the day so that this weekend they could get their churches, congregations and schools to know who was coming to the meeting. Council Member Tatro, Goldberg, Castillo, Sanchez and Robinson absent.

Mayor Brown stated that he would get an answer for her. Council Member Tatro, Goldberg, Castillo, Sanchez and Robinson absent.

Mr. Joel Friedel, 1010 Twin Falls, Houston, Texas 77088 (281-448-8885) had reserved time to speak, but was not present when his name was called. Council Member Tatro, Goldberg, Castillo, Sanchez and Robinson absent.

Ms. Tama Jones, 5107 Browncroft Street, Houston, Texas 77021 (713-747-1582) had reserved time to speak, but was not present when her name was called. Council Member Tatro, Goldberg, Castillo, Sanchez and Robinson absent.

Mr. Clarence Fountain, 5311 Hill Timbers Dr., Humble, Texas 77346 (281-852-6974) had reserved time to speak, but was not present when her name was called. Council Member Tatro, Goldberg, Castillo, Sanchez and Robinson absent.

Mr. Henry Mamukuyomi, 13811 Yosemite, Houston, Texas 77021 (713-747-1769) appeared and stated that he was a cab driver and had been living in Houston for the past 25 years and had driven a cab for the past 20 years, that each time he applied for medallion the City had said he was qualified but each time he applied he had never been given a medallion, that he wanted to why he was not qualified. Council Members Castillo, Quan and Sanchez absent.

Mayor Brown stated that Ms. Tina Paez was present and would meet with him and answer his questions, and Mr. Mamukuyomi stated that each time the Mayor assigned Ms. Paez to speak with them their problems had not been solved, that last year and last month he assigned someone to them and their case was not reviewed. Council Members Castillo and Quan absent.

Council Member Boney stated that he had some experience on the taxicab issue over the past six years and they had made a number of changes to come up with a more in depth formula to stop a major cab company from buying permits and not using them and to deal with the growth rate so that the market was not destroyed by 20,000 cabs and 10,000 passenger's worth of business, that what happened during this particular round was that there were literally only 30 permits to go around for over 200 or so applicants so there was nothing that was targeted to him as an individual as somebody who was not qualified, there simply were not

enough available to satisfy the numbers of people, that they had talked about ways of enhancing the process. Council Members Castillo and Robinson absent.

Mr. Joseph Young, 5539 San Juan, Houston, Texas 77020 (713-671-2576, Pager 713-616-9918) had reserved time to speak, but was not present when his name was called. Council Members Castillo and Robinson absent.

Mr. Roland Curry, 5519 Caplin, Houston, Texas 77026 (713-633-3829 or 713-631-7208) appeared and stated that he was President of the Creole Shack Cafe located in the Fifth Ward Kashmere Garden area, that for those who were not familiar with his establishment he built a 10,000 square foot, 300 foot restaurant because he was an activist for community redevelopment, that he moved from the suburbs, sold his home and built a restaurant and a house above his restaurant, because he believed that the Fifth Ward Kashmere Garden area deserved retail, that if they were going to support community redevelopment they had to have retail in their neighborhoods, that he liked to think he had a very fine establishment and some of the greatest food in Houston, that he was present to call on the resignation of Ms. Margie Bingham, because as the Director of the Community Development Funds he felt that her job had not been fulfilled, that from what he had seen and how the game was played, there was no money for people like himself, that it went to political cronies, that he was going to be writing to Washington and asking for a full investigation of that department, that the money was not getting to the people who needed it, that in reading the law, it fell under the Veterans Affairs Act and Congress intended the money for people like himself, that he had done two of the main things that they said they were supposed to do, that he had gotten rid of urban blight and created jobs, that he had approximately 40 people working in his restaurant, 36 African Americans and 4 Hispanics and was on the verge of losing his business, that it was very sad, that he had been told by people that he had the nicest Black owned restaurant in Harris County and he had some State Representatives tell him he had the finest Black owned restaurant in the State of Texas and if that was true it was saying a lot, that he was very proud of his establishment because not only did he do it against all odds, that people told him he would never do it, that it took him four years and he designed the building and he and his brother, son, uncle and some buddies actually built the place. Council Member Castillo and Robinson absent.

Council Member Boney stated that he had been out to the Creole Shack and it was a first class restaurant and excellent facility, looked good and had obviously been an enhancement to the neighborhood, and asked if there was something he had been requesting from the City in terms of 108 Loan money or what was the particular fund source he had been trying to access, and Mr. Curry stated that he had been through Mr. Marvin Mitchell, Small Business Development and met with Ms. Bingham months ago, that it was 108 Loan and EDI Grant, and Council Member Boney stated that as he understood it Ms. Bingham did not directly supervise that part and the way it was structured Mr. Mitchell was the primary staff person but there was a board which had a loan committee of citizens, so if there was a complaint about access to those loan grant funds, it was primarily going to be under Mr. Mitchell's guidance and direction as opposed to Ms. Bingham's, and asked Mr. Curry if Mr. Mitchell had given him any reason why his application was not granted and Mr. Curry stated that he did not, that he had asked for an explanation several times and had asked under the Freedom of Information Act and Texas Open Records Act, he asked for copies of whom loans were made to and Mr. Mitchell sent him some bogus people and after contacting them they said they never got any loans from Mr. Mitchell and several of them were outraged, but his point was that it started at the top, and Council Member Boney asked that Mr. Curry put in writing what the concerns and issues he had with the 108 and EDI Loan Grant application that he submitted and he should hear back from that department why it was turned down, but he should understand that everyone who applies does not receive them. Council Members Vasquez, Castillo and Robinson absent.

Council Member Todd asked Mr. Bibler if for an applicant for a loan, was their entire loan file open for their review or did the open records rule state or allow the Small Business Administration to withhold certain things, and Mr. Bibler stated that they would have to obtain a copy of his request and review it, that he did not know what he requested or whether it was open or not, that it sounded like he received a response and was disputing the accuracy of the response. Council Members Vasquez, Castillo and Robinson absent.

Upon questions by Council Member Todd, Mr. Curry stated that the response basically said it was denied because of his credit and his lack of restaurant experience, but the place was here now and he proved that wrong, that he had been open he had sent an application to Mr. Mitchell three or four months ago and heard nothing from him, that he had been opened a year and a half. Mayor Brown, Council Members Vasquez, Castillo and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Bell stated that this situation had been going on for four years and the first time Mr. Curry contacted his office in 1997 and he assumed that he had ongoing conversations with Mr. Mitchell, and Mr. Curry stated that there were no real discussions with any substance, that in 1997 he had not yet built the restaurant but he owned the land and the blueprints were 50% to 60% complete, that he found alternative financing, a limited partnership with Enron, so evidently he had something going for him if he was able to convince Enron to go into a limited partnership with him, that when he opened his doors he was about six figures in debt and without money to market the place properly, that the place had a lot going for it, that 70% of his clientele were Caucasian businessmen, that he was located on Kelley Street in front of LBJ Hospital, that he got rid of a building that had been there for 40 years and had improved it and had done landscaping and paved parking lot, that his structure looked as great as a Pappadeux, that they had a sports bar and was a fine facility. Mayor Brown, Council Members Castillo and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Tatro stated that Mr. Mitchell had sent him a letter referencing other loans that had been given by the SBA and that he contacted the people listed and they had not received the loan, and Mr. Curry stated yes and in fact several of them were going to be contacting their attorney's, that he had to go back and dig up a copy of the letter. Mayor Brown, Council Members Castillo, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney asked if Mr. Curry's primary objective was to get enough resources to get some signage up, and Mr. Curry stated that he had a contract with a guy who was going to work with him on terms for the signage, and Mayor Pro Tem Boney stated that Mr. Kevin Davis was present and could talk with him and he also had a telephone number of another City department that may be able to provide him some help, that maybe a EDI Grant for the signage might work. Mayor Brown, Council Members Ellis, Castillo, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

Mr. Paul Layne, 1200 Smith, Ste. 2600, Houston, Texas 77002 (713-651-1515) appeared and stated that he was president of Cullen Center and Senior Vice President of Trizechahn Office Properties, of which they owned the three Allen Center buildings, the Cullen Center building downtown as well as Sears Towers and a number of office buildings, about 50 million feet around the Country, that they were contacted about a week and a half ago and asked to propose on the fire station headquarters, which was about 100,000 square feet of office space for the fire department and to build a new fire station adjacent or across the street, that they had what they thought was the perfect scenario, the block west of the Whitehall Hotel, which they were involved as well as HUD money, to redevelop the Whitehall, that right across the street was a block that Trizechahn, the Allen Center and the City owned jointly and they thought that would be the perfect location, that right across the street from that was 500 Jefferson, which was an

office building they owned and which Halliburton Corporation would be moving out of in 2003, that Halliburton was moving almost one million square feet out of downtown in their flight to the suburbs, that he was also president of the Downtown Management District this year and was very active downtown, that his issue was threefold, one, whoever did the fire station hopefully the office space for the fire department would not be new office space, that just like Metro was planning to build a new 200,000 to 300,000 foot building on Main Street, that they did not need new office buildings built downtown right now, that over the next three years there would be about four million feet of office space come back to the market and flooding the market with vacant space, which would put downtown Houston in a position like they had not seen in many years, that secondly, the main reason he was present was because of an employee who was delivering their proposal, on a short timeframe, and going through security and having a jammed color printer they were about 20 to 30 minutes late in delivering the proposal, that this was one of the first proposals that they had ever delivered in the public sector, they typically were in the private sector in everything they did and Ms. Russell was doing her job when she did not allow the proposal to be accepted, and the third point was that he was present to ask if because of the tardiness the proposal could be accepted, that Ms. Russell had explained that the only way they had a chance of getting the proposal accepted was to appear before Council and discuss it today. Mayor Brown, Council Members Galloway and Castillo absent. Mayor Pro Tem Boney presiding.

Vice Mayor Pro Tem Boney stated that he was looking at the Request for Proposal and it said clearly that late submittals would not be accepted for any reason, that he did not know if they legally had the option to make exceptions to the time limits that were placed upon them on the RFP's, that he had never seen Council do it before and thought they would subject themselves to a lawsuit and asked Mr. Hall if they had any legal flexibility. Mayor Brown, Council Members Galloway and Castillo absent. Mayor Pro Tem Boney presiding.

Mr. Hall stated that to answer the question would probably require for fairness and compliance with equal treatment requirements, that all of them be thrown out and everybody be given the same opportunity that Mr. Layne would be given, that it was different than the private sector, there was no requirement that everybody be treated the same, that they could essentially do business with whom they wanted to and Council did not have that choice, that everybody had to be treated the same on an equal playing field so that everybody had to be given the same amount of time to investigate and prepare their responses and get them in at the same time, that he was not aware of anyway that the Council could find, baring they had locked the door on him or something early, that they could make an exception, because his printer jammed or the guy had an accident on the way or whatever, that he could assure him this was not the first time this had occurred, that people attempt to turn them in late all the time and their response was universally the same. Mayor Brown, Council Members Galloway, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding.

Upon further questions by Members of Council, Mr. Layne stated he believed that the downtown real estate market would have about four million square feet coming back to the market with Halliburton moving out and other companies downsizing, a whole host of events happening; that he did not know who else proposed, but if they were talking about building office space for the fire department's offices they were going to have lots and lots of empty office space, that it was an edge for them because they had a building that was emptying out; that the reason they got a call a week before the bids were due was because there was apparently such a lack of interest, that he understood the rules and regulations and the legality, that from his research in the past bids had been asked to be resubmitted. Mayor Brown, Council Members Galloway, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding.

Council Member Ellis asked if they had ever been in a situation where they looked at the

proposals that were submitted and did not accept any of them, and Mr. Hall stated yes, that was the provision that was generally in all of their procurements, that they had the right to reject all of them if they did not come in with something they were satisfied with. Mayor Brown, Council Members Galloway, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding.

Upon questions by Council Member Tatro, Mr. Layne stated that the proposal was to provide office space, to either build or an existing building, that they needed 100,000 feet and adjacent or across the street they needed a fire station, and Council Member Tatro stated that he would like to have someone from the fire department, or whoever made up the RFP, discuss that, that it was a requirement in the RFP to have them together, that he did not understand that. Mayor Brown, Council Members Galloway, Goldberg, Vasquez, Castillo, Parker and Robinson absent. Mayor Pro Tem Boney presiding.

After further discussion by Council, Mayor Pro Tem Boney stated that a point of order had been brought to his attention that they had exhausted the amount of time for the speaker and advised that this may be one of those legal matters best discussed quietly and not in public, that the Request for Proposals clearly indicated what the outlines were, that he heard some concerns about the process and was only saying that the time was exhausted hear and to let Council Members and the Director of Building Services get together and explore the matter further and make sure that the process was right, and Mr. Hall stated that it may be important to say that all of their Requests for Proposals or bids were issued by some operating department, but none of them came back to the department, that the City Secretary was not the person who formulated them but she received them for everybody, and Mayor Pro Tem Boney stated that they had heard him and suggested that he talk with Ms. McGilbra, who was in audience and then other Council Members were also welcome to further review the matter with him. Mayor Brown, Council Members Galloway, Goldberg, Vasquez, Castillo, Parker and Robinson absent. Mayor Pro Tem Boney presiding.

Mr. Joseph Omo Omuari, 15 Charleston, No.1107, Houston, Texas 77025 (713-665-1929) appeared and stated that he wanted to thank Council Member Goldberg, that one of the previous speakers had the problem that he was trying to address and that was the business grant program, that it seemed like the issue was coming up very serious in this particular time and was something that the City should be looking at, that he also had a business grant proposal and had received correspondence from Council Member Goldberg but had not yet received a correspondence from the rest of the Council Members, that he was looking forward to the debate between Mayor Brown and Council Member Sanchez, that he wanted to address something to the Mayor that was very important about HPD and that was the fact that when one gets arrested they fail to tell that individual his constitutional rights so he can remain silent, that HPD should look at this particular policy and the process of when they arrest individuals and put them in the custody of the State, that HPD should make sure that everyone's civil liberties were addressed by reading them their rights. Mayor Brown, Council Members Todd, Ellis, Vasquez, Castillo and Robinson absent. Mayor Pro Tem Boney presiding.

Mr. Marvin Katz, 700 Louisiana, Ste. 2600, Houston, Texas 77002 (713-546-0513) appeared and stated that they were present to commend the fire department, that he was a resident of Four Leaf Towers and he was a member of the Board of Four Leaf Towers, the building that suffered the fire on October 13, 2001, that he was out of town at the time the fire occurred, that his wife and family members were there, that since he was not present he did not know exactly a lot of what exactly did occur, but they knew that from time to time the Council heard a lot of complaints about things in respect to the fire department and they on the board thought it was also very important that the Council and the City be advised when they deserve to be commended, that their General Manager, Mr. Raymond Tirado, who had many of the details would follow him as speaker and would like to inform the Council of some of the things that they

fire department did of which they should be aware. Mayor Brown, Council Members Todd, Vasquez, Castillo and Robinson absent. Mayor Pro Tem Boney presiding.

Raymond Tirado, 5100 San Felipe, Houston, Texas 77056 (713-552-1000) appeared and stated that he was present on behalf of Four Leaf Towers and its Council of co-owners and approximately 300 residents, who were still displaced from their homes in the west tower, that this was the tower involved in the October 13, 2001 fire that resulted in the tragic death of Captain Jay Jahnke and one of their residents, Mr. Charles Dill, that yes they had 300 displaced residents but they were deeply grateful to the Houston Fire Department, whose quick response and lifesaving actions prevented a potential significant loss of life that day, that as general manager of Four Leaf Towers he wanted to appear before the Council so that he could praise District Chief Gary Taylor and the dedicated men and women of the Houston Fire Department who were on duty that morning, that here were some of the heroics that occurred that day, that these brave men carried elderly residents down many flights of stairs, they knocked on doors and brought people to safety, and in some cases instructed the residents on the upper floors to stay inside their units, that this measure successfully prevented the kind of panic and unnecessary stampeding that could have been disastrous, that one resident who panicked and was hanging out of a fifth floor window was pulled to safety by one of their men, that yes the firefighter was just doing his job, but what happened a few days later added great meaning to his actions, that at the funeral of Captain Jahnke the fifth floor resident and her mother sought out the fire fighter and with tears flowing from both sides thanked him for saving her life, that firefighters rarely had an opportunity to meet the people they save, that in this case one woman's opportunity to live was expressed in a way that made an impact on one firefighters life and the person he saved forever, that the firefighters worked under the worst conditions that day, the winds and rains combined with the lack of visibility inside the tower due to the heavy smoke equaled a potential recipe for disaster, that he understood that these men worked as a team to save each other so they could continue saving the lives of the residents, that yes the residents of Four Leaf Towers were one appreciative group, that one resident said in an article that appeared in the Houston Chronicle on October 25, 2001, "if not for the dedication of the professional firefighters many of them would probably not be available for the ongoing restoration and recovery of our homes, that I have the utmost gratitude for them all", that in fact that resident and several hundred more had expressed their deep appreciation to the Houston Fire Department by graciously donating a total of \$19,100 to the Jahnke Memorial Fund, that he would be presenting the check to the caretakers of the fund immediately following the Council meeting. Mayor Brown, Council Members Todd, Ellis, Vasquez, Castillo and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Goldberg stated that he wanted to thank them for coming down, they did not get enough citizens coming to Council explaining the situation and the events that they experience with the firefighters and they did need more of that, that he wanted to encourage the public to come to Council when they had a situation to have involvement with the fire department. Mayor Brown, Council Members Todd, Ellis, Vasquez, Castillo and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Sanchez stated that he too wanted to thank Mr. Katz and Mr. Tirado for coming down, that they had a couple of firefighters in the room and thought that Mr. Chavez was also one of the ones who responded that morning from Station 28. Mayor Brown, Council Members Galloway, Todd, Ellis, Vasquez, Castillo and Robinson absent. Mayor Pro Tem Boney presiding.

Items received during the meeting were considered as follows:

30. ORDINANCE appropriating \$56,350.00 out of Park Consolidated Construction Fund No.

421 and approving and authorizing application for grant assistance from the U.S. Department Of Interior, for Rehabilitation of Swiney Park; declaring the City's eligibility for such grant; authorizing the Director of Parks and Recreation to act as the City's representative in the application process; authorizing the Director of Parks and Recreation to accept such grant funds, if awarded, and to apply for and accept all subsequent awards, if any, pertaining to the Program; approving and authorizing a grant agreement between the City and the **U.S. DEPARTMENT OF INTERIOR DISTRICT B – GALLOWAY** – was presented. All voting aye. Nays none. Mayor Brown, Council Members Galloway, Todd, Ellis, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding. ORDINANCE 2001-1050 ADOPTED.

31. ORDINANCE approving and authorizing contract between the City and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for the purchase of Employee Transit Passes - \$715,851.00 - General, Grant, Enterprise and Other Funds – was presented, and tagged by Council Member Keller. Mayor Brown, Council Members Galloway, Todd, Ellis, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding. (Note: Council Member Keller removed his tag later in the meeting.)
35. ORDINANCE approving and authorizing compromise and settlement agreement between the City of Houston and **COASTAL TECHNICAL SERVICES, L.L.C.**, to settle a claim - \$56,800.00 Disaster Recovery Fund – was presented, and tagged by Council Member Tatro. Mayor Brown, Council Members Galloway, Todd, Ellis, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding.

Mr. Jack Terrence, 2808 Morrison, Houston, Texas 77009 (713-861-1991) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Galloway, Todd, Ellis, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding.

Ms. Renae Watson, 6203 Lockwood, Houston, Texas 77026 (713-671-3027) had reserved time to speak, but was not present when her name was called. Mayor Brown, Council Members Galloway, Todd, Ellis, Vasquez and Castillo absent. Mayor Pro Tem Boney presiding.

Mr. Jon Eiche, 4545 Post Oak Place, No. 315, Houston, Texas 77027 (713-528-2971) appeared and stated that he was President and CEO of the Living Bank International in Houston, a national organ and tissue donor registry, that he wanted to go on record to thank the City for co-sponsoring a week of activities that they were in the midst of, that it was Green Ribbon Awareness Week, that few people knew that the green ribbon was a National symbol for organ and tissue donation and today there were almost 80,000 around the Country that were waiting for organs and tissues to survive and if they did not receive the organs than surely they would die, that as a matter of fact at the end of the day there would be 16 people on that list that would die because an organ was not available in time and every 14 minutes another person got added to the list, that just in the Houston Metropolitan area alone there were over 3,000 people waiting for lifesaving organs, that they had a poster before them a poster which was done by one of Mr. Victor Perez's student at Furr High School, who was at this moment receiving an award for doing the poster, highlighting Green Ribbon Awareness Week, that the poster was appearing in all of the Houston Independent Schools for the week, encouraging students to go home and talk to their parents about the importance of organ donation and he encouraged everyone in the room to do the same thing, that as they gathered for the holidays it was very important that people consider organ donation and what might happen to them, particularly in light of the activities that went on September 11, 2001, because they never knew when their lives would be taken from them, that he encouraged them to wear the green ribbon and talk to people about organ donation, to particularly talk to their families because two years ago the designation for organ donation was taken from the Texas Drivers License, that if they were interested in more

information on organ donation they could find them on the web at www.livingbank.org and they would be happy to send them information on how to register on their national registry. Mayor Brown, Council Members Galloway, Vasquez, Castillo and Bell absent. Mayor Pro Tem Boney presiding.

Upon questions by Mayor Pro Tem Boney, Mr. Eiche stated that the biggest problem they had with the drivers license issue, not only in the State of Texas but they had problems in virtually all 50 states, was that it was a very difficult decision to make when they were in a line and trying to get their license renewed and they really had not thought about it when they got up to the clerk who asked them if they wanted to be a donor, that they felt it was more important to initiate a good educational program, that he agreed with the drivers license decision. Mayor Brown, Council Members Galloway, Vasquez, Castillo and Bell absent. Mayor Pro Tem Boney presiding.

Item received during meeting was considered as follows:

25. ORDINANCE approving and authorizing Public Improvement Development Agreement between the **CITY OF HOUSTON, TEXAS, REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (OLD SIXTH WARD ZONE)**, and **AVENUE COMMUNITY DEVELOPMENT CORPORATION** for the Design, Construction and Acquisition of certain public improvements in the Old Sixth Ward Zone; providing for the reimbursement of previously expended or committed project costs - \$112,660.00 - TIRZ Fund 918 - **DISTRICT H - VASQUEZ** – was presented. All voting aye. Nays none. Mayor Brown, Council Members Galloway, Vasquez, Castillo and Bell absent. Mayor Pro Tem Boney presiding. ORDINANCE 2001-1051 ADOPTED.

Mr. Saba Massif, 4303 OST, Houston, Texas 77021 (713-824-9265) appeared and stated that he was a gas station operator on OST and Cullen and the problem that brought him to Council was that he had been having a problem with the City Health inspectors, that he operated a gas station and convenience store and did not operate a restaurant, that he complied with all City ordinances and yet the City inspectors on an average of 10 times a year and always demand they wanted someone to be certified as long as the store was in operation, that they did not serve food or make prepared food, that yesterday one of the inspectors came at 7:00 a.m. and demanded that they have a manager certified on duty and issued a citation to the cashier, that he wanted the Council to look into if a gas station was supposed to comply with the food preparation entity, like restaurants, that he felt like they were being harassed. Mayor Brown, Council Members Galloway, Vasquez, Castillo and Bell absent. Mayor Pro Tem Boney presiding.

Upon questions by Mayor Pro Tem Boney, Mr. Massif stated that the only thing they served was fountain drinks and coffee, and Mayor Pro Tem Boney stated that the rules were specific and clear and did not understand why there should be any discrepancies, that they were written policies, and asked Ms. Otero from Citizens Assistance to look into it and get it resolved for him. Mayor Brown, Council Members Galloway, Keller, Vasquez, Castillo and Bell absent. Mayor Pro Tem Boney presiding.

Ms. Dianna Roberts, 2601 S. Braeswood Blvd., No. 306, Houston, Texas 77025 (713-792-8840) appeared and stated they had some information to pass out to the Council, that she was present to ask the Council for a resolution acknowledging the positive contribution of Falun Gung to the City and condemning the persecution of the practitioners in China and the harassment of the practitioners other than China, including the City of Houston and Ms. Roberts continued to voice her personal opinions on the persecution of Falun Gung until her time expired. Mayor Brown, Council Members Tatrow, Galloway, Vasquez, Castillo, Sanchez and Bell absent.

Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney stated that he would strongly suggested that she pass the information along to the Congressional offices as well, that they deal more appropriately with the State Department on federal matters, but they would review the material. Mayor Brown, Council Members Tatro, Galloway, Vasquez, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Ms. Charisssa Nealey, 10403 Forum Park Drive, No. 225, Houston, Texas 77036 (713-271-6327) had reserved time to speak, but was not present when her name was called. Mayor Brown, Council Members Tatro, Galloway, Vasquez, Castillo, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Ms. Paula Harrison, 12261 Fondren Rd., No. 303, Houston, Texas 77035 - No phone appeared and voiced her personal opinions until her time expired. Mayor Brown, Council Members Tatro, Galloway, Vasquez, Castillo, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Erick Curry, 5519 Chaplin, Houston, Texas 77026 (713-633-3829) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Tatro, Galloway, Vasquez, Castillo, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Mr. Joseph Young, 5539 San Juan, Houston, Texas 77020 (713-671-2576, Pager 713-616-9918) appeared and stated that this was his second appearance on the same matter, that he was the target of religious hate crimes in the City of Houston and persecution, that he was being harassed and constantly stalked seven days a week from different persons. Mr. Young continued to discuss his personal experiences until his time expired. Mayor Brown, Council Members Galloway, Vasquez, Castillo, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney stated that Chief Thaylor from the Houston Police Department and would meet with him to see how he could help him. Mayor Brown, Council Members Galloway, Vasquez, Castillo, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

Council Member Keller stated that he wanted to remove his tag on Item No. 31. Mayor Brown, Council Members Galloway, Vasquez, Castillo, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding.

31. ORDINANCE approving and authorizing contract between the City and **METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS** for the purchase of Employee Transit Passes - \$715,851.00 - General, Grant, Enterprise and Other Funds – was presented. All voting aye. Nays none. Mayor Brown, Council Members Galloway, Vasquez, Castillo, Sanchez, Bell and Robinson absent. Mayor Pro Tem Boney presiding. ORDINANCE 2001-1052 ADOPTED.

Mr. William Beal, 4718 Boicewood, Houston, Texas 77016 (713-633-0126) appeared and sang and voiced his personal opinions until his time expired. Mayor Brown, Council Members Galloway, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) appeared and stated that Wednesday, November 14, 2001, www.galvinism.com, that yesterday was six months that his mother, Gilberta Galvan, passed away on Mothers Day, May 13th, that it

was also one week after the elections, that he had dedicated this year's campaign to Gilberta Galvan and Elizabeth Spates, that he did not mind losing a campaign if it was played fairly and this one was not so he had put a curse on the City of Houston that the City of Houston did not get the Olympics of 2012. Mr. Partsch-Galvan continued to voice his political views until his time expired. Mayor Brown, Council Members Galloway, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Mr. Lee Mercer, 4928 Winnetka, Houston, Texas 77021 (713-741-9656) had reserved time to speak, but was not present when his name was called. Mayor Brown, Council Members Galloway, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Mr. Robert Horton, Post Office Box 21635, Houston, Texas 77226 (832-457-8652) appeared and voiced his personal and political opinions until his time expired. Mayor Brown, Council Members Galloway, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Ms. Deborah Elaine Allen, would not give address or phone number, had reserved time to speak, but was not present when her name was called. Mayor Brown, Council Members Galloway, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Quan stated that this afternoon they might be visited by some students from Marshall Middle School with the TAKES Program, Take a Student to Employment, as they were visiting Houston City Hall to see how Council operated. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Quan stated that he wanted to recognize a young lady who had been working as an intern in their office, a senior at the Center for Public Policy at the University of Houston, Ms. Amber Moon, who was named the University of Houston Homecoming Queen for 2001. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Tatro stated that the money the City was receiving from the TIRZ's and the affordable housing side of the petition TIRZ's set aside that came into the City and he would like to know if it was eligible to be used for the General Fund replacement for their contribution to Housing and Community Development Budget, that right now in the General Fund they had about a quarter of a million dollars that came from the General Fund for staffing and administration, that he wanted to know if that money could be used in lieu of the General Fund money, and Mayor Pro Tem Boney stated they would look into it and get him a reply. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Parker, Sanchez and Bell absent. Mayor Pro Tem Boney presiding. (NO QUORUM PRESENT)

Council Member Tatro stated that they approved quite a few emergency storm contracts after Tropical Storm Allison and a lot of work was done by contractors who were sometimes hesitant to come into the City to do business because they were concerned about getting paid and understood that some of those initial contracts were still not fully paid out and he knew they first allocated \$25 million out of the ALP Fund which he thought was an appropriate step at that time, however they had been making subsequent allocations and knew they had put some money out to Convention and Entertainment for some of their storm problems, that he would like to get an update of which initial contracts were not fully paid yet and when that payment could be expected, and Mayor Pro Tem Boney stated they could do that and F&A could have a report

during the Fiscal Affairs briefing. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Vasquez stated that he would like to know the status of City Net. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Robinson stated that he was trying to see if he could get some kind of financial analysis on the Freeport exemption and how much taxes it had cost them, because it was his understanding that the school district and the County had still not implemented it, that he had also asked just for information purposes if they would take a look at their tax abatement ordinance to see about amending it to include a provision that a portion of any abated property taxes be used to help subsidize public transit for the employees of the company that got the tax abatement for telecommunicating work. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Robinson stated that the Texas Municipal League would be in town at the end of the month and as a part of that effort the Tex21, a coalition of local elected officials working on transportation issues would be meeting at the George R. Brown on Wednesday, November 28, 2001 so he wanted to extend an invitation to all Members of Council to be involved in that. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Robinson stated that he was trying to work on getting Vice Chairman Clayburn from the Service Transportation Board to come down early next year for a townhall meeting in Clear Lake on the proposed San Jacinto Rail Line issue. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Council Member Robinson stated that he had sent a letter to Tom DeLay and hoped that the lobby team would start to work on this in light of the passage of Proposition 1 and the defeat of Proposition 3, that they would hold the Congressman to his word to support federal funding, the study, and ultimately build a new general rail system, that he thought they called it The Voters Had Spoken, and he said he wanted a vote and they had two votes on one day on the rail issue and he thought it would be unfair for the City of Houston to continue to be punished by Congressman Delay not providing them with some assistance on their rail system. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

Mayor Pro Tem Boney stated that he wanted to commend Council Member Robinson's suggestion regarding the truck lane, that had proven to be a very successful and valuable suggestion to them. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

There being no further business before Council, the City Council adjourned at 10:11 a.m. upon MOTION by Council Member Robinson, seconded by Council Member Tatro. All voting aye. Nays none. Mayor Brown, Council Members Galloway, Goldberg, Todd, Castillo, Sanchez and Bell absent. Mayor Pro Tem Boney presiding.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary