

City Council Chamber, City Hall, Tuesday, December 18, 2001

A Regular Meeting of the Houston City Council was held at 1:30 p.m. Tuesday, December 18, 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, Annise Parker, Gordon Quan, Chris Bell and Carroll Robinson; Mr. Paul Bibler, City Attorney's Office; Mr. Richard Cantu, Director, Citizens Assistance Office, Ms. Sonja Otero, Citizens Assistance Office; Ms. Martha Stein, Agenda Director present. Council Member John E. Castillo absent on city business. Council Member Orlando Sanchez absent on personal business.

At 2:04 p.m. Council Member Boney stated that they had a number of students present from Ryan Middle School who were the Future Problem Solvers and Ryan Navigators and were involved in the Don't Dump on Houston Campaign and asked them to stand and be recognized, and invited them to give a status report and presentation on the Don't Dump on Houston Campaign and present to Mayor Brown with a plaque for great appreciation of his support of their effort to clean up their neighborhood. Mayor Brown thanked the students for doing an outstanding job, that they obviously had learned a lot at their school, they had learned about Constitutional rights, learned about taking care of their neighborhoods and he had someone to meet with them and outline a program for taking care of the problems they had brought to their attention, that they would start with Mr. Robert DeYoung but he also had someone from Neighborhood Protection as well and they would be able to report back to him what they had done to take care of the problem. Council Members Todd, Ellis, Keller, Bell and Robinson absent.

Council Member Boney stated that he had another presentation and invited Mr. Charles LeBlanc, Executive Director of the Midtown Redevelopment Authority and one of the members of the board, Mr. David Edwards to the podium, that as they knew District D had been blessed and privileged to have four tax increment reinvestment zones, more than any other City Council District, and the most successful one to date, the second TIRZ, which they created in January of 1995, was the Midtown TIRZ, that one of those who had been vital to its success was Mr. LeBlanc, that in appreciation for his work they wanted to present a certificate to Mr. LeBlanc for exemplary life of work and patriotism, and thanked him for helping them to make Houston such a better place for church, community, the City and an example for the rest of the Nation. Council Members Goldberg, Todd, Ellis, Keller and Bell absent.

Mr. LeBlanc stated that he wanted to express his thanks for their support of their TIRZ, that he thought they had done some good work in Midtown and was very optimistic for the future, that there was a lot on the drawing boards and did not think anybody had seen anything yet, and Mayor Brown stated that he wanted to thank him and appreciated what he was doing. Council Members Goldberg, Todd, Ellis, Keller and Bell absent.

Council Member Todd stated that one of the things that Houston was known for was the number and variety of great restaurants that they had, that he had the pleasure of eating at Aries a month and a half ago and Aries had since been named by Esquire Magazine one of the top 10 new restaurants in 2001 and part of the family team who owned Aries, Scott and Onica Tizer were present and invited Mr. Tizer to the podium and stated that he was a chef who had worked at Spago's and trained under Wolfgang Puck and through his restaurant the City of Houston had been promoted pretty widely. Mayor Brown presented Mr. Tizer with a proclamation that proclaimed that Lee P. Brown, Mayor of the City of Houston hereby proclaimed December 18, 2001 as Aries Restaurant Day in Houston, Texas. Council Members Goldberg, Boney, Ellis, Keller and Bell absent.

Mr. Tizer stated that Aries had been opened for a year and had been blessed by the City of Houston regarding their tolerance of startup restaurants, that their clientele had voted them into several publications, that they had won best new restaurant in the Press and best restaurant in the Houston Press as well as best of City Search and most recently he went to New York and Esquire Magazine had given him notice that his restaurant was one of the top 10 new restaurants in the United States which only made them try harder, that they were also upcoming in Town and Country Magazine, Southern Accent and Texas Monthly would feature them in the coming days, and Mayor Brown thanked him for being present and appreciated his being a goodwill ambassador for their City. Council Members Boney, Vasquez and Bell absent.

Council Member Parker stated that she was not sure of the nature of the next presentation nor was she sure about the recipients, that it was a presentation that was going to be done by Housnitch and knew that Council Member's were familiar with the group, that the public spokesperson for Housnitch was Brenda Flores and invited Ms. Flores to the podium. Council Members Bell and Robinson absent.

Ms. Flores stated that 28 months ago when they started out Housnitch they started to tell the City workers point of view, that they did take stabs at the administration, but that was their job and in doing it they had found some very good people, that they could not honor the little guy because unfortunately their boss might think they were one of the snitches, that they had decided to take a vote and they had three categories of what they called "Your The Man", that it meant that they were the best at what they did and at the top of their field, that they had an Elected Official, Public Official and Citizens categories, and presented "Your The Man" awards to Council Members Tatro, Bell and Keller with the Elected Official award, and presented Ms. Anna Russell with the Public Official award and presented an award to two police officers who were not present, Sergeant Jim Bollig and Sergeant William Scott Atwood, of the Office of the Inspector General, and presented the award to two citizens, Mr. Bob Lemer and Mr. Barry Klein. Council Members Goldberg, Todd, Boney, Bell and Robinson absent.

At 2:31 p.m. Mayor Brown called to order the meeting of the City Council, and Council Member Vasquez led everyone in prayer and the pledge of allegiance. Council Members Todd, Bell and Robinson absent.

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

Council Members Keller and Vasquez moved that the minutes of the previous meeting be adopted. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd, Bell and Robinson absent.

Council Member Galloway moved to suspend the rules to substitute Mr. Larry Green for Ms. Elaine Oliver and to hear Representative Ken Yarborough out of order, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Castillo absent on city business. Council Member Sanchez absent on personal business. Council Members Todd, Bell and Robinson absent. MOTION 2001-1347 ADOPTED.

Mr. Larry Green appeared and stated that he was representing Congresswoman Sheila Jackson Lee and read the following letter from the Congresswoman: "I am writing this letter to reiterate my support of neighborhood communities of Acres Home, Candlelight and Oak Forest, my constituents of the Eighteenth Congressional District. This letter is to specifically show and reiterate my support for an approval of the Partial Southern Abandonment Request. An approval of the Partial Southern Abandonment Request is essential to the preservation of these

communities. An approval of the Partial Southern Abandonment would provide a solution that would cause the least amount of disturbance, as well as provide an alternative for the developer. I am concerned that if the Northern Abandonment issue is approved the bridge on Rosslyn Road would result in a negative impact on the neighborhoods of Acres Home, Candlelight and Oak Forest community. I know that we all agree that preserving these neighborhoods are vital. The decisions made regarding any bridge on Rosslyn Road must first consider the harsh results and the effects of such actions. The areas in question are not just plats of land awaiting development, they are the homes of many Houstonians and they are spaces in which the young children from the neighborhoods play. We must preserve the residential growth of the Acres Home, Candlelight and Oak Forest communities. These neighborhoods are depending on our support! I would like to thank Mayor Brown as well as the members of the City Council for their continued support on this issue. I look forward to reaching a productive and long awaited conclusion regarding the development of Rosslyn Bridge. The request for a Partial Southern Abandonment on the south side to the abutting landowners has my full support, and I respectfully request that the City Council consider the same." Council Members Goldberg, Todd, Bell and Robinson absent.

Mayor Brown stated that he wanted to express their appreciation to the Congresswoman for her interest as well. Council Members Goldberg, Todd, Bell and Robinson absent.

Rep. Ken Yarbrough, 1214 W. 43rd, Houston, Texas 77018 (713-263-1516) appeared and stated that he was present to address Rosslyn Road again, that one of the issues this time was the northern abandonment, that they had just heard a letter from Congresswoman Lee and the Acres Homes Community, that he represented the southern side of Pinemont as the State Legislator, that he would point out to the Council that twice this had been before the Planning Commission and twice it had been knocked down, that the other day they did not have such good luck on some of the issues that they went to the Planning Commission with, that there was some merit to what they wanted to do and that was the southern abandonment, that he would remind them that in the last two months there had been a letter circulated by Council Member Tatro and Council Member Robinson, that he believed they had the votes for the southern abandonment, that Council Member Tatro had pledged to do that and was sure that he would continue to honor that pledge, that today they were present to ask them to vote against the northern abandonment and vote for the southern abandonment on Rosslyn Road and keep the community whole, that he would tell them that the developer had now decided to go to the old existing plat, which now gave him access from other subdivisions in the area and did not cut him off, so the development could continue and their neighborhood could remain kind of serene and not have 900 cars traveling through that one intersection for the next 20 years, that he appreciated their time and wanted to wish them a Merry Christmas and Happy Holidays and congratulations to those who had to stand for election. Council Members Goldberg, Boney, Todd, Bell and Robinson absent.

Council Member Tatro stated that it was important now for Council to take the only option it had and that was to have the developer design an entire subdivision with the dead end instead of designing that subdivision and going basically through the permitting process which was not a Council action as they knew and stopping the road from going through, that was why it was coming forward now, because the developer had come through a fork in the road and they had asked him not to proceed with putting the road all the way through to Del Norte and therefore he had to make his request at this time and that was why he supported it, and Representative Yarbrough stated that since on the agenda there was a southern abandonment that had been before Council for a number of months, since probably August, he could assure Council that there would be other litigation coming from this particular neighborhood because they felt very strongly, as he knew, about the bridge and creating a thoroughfare through their community into a community that the developer had other means of egress into and out of. Council Members

Goldberg, Boney, Todd, Bell and Robinson absent.

Upon questions by Council Members, Mr. Stephen Lewis stated that it was not a matter that it could not be done it was just that the Legal Department felt that if they did the southern abandonment they would set the City up for the strong likelihood of losing an inverse condemnation suit by the developer to the north because in effect they would be creating a partial permanent impairment of access for the developer's subdivision, that if the road was put through to the north to Pinemont the developer could come from the north to his subdivision, and Representative Yarborough stated that there was a dedicated road there now and there were businesses that used that road right now, that it was not in the greatest repair, that it was a dedicated City street and in the old plat there were two other entrances and exits to the subdivision, and Mr. Lewis stated that the same situation prevailed to the south, that the developer had expressed the desire to have access to his subdivision from the south and believed that would have the most benefit for his development, that the City could lose an inverse condemnation suit, even if there remained some form of access to the property, because they had partially but permanently impaired one of the routes of access to his property, that he was requesting that they go with the northern abandonment, that their obligation was to protect the City from losing lawsuits, that the only guidance they had on it were a number of lawsuits that governmental entities had lost on partial permanent impairment of access cases and in those cases the court determined the economic damage to the property from the City denying access, that they had not done any particular studies on it, but the developer had indicated that it would substantially devalue his property and had indicated that he would pursue legal action against the City if they did in fact cut off his access to the south, that their evaluation would be that the greater threat in a lawsuit would be from the developer, that the cases that he recalled there was a development there, that the valuation would be just upon the market value of the property at this time, that property with certain kinds of access had a higher market value than they would have if they lacked that access and he felt fairly certain that was the tact the developer would take in a lawsuit, that he had not seen any appraisals of the development, that they believed that they had substantial evidence that his claim would meet the criteria for the City to loose the lawsuit, that they did not have numbers with which to assess the potential risk to the City in dollars; that the neighborhood did make their application for southern abandonment as a reaction to the application of the developer to install the bridge and do the southern access at the same time the developer was asking for a northern abandonment and a replat, that the developer had been working on it for a considerable amount of time. Council Members Goldberg, Boney and Bell absent.

Mayor Brown stated that he wanted to thank Representative Yarborough for being present and wanted to express their appreciation for his support to the City in Austin, that it had been a very good session. Council Members Goldberg, Boney and Bell absent.

Council Member Galloway moved to suspend the rules to substitute Mr. Quannel X for Mr. Larry Haggerty on the speakers list, seconded by Council Member Parker. All voting aye. Nays none. Council Members Castillo absent on city business. Council Member Sanchez absent on personal business. Council Members Boney and Bell absent. MOTION 2001-1348 ADOPTED.

Mr. Jack Michael, 14 Greenway Plaza, Houston, Texas 77046 (713-623-8281) appeared and stated that he was the new General Manager for the Greenway Highrise Luxury Condominiums, that there were actually two highrise buildings thirty stories tall providing housing for 600 residents, that their immediate neighbor was the Compaq Center and they understood that consideration of two new leases were being entertained by Council and his purpose was to once again remind the Council of their two main concerns of the 600 taxpaying voters, that number one would be traffic congestion and number two would be the blocking of the now unobstructed view, that either one or both of the issues could greatly impact their property values

and as a result affect the City's tax base, that they were at the mercy of the City Council and their good judgment. Council Members Boney and Bell absent.

Upon questions by Council, Mr. Michael stated that they only had two options and they actually only had two objections, that if the one went it would obstruct the view and the other one would impact traffic load greatly, that they were split on the issues and he was asked to come down and remind Council that they were at the mercy of the good judgment of Council, that there would be more traffic because there would be three days of traffic if Lakewood Church should go in, that they knew there would be three solid days of traffic, that as he understood Lakewood Church was in excess of 10,000 people. Council Members Boney, Todd and Bell absent.

Ms. Minnette Boesel, 2504 Stanmore, Houston, Texas 77019 (713-225-1889) appeared and stated that she was present to speak in support of the Historic Tax Exemption for the Bayou Lofts in the downtown Historic District, that she was an owner of a historic building in downtown, a real estate broker and had the privilege of serving on the boards of the Downtown Historic District, their neighborhood organization and the Main Street Market Square Tax Increment Finance District, TIRZ No. 3, that while success in downtown, due to the efforts of many individuals and organizations had been great there was still much to be done, that they still had many vacant buildings and lofts that could use infill and new construction, that the old adage that retail followed rooftops was true, the more residents they had in downtown the more it would help encourage retail and restaurants and keep their inner city vibrant as an attraction for tourist, conventioners, residents and visitors alike, and also tell the historic story of Houston, that the success right now however in downtown was highly fragile, they were seeing a softening in the real estate market and continuing construction in the downtown area, that while when finished and realized would be a terrific and incredible and incredible for the City was a challenge to perspective residential buyers and tenants alike, that there were also larger issues at stake, that as she mentioned she sat on the downtown TIRZ Board and last week they had the opportunity to place their first bond issuance, a \$12.75 million bond issue, that while the ratings came out all right for the bond issuance they were denied insurance and one of the main reasons being that the ratio of commercial to residential downtown, the residential component was not significant enough, so that was challenged, that in summary residential was important to downtown and hoped that they would vote favorable for the exemption. Council Members Tatro, Boney, Todd and Bell absent.

Council Member Goldberg asked if there was a way that they could structure it so if they were able to abate \$2 million in a shorter period of time than 15 years, could they end the abatement after that period of time, and Mr. Cameron-Stewart, Legal Department, stated that the 15 year period was established by an ordinance passed by City Council in March 2001 and that was established firmly in the ordinance, that the ordinance could be amended and things could be changed but that was the criteria on which the 15 years was based, that there was one exemption in the ordinance and that was if they received assistance through the Hotel Occupancy Tax Program and it was limited to 10 years but if they were not than it was set at 15 years so the option was zero or 15. Council Members Tatro, Boney, Todd and Bell absent.

Mayor Brown asked if on the matter that was before them could they change the ordinance to impact it, and Mr. Cameron-Stewart stated that not on a specific one to isolate it because taxation had to be equal and uniform, they had to treat everyone equally, that they could not change the ordinance to do what Council Member Goldberg had suggested, that they could repeal the current ordinance and rewrite the ordinance under which this was the foundation and those ordinances could remove the exemptions, and Council Member Goldberg stated that he was in favor of encouraging responsible historic preservation but is only concern was that they came to them for a \$2 million tax abatement and they may end up giving them much more than that. Council Members Tatro, Boney, Todd, Quan and Bell absent.

Council Member Parker stated that this was an item that came through the Neighborhood Protection Committee and not knowing who was going to chair the various committees next year, but if she chaired that committee she would be happy to bring it up, that she had already talked to representatives of the preservation community and they did not think his request was unreasonable, but they would have to change the ordinance, that the other attack they may take was if the property was resold that the first sale had the tax exemption and if it was resold it would go to the market rate, that either of those options could be explored and she was certainly willing to bring it up if he wanted to get with her after the first of the year they would try to do it. Council Members Tatro, Boney, Todd, Quan and Bell absent.

Council Member Ellis asked if the abatement would really affect the revenue that the TIRZ would receive, and Ms. Boesel stated yes it would, that they felt that the spinoff affects for the redevelopment of some of the buildings would be greater in the areas around the historic structures, that as to their not being able to get insurance the reason was the ratio of residential to commercial square footage downtown, that the residential was not up to what they felt it should be, that it should be increased in terms of the amount, that by developing the Bayou Lofts they would be increasing the residential and the bond underwriters would look more favorably at that, that she thought it would help the development around all those areas, that it was not just the one building, it was helping to create economic development in the surrounding areas. Council Members Tatro, Boney, Todd, Quan and Bell absent.

Council Member Ellis asked if the Downtown TIRZ or any TIRZ for that matter failed to repay the bonds who was held responsible if there was no insurance in place, and Mr. Bibler stated that he did not do bond questions, but would find out for him. Council Members Tatro, Boney, Todd, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Ms. Ramona Davis, 712 Main, Ste. 110, Houston, Texas 77002 (713-216-5000) appeared and stated that she was Executive Director of Greater Houston Preservation Alliance, that she was present to encourage them strongly to grant the Tax Exemption Abatement to the Bayou Lofts, that they absolutely must have a strong residential community downtown, that they tried it as an entertainment district before, in the late 1960's and 1970's, it lasted for a little while, but it never lasted for ever, that they had to create substance in the City and they had to create it downtown at the core and heart of the City, that they must have a strong residential pedestrian neighborhood, that as they already heard and knew it encouraged other business, that they could have it both ways, they could have new development and they could have historic preservation at the same time living side by side to create a more vital community and that was downtown where they needed it, that they encouraged them strongly to grant these abatements that they had already passed in an ordinance earlier in the year. Council Members Galloway, Boney, Todd, Quan and Bell absent.

Mr. William R. Franks, 708 Main, Ste. 200, Houston, Texas 77002 (713-223-8200) appeared and stated that he was Vice President and General Manager of Spiral Realty Group and in addition to that he was Chairman of the Downtown Historic District and a board member of the Downtown Management District and also on the Greater Houston Preservation Alliance, that he thought that they could not loose sight of the fact that there was a preservation ordinance in effect, that it was placed in there because during the 1970's and 1980's a lot of buildings were allowed to deteriorate downtown and become blighted neighborhoods, that the preservation ordinance had really assisted them in cleaning up some of the properties in the Historic District presently, that they had to take these buildings back one at a time, that they had a multiple impact and affect on the tax revenues in that area, and yes in some cases they were giving up property tax but they were stimulating other taxes in the area, that under previous administrations the one thing that was always noted was that they needed residential in downtown, that they

needed to become a work/live environment, that they could not do it without some assistance for some of the buildings, that in addition to that he would like to mention that there was a false perception that downtown Houston was back, that it was only back temporarily, they had a lot of challenges that they must overcome and continue to push forth the momentum, that helping with the preservation of buildings on an ongoing basis he thought stimulated the economy, brought many more people into living in downtown Houston, and in addition to that they lived here, worked here and spent money here, that it was good for the City and also for the property owners. Council Members Galloway, Boney, Todd, Quan and Bell absent.

Mr. Lane Lewis, 1822 Nina Lee, Houston, Texas 77018 (713-898-1020) appeared and stated that he was not going to debate the right or wrong or northern or southern abandonment or whether the intent was a two culvert bridge or four, that there were people behind him that were much more versed on those issues than him, that he was not going to speculate whether or not a fairly quiet street called Rosslyn Road would one day be a bustling boulevard like T.C. Jester, that what they all apparently agreed on was that the value of the homes that were to be built behind their neighborhoods would be improved if access was available through their neighborhoods, but improved at whose expense, theirs, that their values would decrease and he wondered where the studies were of their home futures if a bridge was built, where the studies of the water drainage, the flooding and traffic's affects on their neighborhood, that when he purchased his home he bought knowing there was a commercial street behind him, a park to the right and a school down in front, that he could only assume that when a builder buys their property they knew how to get there and currently they got to their property through Pinemont and not through their front yards, that the American way of government was by the people and for the people and he acknowledged that was not always the nature of American politics, that he understood that the nature of politics was that Council was not inclined to vote against a Council Member, however they were asking Council to do so today, regardless of whether a vote against northern abandonment was merely a feel good measure or was a vote in favor of American government it was what the people wanted in those neighborhoods and only they could decide how it felt, that the people were the City and he knew that because it said so up on the wall, and the good of the one did not outweigh the good of the many, that they wanted to avoid a court injunction on this so they asked them to vote against politics as usual and vote against northern abandonment so the issue of southern abandonment could be properly addressed. Council Members Galloway, Boney, Todd, Quan and Bell absent.

Mayor Brown asked Mr. Bibler to respond to the issue about the bonds, and Mr. Bibler stated that the bonds that were inquired about were revenue bonds paid out of the tax increment and if the tax increment did not exist then the bond holders were at risk and not the City. Council Members Galloway, Boney, Todd, Quan and Bell absent.

Council Member Parker moved to suspend the rules to hear Mr. Lewis Gregory and Mr. Marshall Parker after Mr. Joe B. Allen, followed by Mr. Walter Wainwright, seconded by Council Member Tatro. All voting aye. Nays none. Council Members Castillo absent on city business. Council Member Sanchez absent on personal business. Council Members Galloway, Boney, Todd, Quan and Bell absent. MOTION 2001-1349 ADOPTED.

Mrs. Gail Hall, 4120 Austin, Houston, Texas 77004 (713-522-7555) appeared and read the following statement: 'I would like to begin by thanking Mayor Brown and the Members of City Council for their commitments to Serve the People of Houston and all the time each of you has devoted to the City of Houston. I am here today to ask you to accept the lease from Lakewood Church. And to provide at least the same respect for parking as had been provided for the Rockets. I would be very embarrassed to have it said that Houston worships any sports team more than God. The members of this council have contributed this city's vast resources towards major improvements for our Sports and Theatrical Entertainment. Thanks to you we

have Enron Field for Baseball, Reliant Stadium for Football, a new arena for Basketball, Downtown has a list of new theater venues for Live performances. I commend this body for its good intention. I am certain a bounty of tax dollars are received from each venue. As you know, America is at war. I know this same war began a long time ago. Is America just unaware or in denial of its presence. Drugs and Alcohol steal lives, character and dignity, cause homelessness, crime and chaos. They have the power to crumble our city from within. The moral necessity of our time is shouting for your attention Mr. Mayor and City Council. After watching National News show the beer bottles being thrown at the football players in a sports stadium just last night, I recalled all the vile things that I have seen in the Summit or Compaq Center at Greenway Plaza. In the late 70's and early 80's, I watched Houston's leaders turn a blind eye to severe drug use in this Arena at Greenway. From 1979 to 1980 my High School lost over 20 lives of teens to drug and alcohol related events, some had just attended Rock Concerts at the Summit. The morals of this City continue a rapid rate of decline. Today, my 12 year old tells me ecstasy party pills are available in the halls of her middle school. If the City is worried about a tax loss from lack of beer flow in Compaq Center, then our upkeep will be our down fall. Please Lift the vale of Mediocrity that is looming over Houston by granting God this arena for his Temple. You now have before you an opportunity to shed the Abundant Light of Lakewood Church in to a Very Dark Arena. The 59 corridor will continue to have people from all nations, as the flow of the Holy Spirit from this Church attracts from around the Globe. Every Service, even on Wednesday night, there are visitors from other states and countries. Lakewood is a Multi Cultural and Multi Ethnic Community of Good Caring Houstonians. They all deserve this facility. They all deserve a place to park. When I was 17 Pastor John Osteen's Words brought healing to my Life. Today his son, Pastor Joel Osteen shares more inspired messages of Love, Hope, Faith and Abundance, and many lost Houstonians are found. Sermons preached by Joel Osteen are desperately needed for the SOUL of this city. The positive Light of the Osteen Family has always brought change for the Greater Good. I challenge each of you today to do your part in America's New War. Help Lakewood Church Overcome Houston's Evils by agreeing to the Lease with Lakewood Church here today. Though I have not read the lease with the City of Houston, I trust the Judgment of Joel Osteen. I bear witness to the Divine Power of the Holy Spirit that flows from him. Let Lakewood Church become God's Heartbeat for Greenway. May the Grace of God be with you all this Christmas and New Year." Council Members Galloway, Boney, Todd and Bell absent.

Mr. Joe B. Allen, 2700 First City Tower, Houston, Texas, 77002 (713-758-2674) appeared and stated that he was present on behalf of Crescent Real Estate to address the Compaq Center lease, that as they had previously asked the Council and the Fiscal Affairs Committee, Crescents request was that they reject the lease and go back out for a new RFP process that would be fair and legitimate and that would give the City the chance to receive the best bid for the highest and best use of the Compaq Center, that it was Crescent's position that it had been a very flawed process and the only way to fix it was to start the process over, if they went back and looked at the October 20, 2000 article, Mr. Tollett was quoted as saying "We have got this all worked out with Lakewood, we hope that Crescent doesn't mess it up" and they had rendering in that article and it had gone that way ever since, that the interlocal agreement restricted the use of the Compaq Center basically for any purpose other than religious use, that there was no RFP brought to the Council for approval, it provided for a lease only, no sale no exchange, it required a strict compliance with the deed restrictions, but when they saw the lease that had been drafted it specifically authorized religious uses, that the RFP only drew one bid and if any of them were in the real estate business and had a piece of property and they could only find one buyer he thought they would be suspicious that perhaps the market had not been worked, if they owned the deal they would try to get multiple bidders to come in and bid the property so that they would be sure they had the highest and best bid on the property, that the City needed more taxes and not less taxes and yet the potential revenues to be derived from putting it back on the tax rolls was not taken into account in the evaluation, that the appraisal process, two weeks ago the

Council met in a special session in order to get appraisals for the purpose of complying with the Charter, this was long after the process, which just showed how flawed it was, that they had not seen the appraisals yet so they could not comment on them and he was hoping and understood they had recently arrived, and he promised before they assembled on Wednesday morning they would have his comments on them, that at the Council meeting two weeks ago the suggestion was that the Olympics was very important to the City and Crescent had given them a letter that really made a better offer for the use of it for the Olympics than the Lakewood proposed lease, that in the Lakewood proposal they only proposed to build a 2,500 car parking garage and under the City's own ordinance for that size of a church they needed 3,600 to 4,000 so parking was going to be a problem, that it would be within 300 feet of the Renaissance Hotel, Maxim's and the Houston City Club, which would pose problems for their liquor license and would prevent any other restaurants or clubs from going into that area, that Crescent had a \$300 million investment in Greenway Plaza and held deed restrictions on the Compaq Center, that as a Houstonian in a City with no zoning they believed they were entitled to the protections of the deed restrictions, that again there were too many questions and too few answers and they requested that they go out for a new RFP. [Council Members Galloway, Boney, Todd and Bell absent.](#)

[Council Member Quan asked Mr. Lewis if the appraisals were available to the Council Members, and Mr. Lewis stated that he had seen one of them and understood that the other two had come in and thought they were ready, that they were being delivered to the Council offices, that given the current litigation involving the Compaq Center and while the lease was pending their litigators had strongly urged that the appraisals be delivered as confidential documents to Council Members and that they be urged not to distribute them to others, that he was asking all Council Members to keep them confidential, that they routinely kept appraisals confidential during the stage when they were negotiating transactions and in this case there was also litigation. Council Members Galloway, Boney, Todd and Bell absent.](#)

Mr. Lewis Gregory, 3900 Milam, Houston, Texas 77006 (713-524-7700) appeared and stated that he was present as President of the Houston Media Source and had the executive director forward them some information regarding their audit as well as numerous other things as far as communications and proposals to the Council and the Mayor, that he knew it was basically down to nut cracking time on this issue, that the staff had put in place a lot of information and hopefully they had done a little due diligence about what they had done with a small amount of money and the last four years kind of outlined any and everything that they had done, that their proposal was basically to cover maybe consolidating and putting together a combination of the Houston Media Source and the Municipal Channel and they could work more effectively that way with using the same amount of staff and numerous other things that would be a huge plus for the City, that he just visited Atlanta over the weekend and he observed their access channels and he knew that Houston was awesome in many areas and they could continue to be in this major area, that it was a building block; that a little bit of his background with the access channel, that he had been on the board for 10 years and had seen a lot of things in that span of time and knew that they had an excellent opportunity right now to step up the plate and make a difference in their community, that there was going to be a national convention in Houston of all the access channels throughout the Country and he hosted something for them when they were in Houston and they were great people and they could learn from different organizations throughout the United States of what they were doing right and wrong, that they were coming to Houston with between 500 and 700 people and it was going to be a small boom to the City, that they had the staff and the team and he would really like for them to take into consideration the opportunity that they had right now, that if they did a little bit of the homework and look over the paperwork and the audit they were responsible, that with his commitment on the board in the past years, he was continuing to do the same thing now and that was why he was present today to let them know that he was committed and was sure they were to. [Council Members Galloway, Boney, Todd, Vasquez and Bell absent.](#)

Council Member Goldberg stated that what he understood from Agenda Item No. 33, the Municipal Channel was going to lease some space from the Houston Community College and asked if this was space that if the Municipal Channel got together with Houston Media Source that they would not need to lease, and Mr. Gregory stated that was true, that they had a facility now and were actually the channel that was up and running since the flood, that the Municipal Channel was flooded and a lot of their equipment was flooded and he did not want to evaluate, because he did not really have the knowledge on their proposal, but he knew if they did that, it was his understanding that the HCC space was an open space and it was going to take a huge amount of money to go in there with equipment and numerous other things to build it out and they were already up and ready to go at the Houston Media Source, that they were on the air and able to do what they needed to do, and Council Member Goldberg asked if there was someone who could address the status of the negotiations between the Municipal Channel and either Houston Media Source or some other entity and whether or not they were going to merge, and Mayor Brown stated that they did bring it up before a committee and they could get F&A to give him a briefing on it, that both entities did present a proposal and the reason the Houston Community College was coming back was that they offered the best proposal and they would get him whatever information they had on that. [Council Members Galloway, Boney, Todd, Vasquez and Bell absent.](#)

Mayor Brown stated that he wanted to thank Mr. Gregory as he appreciated the work he had done. [Council Members Galloway, Boney, Todd, Vasquez and Bell absent.](#)

Mr. Marshall Parker, 3900 Milam, Houston, Texas 77006 (713-524-7700) appeared and stated that Ms. Patricia Garlinghouse was Executive Director of Houston Media Source and was not able to be present so he had a statement from her, that Houston Media Source had seen the advantage of combining the government and public access operations in Houston, that cities throughout the Country had found that combining access services resulted in higher quality and improved efficiency, that HMS prepared and presented a proposal to the City and other proposals of lesser value had also been submitted, that they wanted to provide the citizens of Houston the best available access for their franchise needs and their proposal provided a bigger bank for their buck, that HMS was well aware that the City controlled the content of government access and that the public access was provided by independent producers, that while the mission of the two was different both were vital to the public information to the citizens of Houston, building communities through media, that over the last five years HMS had provided an efficient and quality service as shown by the satisfaction of ever increasing members of producers and viewers, that HMS would bring the same high quality and efficiency to the Houston's Municipal Channel operation, that the HMS proposal had no time limit. [Council Members Galloway, Boney, Todd, Vasquez and Bell absent.](#)

Mayor Brown stated that he wanted to thank him and appreciated the work he had done. [Council Members Galloway, Boney, Todd, Vasquez and Bell absent.](#)

Mr. Walter Wainwright, P. O. Box 16550, Sugarland, Texas 77496 (281-980-3434) appeared and stated that he was President of the Houston Automobile Dealers Association, that leasing had become a very important option for many Texans shopping for a vehicle, that an impediment to the interest of leasing however had been the personal property tax that many personal leased vehicles had been subjected to all over the State, that in 1999 there was a Constitutional amendment adopted that allowed the Legislature to change this, that the Legislature did in the last session, Senate Bill 248, which implemented the will of the people and basically it allowed, as of January 2, 2002, virtually all the taxing entity's, with the exception of a few municipalities, the ad valorem property tax on leased vehicles would go away, that Agenda Item No. 70 allowed the City to opt out of it and they were opposed to that, that they felt that the

people overwhelmingly voted in Texas and in Houston, two to one, to opt out of the tax and not pay it anymore, that it made them non competitive with other states, that it made people who leased vehicles be treated differently, that they felt that consumer demand passed the Constitutional amendment and that people wanted it and they had spoken very clearly on the matter and they thought that adoption of the agenda item would perpetuate the inequities that triggered the Constitutional amendment, so they respectfully asked the Council to oppose the agenda item and to treat both the people who purchased vehicles and leased vehicles the same. Council Members Galloway, Goldberg, Boney, Todd, Keller, and Bell absent. (NO QUORUM PRESENT)

Mr. Mike Laster, 6671 Southwest Fwy., Ste. 303, Houston, Texas 77074 (713-981-9595) appeared and stated that he represented the seven abutting property owners along Rosslyn Road south of the right of way for the Harris County Flood Control District, that they were present on October 30, 2001 and during that time they extended to Council written examinations of a number of the City's policies and procedures in regards to the northern and southern abandonment requests, they also looked at the legal issues and hoped that they had the opportunity to read those, that they were present today to ask Council to not support the northern abandonment of Rosslyn Road, that he wanted to go over the few reasons why they were asking them to do that, that today they were going to be told that the only way to protect the neighborhood was to in fact abandon the Rosslyn Road area to the north of the ditch, that was just simply not the point, that the reason the northern abandonment was being requested was to create a single point of access into a development and a subdivision created by the developer himself, that was why the developer, Candlelight Place, went to the Planning Commission twice to seek a variance on the very same issue in which he did not meet his threshold and requirement there and was defeated by the Planning Commission twice, that was the reason the Candlelight Estates, the southern neighborhood continued to stand against the northern abandonment, that here was why the northern abandonment was not required in this instance, that one, they were told that the developer currently had a current bridge permit, that meant that he could build the bridge across the right of way right now, that did not mean that he needed an abandonment to build the bridge, that second of all they were told that the developer's current plat proposal had been approved by the Planning Commission and he could develop his current plat as it stood now with a northern and southern access point, that he did not need a bridge or a northern abandonment to get that done, that in fact because he had been approved on the north and did not meet the variance requirements he could not have an abandonment, and he would talk to that at greater length, that finally the developer continued to threaten that he would develop the current Deroloc subdivision, that he could do that now without the bridge, that he could not do the development of the Deroloc subdivision with an abandonment, because that was central and core to the development of the Derrel Lock subdivision, so why was he asking for the abandonment now, to singularly come back to the same design that he came up with when he first started and that was to abandon all of the rights of way into his new proposed subdivision so he could create one point of access over a bridge, through a neighborhood for one point and time, that had existed since day one, that abandonment of the northern portion of the Rosslyn right of way would violate the Joint Referral Committee's policies and procedures about abandonment of rights of way in the middle of the street, that second of all it violated the very variance that the Planning Commission did not grant to the developer twice and it violates the spirit and the letter of Chapter 42, Section 81, that would require the variance for the block land, that finally it created a very dangerous precedent for both the Planning Commission and for City Council, that every time a developer was beaten by a neighborhood that stood up in the process of protecting its neighborhood they would come forward to the Council and ask them to circumvent that by creating an abandonment to the north, in this particular instance. Council Members Galloway, Goldberg, Boney, Todd, Vasquez, and Bell absent. (NO QUORUM PRESENT)

Upon questions by Council Member Taro, Mr. Laster stated that it was their position that it did violate the Joint Referral Committee, because the Joint Referral Committee had a historic precedent that they only abandoned rights of way that were in dead end's, that this in fact would abandon a right of way that was right in the middle of a right of a way, that they were told by Council Member Tatro office that the developer had a bridge permit, that they had not seen the bridge permit, but if in fact he did have the bridge permit he could build the bridge without the abandonment to the north at this point and time, that the City Council always had the ability to abandon the southern right of way, that he could get for them the rules and regulations and the findings of the Planning Commission, that twice Council Member Tatro had supported the neighborhood in that, that they asked for the variance to be denied, that the variance was denied; that they continued to say that they would pursue all of their legal opportunities and rights, that he was not going to tell them exactly what they were going to sue them over because they were not present to threaten lawsuits, that they were present to make sure that the City Council was aware that they had done their homework on the issue and that they had provided to the Council and to the administration more than enough legal precedence to move forward with the southern abandonment. Council Members Galloway, Goldberg, Boney, Todd and Bell absent.

Upon questions by Council Member Quan, Mr. Laster stated that the Planning Commission denied the abandonment request, what they specifically did was deny a variance that would have allowed for a block link that would have ultimately been able to justify and validate the northern abandonment and the reason they did that was because the developer did not meet the legitimate requirements of the Code of Ordinance section that demonstrated that the variance was applicable to his development, that they needed two points of access or more than one point of access, that because it was denied, under the current subdivision plat that the developer was authorized to build he had not been authorized via the Planning Commission to have a northern abandonment, so they were asking the City Council to do what the Planning Commission had said no to, that the Joint Referral Committee and the City administration had to this day not denied the southern abandonment request in writing to them or specifically and in fact when he spoke to the administration as of last week they were telling them that there would be no northern abandonment requests coming forward any time soon, so as of Monday morning they learned that the northern abandonment had gone through Joint Referral and was now before Council, that in due respect to Mr. Lewis none of his opinions had any case law in them and they were looking at the same case law and in the October 30th presentation to Council they cited several different cases to them, that he believed that this was not a partial removal from access because first of all the developer had no ownership interest to the area which would be abandoned, and Council Member Quan asked Mr. Laster for a copy of his brief again. Council Members Galloway, Goldberg, Boney, Todd and Bell absent.

Mayor Brown stated that after this speaker he was going to invoke the Council rule of five minutes per Council Member on each speaker because they had a very long list of speakers. Council Members Galloway, Goldberg, Boney, Todd and Bell absent.

Council Member Parker stated that Mr. Laster had made a statement that Joint Referral had a policy or rule against granting abandonments at other than dead end streets and she wanted to point out that it was actually not true, that they had a spectacular fight on Council over the abandonment of Marshall Street and as the only Council Member who voted against the abandonment of Marshall Street for Annunciation Orthodox School she remembered very vividly, so they did do it, not regularly, but it was not unprecedented. Council Members Galloway, Goldberg, Boney, Todd and Bell absent.

Council Member Keller asked Mr. Lewis if they took any further action as far as a further variance did they not have to come before Council for that, and Mr. Lewis stated that they did not have to go to Council, but just some clarification on Mr. Laster's position about the block link

variance, he was correct, it was denied because it was improperly submitted before, that one of the conditions for the abandonment, this was just a motion to start the process for the abandonment, was the applicant be required to secure a block link variance from the City Planning Commission, not Council, that was one of the conditions before they would bring it back for Council to actually do the abandonment was that they secure the variance from the City Planning Commission; that currently it was publicly dedicated right of way, that it had been public right of way for a number of years. Council Members Galloway, Goldberg, Boney, Todd, Bell and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that from here on out it would be five minutes collectively for Council to ask questions to the speakers. Council Members Galloway, Goldberg, Boney, Todd, Bell and Robinson absent. (NO QUORUM PRESENT)

Mr. David Eng, 4423 Rosslyn, Houston, Texas 77018 (713-805-2502) appeared and stated that he wanted to make it very clear what this was all about, that it was all about the developer wanted to secure one point of access with a bridge purely for economic exploitation of their neighborhood, that the City's Planning Department's own records showed that the primary access point for his subdivision was Pinemont via Rosslyn to the north, that was in the Planning Department's own findings when they reviewed his original plats, that now he was choosing to scurrilously eliminate that to achieve the economic exploitation, that the other avenue that he closed off was to the east of his subdivision into an area called Ella Leaf Forest, basically when the subdivision was one quarter of the size it was now there were concerns, and the City Planning Department recognized traffic, economics and safety concerns, and they closed it off and allowed it, that they were asking for the exact same protection under the law, that they were asking that they do not get subjected to the 900 cars, when it was 140 it was too much for another neighborhood, now 1,000 was enough for them, the logic was not there, that they wanted the same criteria, that the other thing was that Council Member Parker mentioned who came first, well the developer came first, he filed for the variances and he was rejected once and then he was forced to withdraw based upon lack of merit, then they applied for their southern abandonment in that interim and were waiting for their turn, and now all of a sudden northern abandonment came up, this was not part of the original submission that the developer made, so basically it was like he got a turn and he got another turn, and yes the neighborhood was there, but they were going to give him another turn, and so from the constituent standpoint they were never going to get a break and so if they were going to be able to use Council to circumvent the Planning Commission and circumvent 2,300 people in the neighborhood and sit back and allow one neighborhood to go against another neighborhood, that quite honestly they were all for the other neighborhood not having the traffic going through, conversely it would be hypocritical for anyone from that neighborhood to speak before Council and say it was fine for them and not for the other neighborhood, that they were just asking for equal protection under the law, equal treatment, fairness and to preserve their homes, that when it came down to valuation what they were afraid of was that he had spoken with an appraiser and when they purchased a house they would want to purchase a house off of a main thoroughfare, and if they had a choice between a house that was at a dead end and one on a thoroughfare, they were going to choose the one on a dead end and that was where the loss of value was, that was where the loss of value was for all homes and that was why they had been present for the last 16 months. Council Members Galloway, Goldberg, Boney, Todd, Keller and Bell absent. (NO QUORUM PRESENT)

Mr. Jack McReynolds, 4414 Rosslyn, Houston, Texas 77018 (713-867-5311) appeared and stated that he had brought a copy of the email they had all received from Council Member Tatro and a few notes that he managed to scribble on it, and asked if any of them had see the movie Ground Hog Day, that was the one where the main character, Bill Murray, got up and the entire day was a complete repetition of yesterday and then he got up the next morning and it was a complete repetition of yesterday which was a complete repetition, that he felt like he was in

Ground Hog Day and was Bill Murray and had finally made the big time, that was where they were, that about 14 months ago the same developer made a request for the same northern abandonment from the Planning Commission and was declined because of lack of merit, that he told himself that the thing was finally over and they could start with a June 28, 1999 letter from the City promising them a turnaround at the dead end on Rosslyn, that the same developer later refiled for the same northern abandonment and this time he backed off and withdrew because, at least the reason they heard from Council Member Tatro's office, he did not have the support on City Council, that he said to himself it was finally all over again, like Ground Hog Day, then he woke up this weekend and realized he was missing a lot of information and talked to Tom Shepherd three weeks ago and he told him that he was going to be before Council and he had been asking people to keep him posted and give him copies of certain things and he did not have any, that he looked on the agenda and it was not posted on the web like it was supposed to be on Friday and the first thing yesterday morning he called City Council and asked what was going on and they said it was on the agenda and then he got the email, there they were, Ground Hog Day all over again, that he did not know how many time they did, that he read the email about 14 times and it did not matter how many times they used a nice catch phrase like "I had been hopeful of obtaining abandonment south" that sounded good but it did not mean much, that it did not matter how many times they tried to blame somebody else, that this was the Mayor's, "This was the only abandonment request the administration had agreed to", that no matter how they cut it everything in the proposal was the same thing that was applied for by the same developer 18 months ago and legally denied, that the only difference in today's Ground Hog Day, for this situation, it seemed that if they gave the developer what had been legally denied before without giving the neighborhood a fair shot at the same thing he hoped they boxed, put pretty paper on it, put a bow on it and hand it to him for Christmas because it was a freebie. Council Members Galloway, Goldberg, Boney, Todd, Keller and Bell absent. (NO QUORUM PRESENT)

Ms. Diane Sanders, P. O. Box 920801, Houston, Texas 77292 (713-686-1414) appeared and stated that she was an advocate for the African American neighborhood of Acres Homes as well as the Caucasian Anglo Saxon neighborhood of Oak Forest, that people who lived in her neighborhoods were not present because they were busy working, they were the working poor, blue collar, elderly, handicapped and although much consideration was being given to the desires of the developer it seemed that no consideration was being given to the people of the neighborhood, that they had the right for their property to be protected, that the desires of that developer to turn a profit certainly should not be put before the rights of the people that had been in the neighborhood, two residents that she knew of for a hundred years each, and other residents that she knew of for 80 or 90 years, and perhaps they could start to understand why those ladies were not present to speak to them today, that also there was a lady who lived on Rosslyn Road who had severe MS and should the road be widened and go through, and the gentleman that they were about to hear from had already said that in his opinion it would be most desirable and look better if it was widened, from where it was two lanes right now, out to four lanes it would be more aesthetically pleasing so they strongly disagreed with what the gentleman that about to follow her was going to say, whatever it was, that little that had ever come out of his mouth did they deem worthy and they hoped that they would listen to the voice of the people of the neighborhoods and that they would put the power into the hands of the people and they invited the Mayor to come and visit with them and they would get in cars and carpool up to whatever facility was necessary to hold all of them, whether it was one of the high school auditoriums, they just asked that they listened to the people, that they would also like to straighten out a little misconception that Mr. Shepherd had anything on the table at the time that the southern abandonment petition was brought forth, that out of Mr. Litke's own mouth, on the Municipal Channel tapes, she asked him if Mr. Shepherd had anything on the table and his exact words were that he had nothing on the table, no development, no request for a bridge permit, no request for abandonment, nothing, and that was the time that they applied for southern abandonment, that it was their turn. Council Members Galloway, Goldberg, Boney,

Todd, Keller, Vasquez, Quan and Bell absent.. (NO QUORUM PRESENT)

Mr. Phil Obenhaus, 5011 Hollow Bend, Houston, Texas 77018 (713-753-2482) appeared and stated that he was President of the Candlelight Woods Estates Homeowners Association, that he could tell them that their past and present board was absolutely for abandonment north, that this thing started more than 16 months ago when Mr. Shepherd called and stated that he wanted to do this, and he told him that if he could block Rosslyn Road he had his full support, that Mr. Shepherd had been very honest and forthright and everything that he said he was going to do he had done, so he really had a lot of trust in him, that also Council Member Tatro who had been very good had performed his due diligence trying to represent all of the residents of the neighborhood, and he asked that they please vote for abandonment north, that was really all they asked, that he thought that Representative Yarborough misrepresented Mr. Shepherd, that he did not want to build out Deroloc he wanted to abandon the Deroloc Candlelight Place Three, that he also had to say that anybody would be an absolute idiot if they thought they could build a subdivision, that if he wanted to build one that would go in and out of Pinemont he would fall flat on his face, that he was extremely concerned that if the abandonment did not pass by Council that they would have two options, one, whoever did built Deroloc would have Rosslyn to go through as a last resort for him, and two, if he gave up the ship here and if he decided that he wanted to sell his property, he was very fearful that they would have some other twenty four seven metal clankity clank business right behind them, that he had personal dealings with more than one on Pinemont for both noise and pollution activity, of which Council Member Tatro was well aware of, that as far as the widening of Rosslyn, he did make that statement at the Oak Forest Civic Club meeting and he said that because there was a child that drowned many years ago who got pulled into a sewer and he said that it would probably be safer and more pleasing if the road was widened, that it was no intent on his part to make it a four lane thoroughfare, that also Mr. Eng said that he lived on a dead end, well he bought a house on a major thoroughfare, would there be some problem with the intersection of Bethlehem and Rosslyn, absolutely, they were going to have a little more traffic, but he thought it would save the heart of Oak Forest, it would permanently block Rosslyn Road, affecting both Acres Homes, Candlelight Estates and Woods, Oak Forest, Shepherd Forest and everybody from that whole corridor up and down, that he wanted them to please vote for abandonment north and if possible, if they could get it done before the end of the year it would be great, because this thing had been splitting the neighborhood and they had been dragging each other through all kinds of stuff, that it was time to get this resolved and move on to some real issues like the budget probably. Council Members Galloway, Goldberg, Boney, Todd, Ellis, Keller, Quan and Bell absent. (NO QUORUM PRESENT)

Council Member Tatro stated that he wanted to point out that Mr. Obenhaus represented a civic club on the southside of the drainage ditch, and Mr. Obenhaus stated on the southside of the ditch from Rosslyn east and also Candlelight Woods which was on the other side, that the civic club that he represented were neighbors of many of the people who were supporting the no bridge. Council Members Galloway, Goldberg, Boney, Todd, Ellis, Keller, Parker, and Quan absent. (NO QUORUM PRESENT)

Ms. Barbara McReynolds, 4414 Rosslyn, Houston, Texas 77018 (713-681-3335) appeared and stated that she was not sure why the item was even on the agenda, that northern abandonment was denied on merit by the Planning Commission and when resubmitted by the developer was then withdrawn by him because, they were told, he did not have the support of the City Council and knew that it would be denied, that now all of a sudden, with one day's notice, it was on the City Council agenda without going through the Planning Commission, that as a homeowner on Rosslyn she strongly requested denial of northern abandonment, that if approved it would effectively landlock the development and make the only entrance into the subdivision through their neighborhood, that this would put about 1,000 car per day through and would

completely change the neighborhood, which was now peaceful enough for people to walk and ride bikes, do not insult their intelligence by telling them that this was the only way to prevent Rosslyn Road from going through, that they had all heard of eminent domain, that they knew the City could take back the street at any time, that the best way to prevent extension of the road was to grant partial southern abandonment to the abutting property owners, that 10 of the City Council Members signed a petition in favor of that, and even thought their request for southern abandonment was submitted before the developer withdrew his request for northern abandonment, nothing had been done about it, that Mr. Obenhaus was the president of a home owners association, however he did not represent all of the people, he was talking for himself, that over 2,300 people signed a petition against the bridge, that they had raised thousands of dollars in the quest to fight the bridge, they wanted to keep the sanctity of their neighborhood, Council Members please honor the petition that they signed and vote against northern abandonment and bring before the Council a request for partial southern abandonment and vote for it, let them regain some respect for City government and help them keep their neighborhood. Council Members Galloway, Goldberg, Boney, Todd, Ellis, Keller, Parker, and Quan absent. (NO QUORUM PRESENT)

Ms. Toni Lawrence, 7047 Bent Branch, Houston, Texas 77088 (713-937-9999) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Boney, Todd, Ellis, Keller, Parker, and Quan absent. (NO QUORUM PRESENT)

Mr. Colin McLain, 1331 Del Norte, Houston, Texas 77018 (713-682-1943) appeared and stated that he was a resident of Ella Lee Forest and was present to communicate his support for the abandonment of Rosslyn Road north of the Harris County Drainage Ditch, that he supported the action along with the proposed development by Mr. Shepherd by two distinct perspectives, one as a member of the neighboring community and two, professionally as an architect in the City for the past 14 years, that he wanted to go on record that he had no professional involvement whatsoever in Mr. Shepherd's development, therefore he independently presented his support for the abandonment based on the following three criteria, first was prevention of Rosslyn Road from being extended northward and connecting to Pinemont, that this abandonment would continue to restrict the flow of traffic through the neighborhoods and also help maintain the security of the existing residential communities as well as the new proposed development, that second was protection of two long established neighborhoods, Ella Lee Forest and Oak Forest, from being bordered by any further questionable commercial or industrial development, and third was the promotion of property values and security by the development of a new residential community in harmony with the surrounding residential neighborhoods, that he would ask that they examine the photographic exhibit which he passed out to Council Members in order to understand the magnitude of their concerns if the northern abandonment was not granted, that the images in the left column marked no were photographs taken in the past few months of the commercial properties along the Pinemont corridor along Ella Boulevard and East T.C. Jester, that in the right column marked yes, were photos taken on the same day of the residential properties developed by Mr. Shepherd just west of his proposed development off of Bethlehem, that this was the type of development that he believed would best serve all the adjacent neighborhoods, that considering the development that they had witnessed along the Pinemont corridor he believed it was very reasonable for the neighbors and residents to fear someone buying up the property and turning it into another automobile graveyard or more likely a junkyard dealership, that he saw the northern abandonment of Rosslyn Road achieving two significant goals, that securing and protecting of these communities while at the same time creating economic opportunities for a meaningful well planned development, that he believed they the residents of the communities and they their City officials had been presented a golden opportunity to achieve both of the worthwhile goals and would hope that they would vote for the northern abandonment of Rosslyn Road. Council Members Galloway, Goldberg, Boney, Todd,

Keller, and Quan absent. (NO QUORUM PRESENT)

Upon questions by Council Member Tatro, Mr. McClain stated that he lived on the north side of the ditch, that his subdivision abutted to the west the property that would be developed, that their neighborhood had been very supportive of the development and for northern abandonment to insure that Rosslyn did not proceed to Pinemont. Council Members Galloway, Goldberg, Boney, Todd, Keller, and Quan absent. (NO QUORUM PRESENT)

Mr. Ronald Curry, 5519 ½ Caplan, Houston, Texas 77026 (713-633-3829) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, and Quan absent. (NO QUORUM PRESENT)

Mr. Dell York, 8855 Gulf Freeway, Houston, Texas 77017 (713-941-8000) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, and Quan absent. (NO QUORUM PRESENT)

Ms. Shirley Allen Phillips, 6014 Pickfair, Houston, Texas (77026) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Boney, Todd, Keller, and Quan absent. (NO QUORUM PRESENT)

Ms. Gloria Holmes, 265 Arbor, Houston, Texas 77004 (713-874-1579) appeared and stated that she and her children were under the Section 8 Housing Program and she had not been able to find suitable housing in the Third Ward area which she chose to live and remain in, that she was living at 2715 Palm and had to move because the bad landlord that she was renting from failed to repair the necessary things that needed to be fixed there in order to pass the inspection, that now she was still looking for a place for her and her children and was living with her mother, there were six of them in two bedrooms for three months, that there was nothing in Third Ward suitable to live in and she just wanted to express it to the Mayor and City Council that she was under stress and had been to the disability doctor because she had suffered an aneurysm in 1985 and could not be stressed out any longer, that her daughter, who was 19 years old, was now suffering with high blood pressure because of the matter that they could not find a place to live in Third Ward. Council Members Galloway, Goldberg, Todd, Keller, Vasquez and Quan absent. (NO QUORUM PRESENT)

Mayor Brown stated that Ms. Debra Dillard, Citizens Assistance Office, would meet with her and see how they could be helpful to her. Council Members Galloway, Goldberg, Todd, Keller, Vasquez and Quan absent. (NO QUORUM PRESENT)

Ms. Olga Lyons, 7035 Lower Arrow Dr., Houston, Texas 77086 (281-847-0808) appeared and stated that a translator that she appreciated Mayor Brown's work with the Hispanic Community and had brought her resume with her, that she was looking for assistance in finding employment with the City. Council Members Galloway, Goldberg, Todd, Keller, Vasquez and Quan absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Cantu, Citizens Assistance, would meet with her and see how they could be helpful to her. Council Members Galloway, Goldberg, Todd, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Mr. Glenn Thomas, 5838 South Lea, Houston, Texas 77033 (713-643-1696) appeared and stated that he was present in defense of the Department of Housing and Community Development section, that he was trying to express that they were in need of help from some good contractors, that Ms. Bingham was working hard and Ms. Steiner and a lot of good people at the Department of Housing, but the level of contracting was a problem all over the City, but

within the City organization itself it should never take place, that he had talked with Mr. Cantu and expressed some of his concerns to him concerning the level of contracting in which City funds were being made available but not the type of care in the emergency home repair section for the particular home owner and the subgrantee, that the people at the Houston Urban League, Ms. Sylvia Brooks was excellent but they were working with what they had, but he was seeing if City Council could help to make the standards for the City construction structures the same as the emergency home repair section, in which they had the same level of adequate contractors to administer to those programs, that was really his complaint that he was asking they all get together and to embrace and apply to help them down there so they could get the good level of contractors and not the kind who break City codes, that if there was a list was there anyway that it could be maintained on a quality assurance so that they could remain in the character and good standing with the City as opposed to getting the contracts and taking cheap routes out. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Bell absent. (NO QUORUM PRESENT)

Council Member Boney asked Mr. Thomas what was the corruption that he spoke about in City home repair, and Mr. Thomas stated that it went to the level of expertise, that in the sector the home owner was being abandoned and was not being given the level of what each itemized repair item cost, that was not available, that he was signing contracts blindly without having any knowledge of what each item cost, but that was just one thing, that the shortcuts were that they closed up the walls and redid the walls and re-piped it, but he closed them without putting any insulation in them, that he had to bring City officials in to see the atrocity, that they had to tear the walls down and do it right, that the project called for insulation to be put in the walls to meet code, that the City inspector was excellent, that he was saying that the contractor was the person who also should have the ability to do his job, that it could be improved, that they should have a standard and protocol in which these people would qualify to be a contractor. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Michael Halpin, Housing, who would meet with him and go over in more detail the issues that he had brought to the Council's attention so that he could take them back to the department and see what they could do to address his concerns. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Ms. Celeste Adyanthaya, 2152 Watts, Houston, Texas 77030 (713-668-6542) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Rev. James Nash, 7830 Colonial Lane, Houston, Texas (713-734-0810) had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Mr. Steven Williams, no address, no phone had reserved time to speak, but was not present when his name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Ms. Zarana Trivedi, 2610 Elgin, Houston, Texas 77004 (713-807-5129) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Ms. Lisa Talledor, 2610 Elgin, Houston, Texas 77004 (713-807-5129) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg,

Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Ms. Alexandra Woodfork, 2610 Elgin, Houston, Texas 77004 (713-807-5129) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Ms. Tanisha Williams, 2610 Elgin, Houston, Texas 77004 (713-807-5129) had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Ms. Gloria Trevino, 12526 Olympic, Houston, Texas 77077 had reserved time to speak, but was not present when her name was called. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Quan and Robinson absent. (NO QUORUM PRESENT)

Mr. Trent Winters, 7967 W. Airport Blvd., Houston, Texas 77071 (713-729-1153) and voiced his personal opinions regarding Council Member Boney until his time expired. Council Members Galloway, Goldberg, Todd, Ellis, Keller, Vasquez and Robinson absent. (NO QUORUM PRESENT)

Mr. Kofi Taharka, 2428 Southmore, Houston, Texas 77004 (713-876-7165) appeared and stated that he was the Chairman of the National Black United Front Houston Chapter, that they were present because they believed that the targeting of Mr. Lenwood Johnson, Ms. Njeri Shakur and Ms. Mary Pruitt was equal to if all of a sudden within one week they found Mayor Brown out of office or Council Member Boney out of office or one of his other strongest supporters out of office, that there were a few other people in the City who knew as much about housing as these people and had contributed much to low income housing public housing, affordable housing and the over all issue of housing, that they had a meeting at the SHAKE Center and several other people wanted to be present so that they could see the faces of the people from the community who were standing with them, that they had a meeting the other night and saw that obviously it was a bigger issue, that it was how were people in public housing being treated but also the gentrification of their neighborhood, that people were applauding when the Olympic torch came through but they were wondering if their communities were going to be blown away by the torch, because their communities were very concerned about the University of Houston and what was going on there, so many of them voted for Mayor Brown and were not present to call him names or anything like that, but they were present to be very direct, that some people were homeless, that they were going to hear the story of Ms. Neal, that Lenwood was now homeless, and what they wanted was for Mayor Brown to correct it, that he was elected and the Housing Authority was appointed by the Mayor so they were saying that all of the people who had been targeted and were with them today they should cease and desist those actions, that Lenwood should be back in public housing and Ms. Shakur, who was in limbo now, a mother of three, should not be kicked out and homeless for the holidays, that Ms. Mary Pruitt, who was not present, and had five children, should be back in public housing and Ms. Neal, who was present, should be back in public housing, that they should freeze all evictions until a comprehensive review of the Housing Authority was done in the City because there was punitive action against people who stood up for their rights within the system, that also they would like for the Mayor to come and talk to the community, not a dog and pony show like what happened at Antioch Baptist Church a few years ago, but something where the Mayor could hear and listen to what it was that the people had to say, that the people would respond to Mayor Brown, that to Council Member Boney, they wanted him to get on this issue with the same passion that he was out talking to the community about voting, that they were going to hear the stories from the people in the community who helped put them both in office, that they had written to the Mayor several times and had not gotten any response and that was the reason they were present today in addition to the evictions, that the people were being disrespectful when they came to kick them out and then once a little media

attention got placed on them then they wanted to act like they were nice within the Housing Authority. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Mayor Brown stated that he did not recall receiving any correspondence and asked that Mr. Taharka give him a copy of the correspondence, and Mr. Taharka handed out a copy of the correspondence. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Upon questions from Council Member Boney Mr. Lenwod Johnson appeared and stated that there was no form to fill out because they, under the Uniform and Relocation Act of 1970, were temporary relocatees, and that was defined that they were being moved away until the renovation was fixed and according to their preference agreement, which he had with him, they were the first ones to be returned, there was no application, that he did not refuse to fill out any form, but there were social workers present who were supposed to take care of all of the paperwork for all of those temporary relocatees, including the senior citizens, some of who could not see very well, that he did not have any problem in filling out any form or application if it was not going to cause any problems about what the law was and what was supposed to be done, that they could not trust the Housing Authority, that once they filled out an application the Housing Authority would run a credit check and background check, that was an application for people who had never been in public housing, that they did not have to fill out a form to be relocated temporarily and were not supposed to fill out any form to come back. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez and Bell absent. (NO QUORUM PRESENT)

Upon questions by Council Member Robinson, Mr. Johnson stated that the utility bill went back to 1990 at Allen Parkway Village, that it was 10 full years that they tried to charge him for, that in the years prior to that they paid for those utilities and then they stopped trying to bill for those utilities, that they had inside staff people who said that the executive directors said that they were going to get that resident council leadership starting back in 1996, that these were illegal evictions in violation of the federal laws and the federal funds they got, and Council Member Robinson stated that he wanted to make sure of what the facts were and the interpretation of the law and that everybody was being treated fairly under the law and that they were not being singled out for the fact that they were exercising their constitutional rights, that he wanted some quick short term solution, and Council Member Boney stated that they had received some kind of a report from Mr. Calloway at the Housing Initiatives meeting and the issue really boiled down to those two primary issues, that he did know that the residents office, for a long time, was housed in Mr. Johnson's apartment, and it did not seem to be a matter to him that ought to be non-solvable, and Council Member Robinson stated that he hoped they could get the short term issue worked out. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller and Vasquez absent. (NO QUORUM PRESENT)

Council Member Quan stated that he wanted to thank Mr. Johnson for being present a few weeks ago and because of his comments at that time he had asked for Mr. Calloway to be present or someone from the Housing Authority to explain the situation, that he had raised some very valid points concerning the lack of development of the community center and the classes that were going to be taught there, that they were trying to alleviate those items, that he apologized because he was not able to contact Mr. Johnson to come and give his side of the story, that they got Mr. Calloway's and the Housing Authority's side of the story, that he was not saying they were wrong and was sure there was always two sides to every story, that he was hoping they could work something out too, and they seemed pretty strong in their belief that they had tried to work with them and could not get anything done and asked Mr. Johnson if they had made any efforts to try to work anything out with them and Mr. Johnson stated no, that there were a whole bunch of laws under the 1937 Housing Act to protect people, that the Housing

Authority could not just evict people because they exercised their free speech right, that Congress passed a law permitting resident counsel and with that came the money to support those resident counsels, that the office was in his apartment and had been the policy since 1983 that the Housing Authority would pay those utility bills. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez and Parker absent. (NO QUORUM PRESENT)

Ms. Mary Lee Neal, 1403 Sydnor, Houston, Texas 77020 (713-222-6332) appeared and stated that she was evicted on September 1, that it was on a Monday morning, that she had money in the bank to pay for her bill but was sick that morning and could not pay the bill, that she was in her gown and house shoes and that was what the officer carried her in to Ben Taub because they said she needed a psychiatrist, that she did not need anything she had a stroke in 1990, that they had taken everything she had, that she had no where to stay ever since, that she was staying at Allen Parkway Village. Council Members Galloway, Todd, Ellis, Keller, Vasquez and Parker absent. (NO QUORUM PRESENT)

Mayor Brown stated that a lot of people had signed up to speak, that he received the letter that Mr. Taharka stated he had sent and it was his first time seeing it otherwise he would have heard from him, that he wanted to do what Mr. Taharka had suggested and would go and meet with them, that second, Council Member Quan shared the Housing Committee and he was going to ask him to meet with the Housing Authority so they could have a formal hearing where everyone could go and raise the issues that were being raised today, that he wanted to make sure they would address the broader picture as well as address the individual issues that were being brought to their attention right now, and Council Member Robinson asked what could be done about the four to five people who were currently without a home, and Mayor Brown stated that Ms. Dillard, Citizens Assistance, would meet with the people who were without a home right now and see what could be done to help take care of that problem. Council Members Galloway, Todd, Ellis, Keller, Vasquez and Parker absent. (NO QUORUM PRESENT)

Ms. Njeri Shakur, 2901 Fulton, Houston, Texas 77009 (713-222-8718) appeared and stated that she had been evicted from her home as well and the charge was that she owed electricity, that she had submitted grievances for years, that they had allowed the amount to accrue and thought that somebody had found that this was a way to shut her big mouth up, that if anyone would go to her home now they would find a window that she could not close and how could she heat up her house with a window she could not close and how could any one charge her for that, that a tour would be a very good thing, that if they would request them they would get a stack of annual inspections where she walked through the unit with the inspector pointing out the repair needs, window and doors that were ill fitted, that she asked for the opportunity to resolve it, they failed to go through the process; that when they went to evict Mr. Johnson they had a battalion of police officers against one gentle spirited man, that when her 19 year old daughter cried out that it was wrong what they were doing the police were so agitated at her for speaking to them and saying what they were doing was wrong, they arrested her, and Mayor Brown asked which office they were referring to and Ms. Shakur stated it was Precinct 6. Council Members Galloway, Todd, Ellis, Keller, Vasquez and Parker absent. (NO QUORUM PRESENT)

Council Member Quan stated that he just wanted to reiterate what the Mayor had said and they would make it a priority issue, that they wanted to do a complete study of the Housing Authority and get their input and see what systematically needed to be changed, that he thought that the Mayor, the administration and the Housing Committee was committed to make sure they had as much low income housing stock on the ground as possible, that he had been somewhat disappointed sometimes with ideas that people had and they talked a good game but really nothing got done, so he was asking for numbers at the committee meeting, that how many houses did they really get done, not how many they just touched or talked about, that he knew that the Mayor wanted to put 5,000 houses on the ground and they were going to be working

really hard this year to get that done, but he asked for their help and feedback to make sure that it would work for the community. Council Members Galloway, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Ms. Jean Wilkins Dember (MHS), 2612 Rosewood, Houston, Texas 77004 (713-942-0533) appeared and voiced her personal opinions on racism and genocide and the evictions until her time expired. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Council Member Boney moved to stay in session past 5:00 p.m. recess, seconded by Council Member Bell. All voting aye. Nays none. Council Member Castillo absent on city business. Council Member Sanchez absent on personal business. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT) (Note: No vote was recorded as there was not a quorum present)

Council Member Boney moved to suspend the rules to hear from Mr. Al Calloway after they hear from the residents on the list, seconded by Council Member Bell. All voting aye. Nays none. Council Member Castillo absent on city business. Council Member Sanchez absent on personal business. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT) (Note: No vote was recorded as there was not a quorum present)

Mr. Edwin Johnson, 3407 Graustark, Houston, Texas 77006 (713-523-0119) appeared and stated that he had helped out the residents council for 10 years and his question was why was it that whenever the City wanted to evict the residents council, because it had happened before, that the Bill of Rights became suspended, that he witnessed six violations of the First Amendment by both the Constables and the Houston Police Department, that the most egregious example was when Ms. Alexis Scyrus was arrested for expressing herself, that they needed to have the charges against Ms. Scyrus dropped. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Ms. Alexis Scyrus, 2901 Fulton, No. 459, Houston, Texas 77009 (713-222-8718) appeared and stated that she was arrested for freedom of speech during the eviction of Mr. Johnson, that Mr. Volley Bastine was the attorney for the Housing Authority who cursed her and then had her arrested, that she spent eight hours on Makwaya Road and she wanted those charges against her dropped, that it was unfair and she wanted to let them know it was unfair and she wanted the charges against her dropped. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Ms. Thandi Alexander, 4712 Crawford, Houston, Texas 77004 (713-529-6424) appeared and stated that her concerns were that her brothers and sisters were evicted during the time of winter, that it was so difficult for people to stay homeless at this time, that they were so concerned as a community and were helping their sisters and brothers, that they should be reinstated and they needed it to be done, that they were also concerned about all the families that were homeless, that they needed to be reinstated because it was too cold for them to be outside in the rain. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Ms. Jessica Valentine, 2414 Southmore, No. 3, Houston, Texas 77004 (713-522-4104) appeared and stated that she was present to speak about the importance of safe and affordable housing for the citizens of Houston and to her family, that she and her family were on moderate rehab housing and her landlord had been written up for various violations from over a year ago,

that Hannah Golub went out in the summer and some things were written up, that she had a seven year old granddaughter and the sidewalk was not level so she tripped and fell and missed her eye by one inch and had a gash over her eye where she had to get seven stitches, that she was almost evicted for retaliating, that she wanted to see the landlords who accepted the various Housing programs to be held accountable and give safe, affordable housing, that she wanted the Council Members to walk from the Black United Front to Turner Elementary and see how many times they had to walk on the street because the sidewalks were either caved in or not level, that there was another issue about the speed zone signs, that there were none between Hwy 288 and Southmore all the way to Ennis, that her son had almost been hit several times, that she would like to see some speed signs, and Mayor Brown stated that someone would meet with her right now about the issue of going back and forth to the school and those problems and asked Ms. Sonja Otero to get that information from Ms. Valentine. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. Michael Haggerty, 2428 Southmore, Houston, Texas 77004 (713-523-2674) had yielded his time to Mr. Quannel X, but appeared after Mr. Quannel X was not present to speak, and stated that he had spoken to Mayor Brown on the morning of the election and told him about the issues that the people were concerned about the gentrification in the Third and Fourth Ward and they were present to make sure that those people who they helped to put in office were accountable to them, that those issues were happening all over the Country where their people were being displaced and there was a reason behind it and they knew that reason, that the issue of homelessness was not the only issue that their people were facing, they were dealing with health care, criminal justice, civil justice, education and the whole thing, that they were talking about how it could be repaired, that sometimes there were people who looked just like them, but did not have their best interest at heart. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. Taharka stated that was all of the their speakers, that they wanted to make sure of whatever measures they needed to take so that the follow through was done, and Mayor Brown stated that they would be hearing from them and they would get back with them and follow up on everything they said they would do, that they were going to operate on two levels, one to help the individuals that needed help, and two, to look at the bigger problem. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. Calloway, Houston Housing Authority, appeared and Mayor Brown asked if he had any response, and Mr. Calloway stated that without a doubt the Housing Authority welcomed the opportunity to cooperate fully with the committee as they attempted to the last time they were requested, that they were in the process of developing the information that they asked them for, the statistics that they asked for would certainly be made available, the staff of the data processing department, who could give accurate information, was out on vacation right now, and he could only give them his best shot at interpreting what was there, but he assured them that they could give them accurate information without constraints, that he did not have an AI Calloway side of the story, he did have facts that he would be more than happy to share and present to them, that in no way did the Housing Authority want to embarrass the City of Houston by putting itself in an illegal position, nor did they want to embarrass themselves in the eyes of the HUD monitors by taking illegal positions, that there were certain steps that they had attempted to take that their HUD monitors reminded them that they could not do, such as waiving the requirement to complete the form which allowed them to get back in, that he had analyzed with them the number of families that were relocated out of APV and who were moved back into HOAPV and he could only restate that analysis for them and would be happy to do that, that he looked forward to cooperating with Council Member Quan's committee, that they were bound to

stay within the limits of the judgments that they received and were not doing anything illegal and did not intend to, that when they did receive words and directions from the courts they would abide, but at this point they were within their legal process. Mayor Brown and Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Council Member Boney stated that he probably would want to go and visit Allen Parkway Village before the end of the year and maybe sit with some members of the Housing Authority before the end of the year, that he understood what Mr. Calloway meant in terms of guidelines, law and HUD, however they knew with regard to history and Allen Parkway Village and the Fourth Ward as they wrestled with that for 10 or 15 years, that they convened a number of meetings where they had HUD representatives from Washington, D.C., Allen Parkway Village residents, Fourth Ward residents, Housing Authority folks on the phone and they created new directions within the law, that he was suggesting that they continue to see within the law how they could craft a solution that reached all of the segments to come up with a solution that hopefully would satisfy everyone while being within the law, that was going to require more time, energy, flexibility, patience and more of anything than any other particular housing project in the City. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, and Parker absent. (NO QUORUM PRESENT)

Council Member Quan asked Mr. Calloway if they could find housing for the individuals who had been evicted, and Mr. Calloway stated that he could ask the staff that was associated with perhaps relocation and or ask one of the case workers if they had one on board right now to work with them, that as far as any vacancies that there might be in the Housing Authority they had to acknowledge and respect the waiting list for each of those properties, that as he assured with that at last appearance, the vacancy rate at HOAPV, in the last monthly report that he saw, had about 5 vacancies, contrary to information that they presented otherwise, that they had taken actions that they were in fact authorized to take and he was not in a position to commit the Housing Authority to restoring residency to those folks in public housing at this point, that was something that he would take back to the executive staff, but they would do what they could to help within the limits that they were supposed to apply. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, and Parker absent. (NO QUORUM PRESENT)

Mayor Brown asked Mr. Calloway if they had case workers who worked with the people, and Mr. Calloway stated that he had two social services case workers, but more specifically there was a case worker dedicated to HOAPV, that with HOAPV being a Hope 6 property, that person specialized in focusing on the families of HOAPV, that she was a very qualified person, and Mayor Brown asked that someone, such as that person, work with the individual families that were present today who were without a home right now, whether it was the authority's house or some other house, they had referrals they could make, and Council Member Quan stated that while recognizing their rules, he knew those people had been displaced from Allen Parkway Village but it was his understanding that they were to be given preference and restoration and knew that Mr. Calloway had talked about form that had to be completed, and his understanding from the residents was that they were willing to comply if that was the problem, that he hoped they could find some resolution to the issue. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, and Parker absent. (NO QUORUM PRESENT)

Mayor Brown stated that he wanted to thank all of them for being present and he would be personally involved in this and they would work together and come up with some resolution, that some of them knew that housing was very important to him, that he lived in public housing himself and he knew what it was like and would be working with them. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, and Parker absent. (NO QUORUM PRESENT)

Mr. James Robinson, 7634 Quail Meadow, Houston, Texas 77071 (713-723-2821) appeared and stated that he was present to speak about the energy project that was let December 12, 2001, Agenda Item 55, that it was his understanding that it was a \$48,600,000, that although it was advertised he had gone to the director in May and stated that he was Senior Vice President of the Southern District of 3 Energy Technology, that she took the package and he tried to talk to her various times but she never had time to meet, but he came to the conclusion that it was a Black and White thing because every time he would even attempt to make an appointment with her she always was surrounded by the good ole boys and it appeared to him from the way she reacted to him that there was just no Black man in this position to even be noticed by her, that he gave her all of his credentials and told her that he could not watch the paper when they advertise it every day, that he might miss it, that he asked for her to give him a notice and let him know when these things were coming up, that he thought the Mayor should talk to her because he had gotten a lot of leads and moles on her since he decided he was going into the energy business and found out that she was the head of Building Services, that at least the Black community and minorities should have had a chance to bid at it, that she issued an internal office memo and said that it had come to their attention that Power Sole Group, LP and he looked up the group and they were a source of Reliance, that they thought they should have a chance at it and that was his complaint. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mayor Brown stated that Mr. Billy Johnson would meet with him, but it was his understanding that when the Statement of Qualifications was issued his firm did not have approval or certification from the PUC, the Public Utility Commission of Texas, and Mr. Johnson stated that he was certified and registered with the United States Department of Energy and if one was certified with the Department of Energy they could still do business and that was the way the Public Utility Commission told him, and Mayor Brown stated that they would follow up on that and Mr. Johnson would meet with him and he would give them a report back on where to go with his concern. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. John Jones, 14014 Talestine, Houston, Texas 77029 (713-675-0615) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Ms. Kathi Rodriguez, 718 Westcott, Houston, Texas 77007 (713-861-7844) had reserved time to speak, but was not present when her name was called. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

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

Dr. Motapa, 6425 Woodard, Houston, Texas 77021 (713-645-9598) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. Joseph Charles, 8034 Antoine, No. 107, Houston, Texas 77088 (713-878-2355) appeared and voiced his personal opinions until his time expired. Council Members Tatro,

Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. James Partsch-Galvan, 1611 Holman, Houston, Texas 77004 (713-528-2607) had reserved time to speak, but was not present when his name was called. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Ms. Brenda Flores, 2041 Mamel Rd., Houston, Texas 77055 (713-722-9258) had appeared earlier during the Council presentation portion of the meeting. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent.

Mrs. Toy Wood, 9511 W. Sam Houston Pkwy North, Houston, Texas 77064 (281-970-8970) appeared and stated that she was with the Greater Houston Builders Association and was present again to ask their support of Agenda Item No. 69, the adoption of the City of Houston's local amendments to the International Residential Code, that she also urged them to reject any attempts to gut the code and replace it with any other codes, that she hoped they would respect the State law, Senate Bill 365, the intent of that law was to provide a comprehensive, consistent, excellent, stand alone code for home building across the State and that was just what that code did, that the code was not only supported by the home builders but by a host of other entities and organizations including the Building Officials Association of Texas, HUD, the Department of Defense, the American Institute of Architects, the American Planner's Association and 41 states and hundreds of municipalities that had already adopted the codes so far with many more to follow. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Council Member Quan stated she alluded in her remarks that the plumbing and mechanical sections of the code there had been a request to substitute those portions with the present code that they had and asked if that had been discussed in any of their committee meetings, and Mrs. Woods stated yes that it had been discussed at the Construction Industry Council and was rejected there, there were also several amendments at the State level that attempted to do something similar to that but those amendment were stripped off and failed, that it was not a lowering of the standards, that as Mr. Embry had pointed out some of the requirements were different but they were not lowering of the standards, that they did not consider them amendments, that they thought that replacing wholesale chapters and pieces of the book with other codes was not amendment, that was a gutting of the code and went directly against Senate Bill 365. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Council Member Quan asked Mr. Bibler if they passed the item tomorrow as proposed by Mrs. Wood was there any was there any opportunity for the plumbing and mechanical individuals to come back and make amendments in the future and Mr. Bilber stated that they had the Attorney General request pending and he did not agree with the premise of that request, but the premise of that request was that the bills about the plumbing and mechanical law passed after this law and therefore trumped it, if the Attorney General should agree with that then they would have no choice but to adopt other codes for the plumbing and mechanical issues on houses, but short of that he agreed with Mrs. Woods analysis and thought it was consistent with the Legislative history of the bill and the totality of the bill and if they wanted to do amendments they needed to do them to the text of the International and Residential Code, however City Council could meet and make changes to that as they needed to from time to time. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

Mr. Carroll Lee Pruitt, 3300 Bee Coves Rd. #237, Ste. 650, Austin, Texas 78746 (1-800-252-3602) appeared and stated that he was with the International Conference of Building Officials, and was primarily present as a resource witness, that he wanted to respond to Mr. Bibler that as far as the laws were concerned whether what came first or came last he did not think it made any difference because the International Plumbing and Mechanical Code adopted the International Residential Code by reference and believed by that adoption and by reference they were part of the State law for the plumbing and mechanical. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

At 5:34 p.m. upon motion by Council Member Quan and seconded by Council Member Boney, City Council recessed until 9:00 a.m., Wednesday, December 19, 2001. Council Member Castillo absent on city business. Council Member Sanchez absent on personal business. Council Members Tatro, Galloway, Goldberg, Todd, Ellis, Keller, Vasquez, Parker and Robinson absent. (NO QUORUM PRESENT)

City Council Chamber, City Hall, Wednesday, December 19, 2001

City Council reconvened in the City Council Chamber at 9:00 a.m. Wednesday, December 19, 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, Chris Bell and Carroll Robinson; Mr. Anthony Hall, City Attorney; Mr. Al Haines, Chief Administrative Officer, Mayor's Office; Ms. Martha Stein, Agenda Director present. Council Member Orlando Sanchez absent on personal business.

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

At 9:20 Mayor Brown reconvened the meeting of the City Council and recognized Council Member Ellis for a point of personal privilege. Council Member Boney absent.

Council Member Ellis stated that in keeping with the spirit of Christmas he wanted to recognize one of the volunteers in the City of Houston who happened to be a youth volunteer and was present with her parents, that she was very active in their community through the 4H membership and volunteered at the Humane Ranch, a shelter for abused and neglected horses, that she donated her time and services to the West Oaks Community Church, that Somebody Who Cares Houston, Kegans Glen Homeowners Association and the Houston Livestock Show and Rodeo, that she was also the recipient of the Youth Volunteer Award that was issued by Judge Eckels, and recognized Ms. Allie Okateland and her parents, Barbara and Pat and asked that they stand and be recognized, and Mayor Brown stated that they welcomed them to City Hall and were very proud of her accomplishments and to keep up the good work. Council Member Boney absent.

MAYOR'S REPORT

Council Member Robinson moved to suspend the rules to consider Item Numbers 55, 48, 51, 65, 67, 69, 70, 32, 40 and 25 out of order, seconded by Council Member Castillo. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Boney absent. MOTION 2001-1350 ADOPTED.

55. ORDINANCE appropriating \$2,000,000.00 out of Water & Sewer Consolidated Construction Fund No. 755 (Number S-0801-P4-1, \$300,000.00 and Number R-0801-09-1, \$1,700,000.00) and approving an agreement with **AQUASOURCE UTILITY, INC** to

acquire the assets constituting the Willow Run Utility System 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 Member Sanchez absent on personal business. Council Member Boney absent. ORDINANCE 2001-1150 ADOPTED.

Council Member Galloway stated that she wanted to thank all of her colleagues for supporting the item because the people in the Willowrun subdivision were very excited that it had happened and was sure that they would hear from them. Council Member Boney absent.

48. ORDINANCE appropriating \$1,474,000.00 out of Airport System Consolidated 2001 NON-AMT Construction Fund (549), and \$2,500.00 out of the Water and Sewer System Consolidated Construction Fund (755) and approving the purchase of 369.3 acres of land out of the F. H. Rankin Survey, Abstract 57, Houston, Harris County, Texas, for a Wetlands Mitigation Site for the Aviation Department, CIP A-0475, and for a Lift Station Site, Parcel CY1-008 for the East Lake Houston Lift Station Project, CIP R-0801, and approving purchase and sale agreement with Lieven J. Van Riet to acquire the land and any improvements thereon for a purchase price, including Title Insurance and Closing Costs, which does not exceed the sum hereby appropriated **DISTRICT E - TODD** – was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Boney absent. ORDINANCE 2001-1151 ADOPTED.

51. ORDINANCE approving and authorizing an interlocal agreement between the City of Houston and the **HOUSTON AREA WATER CORPORATION** regarding the acquisition of right-of-way for water transmission and electric lines - **DISTRICT E – TODD** – was presented.

Council Member Vasquez stated that he was in support of the item, however he was a little concerned about the small business component of the contract and hoped that they could have some type of public committee meeting to get an update on the status of where they were with the MWDBE and small business portion of it, and Mayor Brown stated that they would ask that it happen. Council Member Boney absent.

A vote was called on Item No. 51. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Boney absent. ORDINANCE 2001-1152 ADOPTED.

65. ORDINANCE granting a franchise to **CITYNET TELECOMMUNICATIONS, INC** and **CITYNET U.S. OPERATING, INC**, a Delaware Corporations to construct, install, maintain, remove, replace, occupy, and use a Dark Fiber Optic Network System within the City of Houston, Texas and consenting to the collateral assignment of said franchise; containing other provisions relating to the foregoing subject; and providing for severability - **FIRST READING** – was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Boney absent. ORDINANCE 2001-1153 ADOPTED FIRST READING IN FULL.

Council Member Robinson stated that he wanted to thank the administration that they ultimately passed it, that he thought it was one of the most innovative things they had done, that they were one of the few cities in the Country that would be running fiber optic lines in the sewer and it took them back to that issue that they had all talked about, how do they get high technology infrastructure without cutting up their streets. Council Member Boney absent.

67. MOTION to set a date not less than seven (7) days from December 19, 2001 to receive

nominations for appointment to Position Four (4) of the **HARRIS COUNTY APPRAISAL DISTRICT** - was presented. Council Member Tatro moved to set January 3, 2002 to receive nominations for appointment to Position Four (4) of the Harris County Appraisal District, seconded by Council Member Quan, and tagged by Council Member Vasquez. Council Member Boney absent.

Council Member Vasquez stated that he wanted to release his tag, and a vote was called on Item No. 67. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Boney absent. MOTION 2001-1351 ADOPTED

69. ORDINANCE relating to Safety Codes adopted for the protection of lives and property from fire and other perils; adopting local amendments to the International Residential Code for One-and Two-Family Dwellings, amending the Building Code of the City of Houston, and containing findings and other provisions relating to the foregoing subject; containing a savings clause; providing for severability; containing a repealer - (**This was item 31 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBERS GALLOWAY, PARKER, BELL, VASQUEZ and BONEY**) - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Boney absent. ORDINANCE 2001-1154 ADOPTED

70. ORDINANCE providing for the continued ad valorem taxation of leased motor vehicles not held primarily for the production of income by the lessees; containing findings and other provisions relating to the foregoing subject; providing for severability - (This was Item 38 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBERS VASQUEZ, TATRO, KELLER, ELLIS and BONEY) - was presented.

Council Member Vasquez moved to refer Item No. 70 back to the administration, seconded by Council Member Robinson. Council Member Boney absent.

Council Member Ellis asked if Item No. 70 was not passed before December 31, 2001 could it be brought back up to Council again or did it become a moot issue, and Ms. Stein stated that it was subject to be reintroduced, and Council Member Ellis stated that he thought if they did not approve it by December 31, 2001 that the tax would go away and Ms. Stein stated that was correct. Council Member Todd absent.

A vote was called on Council Member Vasquez's motion to refer Item No. 70 back to the administration. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. MOTION 2001-1352 ADOPTED

32. ORDINANCE approving and authorizing second amendment to lease agreement between the City of Houston, as lessor, and **TALENTO BILINGUE DE HOUSTON**, as lessee, regarding the City's facility located at 333 S. Jensen Drive - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. ORDINANCE 2001-1155 ADOPTED

40. ORDINANCE approving and authorizing contract between the City and **OLD WEST END ASSOCIATION** for the Community Economic Development Corridor Project - \$30,000.00 - Grant Funds - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. ORDINANCE 2001-1156 ADOPTED

25. RESOLUTION designating certain property in the City of Houston as a Historic Landmark

(Houston City Hall and Hermann Square) - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. RESOLUTION 2001-0055 ADOPTED

CONSENT AGENDA NUMBERS 1 through 66

MISCELLANEOUS - NUMBERS 2 and 3

2. RECOMMENDATION from Chief of Police for Extension of Injured on Duty status for Police Officer **A. G. JOHNSON** - was presented, moved by Council Member Castillo, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. MOTION 2001-1353 ADOPTED
3. RECOMMENDATION from Chief of Police for Extension of Injured on Duty status for Police Officer **OSCAR MALDONADO** - was presented, moved by Council Member Castillo, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. MOTION 2001-1354 ADOPTED

ACCEPT WORK - NUMBERS 10 and 12

10. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$688,319.41 and acceptance of work on contract with **RAY SMITH CONSTRUCTION, INC** for Construction of Westview Drive Extension - Brittmoore Road to Clarborough Drive, GFS N-0549-02-3 (N-0549-02) - 03.98% under the original contract amount **DISTRICT A - TATRO** - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1355 ADOPTED
12. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$373,639.03 and acceptance of work on contract with **JFT CONSTRUCTION, INC** for Construction of 1999 Safe Sidewalk Program, GFS N-0610A-P5-3 (Package 2) - 04.97% over the original contract amount - **DISTRICT H - VASQUEZ** - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1356 ADOPTED

PROPERTY - NUMBER 16

16. RECOMMENDATION from Director Department of Public Works & Engineering for purchase of Parcel LY0-23, located at 8400 Westheimer Road, owned by Troy CMBS Property, L.L.C., a Delaware limited liability company, Cindy Lapensee, Real Estate Representative, for the **DUNVALE-LIPAN RELIEF STORM SEWER PROJECT**, CIP M-0189-01-1 - **DISTRICT G - KELLER** - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1357 ADOPTED

PURCHASING AND TABULATION OF BIDS - NUMBERS 18 through 23

18. **AMEND MOTION #2000-0339, 3/1/00, #2000-1211 10/4/00 and #2001-0079, 1/24/01, TO EXTEND** expiration date through February 28, 2003, for Drugs & IV Systems Part I, awarded to **ABBOTT LABORATORIES DIAGNOSTIC DIVISION, ALLIANCE MEDICAL,**

INC, ARMSTRONG MEDICAL INDUSTRIES, BOUND TREE CORPORATION (Bid No. 2), DIVERSIFIED MEDICAL SERVICES, INTL., INC, DYNAREX CORPORATION (Bid No. 2), EMERGENCY MEDICAL PRODUCTS, INC (Bid Nos. 1 and 2), EMERGENCY MEDICAL SUPPLY, EVER READY FIRST AID & MEDICAL SUPPLY, LAERDAL MEDICAL CORPORATION, SUN BELT MEDICAL (Bid Nos. 1 and 2), UNITED MEDICAL SUPPLY COMPANY (Bid No. 4) and WYETH AYERST LABORATORIES, Part II, awarded to ELECTRO-MEDICAL EQUIPMENT, INC; EVER READY FIRST AID & MEDICAL SUPPLY; MEDTRONIC PHYSIO-CONTROL CORPORATION and UNITED MEDICAL SUPPLY COMPANY, and Part III, awarded to EMERGENCY MEDICAL PRODUCTS, INC for the Fire Department - was presented, moved by Council Member Boney, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1358 ADOPTED

19. **AGILENT TECHNOLOGIES** for One Gas Chromatograph System from the State of Texas General Services Commission's Contract through the State of Texas Cooperative Purchasing Program for the Houston Police Department - \$82,648.00 - Grant Fund - was presented, moved by Council Member Boney, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1359 ADOPTED

23. **AMEND MOTION #99-193, 2/10/99**, as previously amended by Motion #99-1860 and #2001-102 **TO INCREASE** quantity by three Additional Trailer-Mounted Air Compressors for Aviation and Public Works & Engineering Departments, and award to **INGERSOLL RAND EQUIPMENT SALES** - \$34,440.00 - Enterprise and Equipment Acquisition Consolidated Funds - was presented, moved by Council Member Boney, seconded by Council Member Ellis. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1360 ADOPTED

RESOLUTIONS AND ORDINANCES - NUMBERS 26 through 64

26. ORDINANCE consenting to the addition of 109.9765 acres of land to **FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 119**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1157 ADOPTED

27. ORDINANCE consenting to the addition of 287.9207 acres of land to **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5**, for inclusion in its district - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1158 ADOPTED

29. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 383** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1159 ADOPTED

30. ORDINANCE finding and determining that public convenience and necessity no longer require the continued use of four water line easements containing an aggregate of 81,872 square feet of land, more or less, Parcels S99-089A, S99-089B, SY1-052, and SY1-053; all four easements being located in the Jacob Thomas Survey, A-762, Harris County, Texas, vacating and abandoning (i) Parcels S99-089A and S99-089B to Gulfgate Redevelopment Authority, abutting owner, (ii) Parcel SY1-052 to Houston Gulfgate Partners, L.P., abutting

owner, and (iii) Parcel SY1-053 to ASI Texas, L.L.C., in consideration of the owners' dedication of five easements for water line purposes containing an aggregate of 60,077 square feet of land, more or less, and payment of \$92,673.00 and other consideration to the City of Houston - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1160 ADOPTED

31. ORDINANCE approving and authorizing lease agreement between **BAYOU PRESERVATION ASSOCIATION, INC**, a Texas non-profit corporation, as tenant, and the City of Houston, Texas, as landlord, for space in the Houston Center for the Arts, located at 3201 Allen Parkway **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1161 ADOPTED
34. ORDINANCE issuing a permit to **717 TEXAS LIMITED PARTNERSHIP** for building, constructing, using, occupying, operating, maintaining and repairing a building retention system and a pedestrian tunnel within portions of Louisiana Street, Texas Avenue, Milam Street, and Prairie Avenue abutting Block 59, 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** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1162 ADOPTED
36. ORDINANCE approving and authorizing interlocal agreements between the City of Houston, **HARRIS COUNTY** and (1) **REINVESTMENT ZONE NUMBER ELEVEN, CITY OF HOUSTON, TEXAS (Greenspoint Zone)**; and (2) **REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (Old Sixth Ward Zone)** relating to the participation of Harris County in the Reinvestment Zones - **DISTRICTS B - GALLOWAY and H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1163 ADOPTED
38. ORDINANCE approving and authorizing first amendment to tax abatement agreement between the City of Houston, **J. H. WALKER INC** and **LANDED I, LTD.** for certain property located within the J. H. Walker Reinvestment Zone - **DISTRICT H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1164 ADOPTED
39. ORDINANCE approving and authorizing agreements terminating tax abatement agreements between the City of Houston, Texas, **BANK ONE, TEXAS, NATIONAL ASSOCIATION, BANC ONE SERVICES CORPORATION**, and **JMB/HOUSTON CENTER PARTNERS LIMITED PARTNERSHIP**; and **BANK ONE, TEXAS, NATIONAL ASSOCIATION, BANC ONE SERVICES CORPORATION** and **TRANSWORLD BLOCK 141 INC** - **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1165 ADOPTED
49. ORDINANCE appropriating \$770,000.00 out of Airports Improvement Fund and approving and authorizing professional engineering services contract between the City of Houston and **CLAUNCH & MILLER, INC** for Airfield Drainage Improvements and Pavement Repair at George Bush Intercontinental; Airport/Houston, Project No. 542; CIP A-0063, A-0366 and

- A-0416 **DISTRICT B - GALLOWAY** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1166 ADOPTED
52. ORDINANCE appropriating \$390,984.00 out of Water & Sewer System Consolidated Construction Fund and \$126,080.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing an advance funding agreement between the City of Houston and the **TEXAS DEPARTMENT OF TRANSPORTATION** for Water Main adjustments and installation of Street Lighting Electrical Conduits along Mykawa Road from South Wayside to Airport Boulevard, CIP N-1303-01-3 (N-1303-01) - **DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1167 ADOPTED
53. ORDINANCE approving and authorizing a termination agreement between the City of Houston and the **HARRIS COUNTY FLOOD CONTROL DISTRICT** for construction of Replacement Bridges along Martin Luther King Blvd over Sims Bayou and authorize reimbursement of funds escrowed with the City of Houston, CIP N-445P-01-3 - \$2,888,726.26 - Harris County Construction Fund - **DISTRICTS D - BONEY and E - TODD** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1168 ADOPTED
54. ORDINANCE appropriating \$24,000.00 out of Street & Bridge Consolidated Construction Fund to reimburse **BURLINGTON NORTHERN** and **SANTA FE RAILWAY COMPANY** ("BNSF") for a portion of the costs for the improvement of the At-Grade Crossing of BNSF's Tracks at East T. C. Jester Boulevard (Rosslyn Road), and approving grade crossing surface improvement agreement with BNSF, CIP N-0670-03-3 (SB9065) - **DISTRICT A - TATRO** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1169 ADOPTED
57. ORDINANCE appropriating \$175,359.15 out of Water & Sewer System Consolidated Construction Fund and approving and authorizing a Developer Participation Contract between the City of Houston and **SOUTHWAY BUSINESS PARK, LTD.**, for Construction of water, sanitary sewer and storm sewer lines for Southway, Section One, CIP S-0800-36-3 and R-0800-43-3 \$154,195.75 TIRZ Affordable Housing Fund - **DISTRICT E - TODD** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1170 ADOPTED
58. ORDINANCE appropriating \$628,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **VAN DE WIELE ENGINEERING, INC** for Design of Neighborhood Street Reconstruction Project 452, CIP N-0384-01-2 (SB9045); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT C - GOLDBERG** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1171 ADOPTED
60. ORDINANCE appropriating \$341,000.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of

Houston and **LOCKWOOD, ANDREWS & NEWNAM, INC** for the Design of Kirkwood Road from Bissonnet Street to Alief Clodine Road, CIP N-0575-02-2 (SB9066); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT F – ELLIS** had been pull from the Agenda by the Administration and was not considered.

61. ORDINANCE appropriating \$187,258.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **E. E. CARROLL ENTERPRISES, INC d/b/a CARROLL CONSULTANTS** for the Design of West 43rd Street between Ella Blvd. and Oak Forest Drive, CIP N-0718-01-2 (SB9076); 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. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1172 ADOPTED
62. ORDINANCE appropriating \$590,216.00 out of the Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **KLOTZ ASSOCIATES, INC** for Collingsworth Grade Separation at proposed Hardy Tollway, CIP N-0700-01-2 (SB9078); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICTS B - GALLOWAY and H - VASQUEZ** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1173 ADOPTED
64. ORDINANCE appropriating \$902,400.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **R. K. WHEATON, INC** and approving and authorizing professional services contract for engineering testing services with **McBRIDE, RATCLIFF AND ASSOCIATES, INC** for Access Road and Drainage Improvements to Seven Water Plant Sites, GFS S-1000-21-3 (WA10607); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS A- TATRO; B - GALLOWAY; F - ELLIS and G - KELLER** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Ellis and Robinson absent. ORDINANCE 2001-1174 ADOPTED

MATTERS REMOVED FROM THE CONSENT AGENDA WERE CONSIDERED AS FOLLOWS:

MISCELLANEOUS

1. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2000 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2001 MTFP in map form - was presented, moved by Council Member Boney, seconded by Council Member Vasquez. Council Member Robinson absent.

Council Member Vasquez moved to postpone Item No. 1 to the end of the agenda, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Robinson absent. MOTION 2001-1361 ADOPTED

4. RECOMMENDATION from Chief of Police for Extension of Injured on Duty status for

Sergeant **DETRA MASSEY** - was presented, moved by Council Member Boney, seconded by Council Member Vasquez. Council Member Robinson absent.

Council Member Quan stated that again this was a situation where the leave of absence occurred several months ago and they were only now being presented the item, that he had been advised that old habits die hard, that the leave was from July to August 2001 and it was only now coming to Council at the end of the year, that he wanted to admonish the police department to get moving on their paperwork ahead of time, and Mayor Brown stated that he would make sure the police chief got the message. Council Members Vasquez and Robinson absent.

A vote was called on Item No. 4. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1362 ADOPTED

5. RECOMMENDATION from the Director Department of Public Works & Engineering for approval of the FY2002 Operations and Maintenance Budget for the **COASTAL WATER AUTHORITY (CWA)** - \$10,998,514.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1363 ADOPTED
6. RECOMMENDATION from the Director Department of Public Works & Engineering for approval of the FY2002 Operations and Maintenance Budget for the **LAKE HOUSTON FACILITY PROJECT** to be operated by the Coastal Water Authority - \$968,053.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1364 ADOPTED
7. RECOMMENDATION from the Director Department of Public Works & Engineering for approval of the FY2002 Operations and Maintenance Budget for the **SAN JACINTO RIVER AUTHORITY** \$785,549.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1365 ADOPTED
8. RECOMMENDATION from the Director Department of Public Works & Engineering for approval of the FY2002 Operations and Maintenance Budget for the **TRINITY RIVER AUTHORITY** \$2,219,300.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1366 ADOPTED

ACCEPT WORK

9. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$3,845,640.03 and acceptance of work on contract with **BROWN AND ROOT, INC** for Construction of Neighborhood Street Reconstruction No. 426, GFS N-0352-01-3 (N-0352) - 02.60% over the original contract amount - **DISTRICT D - BONEY** - was presented, moved by Council Member Boney, seconded by Council Member Castillo. All voting aye. Nays none. Council Member Sanchez absent on

personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1367 ADOPTED

11. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$2,650,154.55 and acceptance of work on contract with **CONRAD CONSTRUCTION COMPANY, INC** for Belfort Avenue Paving, GFS N-0583-01-3 (N-0583-01) 01.25% over the original contract amount - **DISTRICT D - BONEY** - was presented, moved by Council Member Boney, seconded by Council Member Castillo. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1368 ADOPTED

13. RECOMMENDATION from Director Department of Public Works & Engineering for approval of final contract amount of \$1,845,897.81 and acceptance of work on contract with **N & S CONSTRUCTION CO., LLC** for Construction of 69th Street WWTP Odor Scrubber Design, GFS R-0509-03-3 (4227-4) - 02.10% over the original contract amount - **DISTRICT I - CASTILLO** - was presented, moved by Council Member Boney, seconded by Council Member Castillo.

Council Member Quan stated that on this item he was surprised to learn that substantial compliance was done on November 9, 1999 and everything was really worked out on the item and it was now coming to Council over two years later for close out, that it was his understanding that it was basically administrative foul ups as far as getting it closed out, that it was difficult for companies to operate when it was taking over two years to get paid, that he would ask that Public Works to see what could be done to improve those conditions, and Mayor Brown stated that he would talk to the director about it and thought they all concurred with him. Council Members Vasquez and Robinson absent.

A vote was called on Item No. 13. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1369 ADOPTED

PROPERTY

14. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel A93-139, located 276 feet north of Paul Quinn, owned by Thomas Barnes and wife, Myrthel Barnes, 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 Tatro. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Robinson absent. MOTION 2001-1370 ADOPTED

15. RECOMMENDATION from Director Department of Public Works & Engineering for condemnation of Parcel A99-96, located 59.79 feet south of Mansfield Street, owned by The heirs of Jessie Ruth White, 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 Castillo. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Robinson absent. MOTION 2001-1371 ADOPTED

PURCHASING AND TABULATION OF BIDS

17. **XEROX CORPORATION** for a Page Printing System from the State of Texas General Services Commission's Contract through the State of Texas Cooperative Purchasing Program for Finance & Administration Department - \$736,983.00 - General and Equipment Acquisition Consolidated Funds - was presented, moved by Council Member Boney, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Robinson absent. MOTION 2001-1372 ADOPTED
20. **BIOCOPE, INC** for Odor Control Treatment for the Department of Public Works and Engineering \$62,050.00 - Enterprise Fund - was presented, moved by Council Member Boney, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Robinson absent. MOTION 2001-1373 ADOPTED
21. **MUSTANG TRACTOR & EQUIPMENT COMPANY** for One Asphalt Planer for Department of Public Works & Engineering - \$367,750.00 - Equipment Acquisition Consolidated Fund - was presented, moved by Council Member Boney, seconded by Council Member Vasquez, and tagged by Council Member Goldberg. Council Member Robinson absent.
22. **INSTANT PHOTOS INC dba IPI SECURITY** - \$20,899.99 and **CRYSTAL COMMUNICATION LTD.** - \$220,178.55 for Communication Security Equipment and Components, Part II, for Various Departments - General, Enterprise and Equipment Acquisition Consolidated Funds - was presented, moved by Council Member Boney, seconded by Council Member Castillo. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Robinson absent. MOTION 2001-1374 ADOPTED

RESOLUTIONS AND ORDINANCES - NUMBERS 24 through 66

24. RESOLUTION amending Resolution No. 2001-1 to correct a legal description (Historical designation of Post-Dispatch Building at 609 Fannin) **DISTRICT I - CASTILLO** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Robinson absent. RESOLUTION 2001-0056 ADOPTED
28. ORDINANCE consenting to the creation of **HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 382** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Robinson absent. ORDINANCE 2001-1175 ADOPTED
33. ORDINANCE approving and authorizing lease agreement between **HOUSTON COMMUNITY COLLEGE SYSTEM**, as landlord, and the City of Houston, Texas, as tenant, for space at 3100 Main Street, Houston, Texas for use by the Municipal Channel - **DISTRICT D - BONEY** - was presented, and tagged by Council Members Goldberg and Parker. (Note: Council Members Goldberg and Parker removed their tags later in the meeting.)

Council Member Boney moved to suspend the rules to hear from Dr. Philip Scheps, Director, Finance and Administration, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1375 ADOPTED.

Council Member Boney stated that one of the questions he had, since they would be using the basement space, were they putting themselves in position where another major catastrophe flood might happen and their equipment might be damaged and in terms of insurance and liability, should such a flood occur despite the additional precautions, the Community College, through their insurance, be responsible for replacement of equipment, and Dr. Scheps stated that everything that he said was correct and the thing to remember was that the majority of the equipment was theirs and part of the economy of moving in with them was that they were purchasing the playback equipment and they had to maintain it and insure it and if there was any damage for any reason it became their liability, that the City's property insurance would cover their own equipment, that he did not think they were in any danger for many reasons, that the position that they had at 611 Walker was because of its proximity to the tunnel system and they were just in a different situation over at the Community College, that Building Services negotiated the lease and they took the precautions they needed. Council Member Quan absent.

Council Member Castillo stated that he was of the opinion that they had worked out all of the issues and the only issue that remained for him was if the item was tagged today what would happen to getting the Municipal Channel back on the air, how long it would take or how long it would be delayed because they were talking about perhaps bringing it to a new Fiscal Affairs Committee where all of the issues would be rehashed and hashed over again so he would like to have someone from the Municipal Channel that could answer the question of how much of a delay would be caused by their delaying the vote today, and Dr. Scheps stated that it depended on how long it would take to acquaint the new City Council, and Council Member Castillo stated that he believed it was an unfortunate delay because everybody had worked so hard to get the channel back on the air and would urge the Council Members to reconsider their tags. Council Members Todd and Robinson absent.

Council Member Keller asked if the City allocated funds to the Houston Community College System. Council Member Todd absent.

Council Member Ellis stated that he too was in favor of the contract and while he respected the right of his colleagues to tag he would at this time ask what questions they had and possibly they may be able to answer the questions prior to the end of the Council session and if all the questions were answered then possibly they could vote on it. Council Member Todd absent.

Council Member Ellis moved to postpone Item No. 33 to the end of the agenda, seconded by Council Member Boney. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. MOTION 2001-1376 ADOPTED.

Mayor Brown stated that Item No. 33 was delayed to the end of the agenda. Council Member Todd absent.

35. ORDINANCE issuing a permit to **MEMORIAL CITY PROPERTIES L.P.**, for building, constructing, maintaining, using, occupying, operating and repairing a Pedestrian walkway within and over the 900 block of Frostwood Drive, being out of the J. J. Settegast heirs partition in the George Bellows Survey, A-3; such area being within the public street right-of-way of the City of Houston, Texas; containing findings and prescribing the conditions and provisions under which said permit is issued - **DISTRICT G - KELLER** - was presented, and tagged by Council Member Keller. Council Members Todd and Robinson absent.
37. ORDINANCE approving and authorizing agreement between the City of Houston, the **OLD SIXTH WARD REDEVELOPMENT AUTHORITY** and **REINVESTMENT ZONE NUMBER THIRTEEN, CITY OF HOUSTON, TEXAS (Old Sixth Ward Zone)** in connection with the City's Reinvestment Zone Number Thirteen **DISTRICT H - VASQUEZ**

- was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. ORDINANCE 2001-1176 ADOPTED
41. ORDINANCE approving and authorizing contract between the City and the **BONHAM GROUP, INC** for a Study to determine Municipal Sponsorship Opportunities - \$40,000.00 - Enterprise Fund - was presented, and tagged by Council Members Tatro, Keller and Parker. Council Members Todd and Robinson absent.
 42. ORDINANCE approving and authorizing contract between the City, **MILLER THEATRE ADVISORY BOARD** and **BROOKS AND BROOKS, INC d/b/a HARLON'S BAR-B-Q** for Food and Beverage Concession Services at the Houston Miller Outdoor Theatre in Hermann Park **DISTRICT D - BONEY** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. ORDINANCE 2001-1177 ADOPTED
 43. ORDINANCE appropriating \$7,412,801.00 out of Disaster Recovery Fund for Disaster clean-up, Recovery and Repair - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. ORDINANCE 2001-1178 ADOPTED
 44. ORDINANCE approving and authorizing Master Agreement for Software License and a Master Services Agreement between the City of Houston and **ENVIRONMENTAL SYSTEMS RESEARCH INSTITUTE** for the Integration of Data on the City's Geographic Information System for Various Departments - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. ORDINANCE 2001-1179 ADOPTED
 - 44-1. ORDINANCE approving and authorizing amendment No. 1 to the Master Agreements for the acquisition of Microtechnology Hardware and Software Products and associated services between the City of Houston (1) **TEXAS DEPARTMENT OF INFORMATION RESOURCES** and (2) **TEXAS PROCUREMENT CENTER, L.L.C.**; and amending Ordinance #2000-279, which authorized the original contracts, to increase the maximum contract amount - 4 Years - \$60,000,000.00 Various Funds - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. ORDINANCE 2001-1180 ADOPTED
 45. ORDINANCE appropriating \$5,943,920.00 out of Water & Sewer Consolidated Construction Fund; amending Ordinance No. 98-575 to increase the maximum contract amount and approving and authorizing first amendment to contract between the City of Houston and **ITRON, INC** approved by the same ordinance for a Radio Automated Water Meter Reading System, CIP S-0956 - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. ORDINANCE 2001-1181 ADOPTED
 46. ORDINANCE appropriating \$1,620,467.50 out of Court Technology Fee Fund and approving and authorizing professional services contract between the City of Houston and **MOTOROLA, INC** for Hand Held Ticket Issuance Devices; providing a maximum contract amount - \$35,407.50 - Grant Fund - Total contract amount - \$2,819,193.95 - was presented, and tagged by Council Member Goldberg. Council Members Todd and Robinson absent. (Note: Motion to override the tag by Council Member Goldberg was passed later in the meeting.)

47. ORDINANCE amending **SECTION 9-115 OF THE CODE OF ORDINANCES, HOUSTON, TEXAS** relating to Parking Rates and Valet Parking at George Bush Intercontinental Airport/Houston and William P. Hobby Airport; containing other provisions relating to the foregoing subject; containing a savings clause; providing for severability - **DISTRICTS B - GALLOWAY and E - TODD** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Todd and Robinson absent. ORDINANCE 2001-1182 ADOPTED
50. ORDINANCE appropriating and transferring \$230,354.52 out of the Accumulated Unexpended Fund to the Park Special Fund, appropriating \$230,354.52 out of Park Special Fund, and approving and authorizing professional architectural services contract between the City of Houston and **CLARK CONDON ASSOCIATES, INC** for Design for the Swimming Pool Renovations at Dodson Lake, Cloverland and Sagemont Parks, CIP F-0494-01-2; providing funding for contingencies relating to construction of facilities financed by the Park Special Fund **DISTRICTS D - BONEY; E - TODD and H - VASQUEZ** - was presented. Council Member Tatro voting no, balance voting aye. Council Member Sanchez absent on personal business. Council Member Todd absent. ORDINANCE 2001-1183 ADOPTED
56. ORDINANCE approving and authorizing treated water supply contract between the City of Houston and the **CITY OF BELLAIRE** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. ORDINANCE 2001-1184 ADOPTED
- 56-1. ORDINANCE appropriating \$260,000.00 out of Water & Sewer System Consolidated Construction Fund for contract between the City and **JOHN HALL PUBLIC AFFAIRS, INC** relating to the Northeast Water Purification Plant - was presented, and tagged by Council Members Tatro and Keller.
59. ORDINANCE appropriating \$597,630.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **SPARKS-BARLOW-BARNETT, INC** for Design of Old Westheimer Reconstruction from Westheimer to Alief-Clodine, CIP N-0749-01-2 (SB9075); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT G - KELLER** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. ORDINANCE 2001-1185 ADOPTED
63. ORDINANCE appropriating \$2,137,900.00 out of Water & Sewer System Consolidated Construction Fund, awarding contract to **D. L. ELLIOTT ENTERPRISES, INC** and approving and authorizing professional services contract for engineering testing services with **HVJ ASSOCIATES, INC** for Water Line Grid Extensions, GFS S-0700-51-3 (WA10598); providing funding for contingencies relating to construction of facilities financed by the Water & Sewer System Consolidated Construction Fund - **DISTRICTS B - GALLOWAY; E - TODD; F - ELLIS and G - KELLER** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. ORDINANCE 2001-1186 ADOPTED
66. ORDINANCE granting to **PHONOSCOPE, LTD.**, a Texas Limited Partnership, the right, privilege, and franchise for a term of fifteen (15) months, to erect, maintain, and operate a Cable Television System, to serve multiple unit developments and commercial business

only, in the City of Houston, Texas; containing other provisions relating to the foregoing subject; and providing for severability - **FIRST READING** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. ORDINANCE 2001-1187 ADOPTED FIRST READING IN FULL.

Council Member Keller asked if he could get a meeting with Mr. Mark Kosvosky in relation to the item.

NON CONSENT AGENDA

PROPERTY

67-1. RECOMMENDATION from Director Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Tom L. Shepard, Security Properties, for the abandonment and sale of Del Norte Drive and Diamond Street, from Rosslyn Road to Ella Lee Forest Addition, and Rosslyn Road, from Diamond Street to the proposed Candlelight Place Drive, and a 10-foot-wide prescriptive sanitary sewer easement in exchange for the conveyance to the City of right of way to transition Rosslyn Road from 100 feet to 60 feet and to widen Diamond Street, a 50-foot-wide utility easement, and two 20-foot-wide sanitary sewer easements, all located within the Deroloc Addition, Sam McClelland Survey. Parcels SY1-011A, SY1-011B, SY1-011C, SY1-011D, AY2-002A, AY2-002B, AY2-002C, VY2-009, DY2-016A, and DY2-016B - **APPRAISERS - DISTRICT A - TATRO** - was presented, moved by Council Member Boney, seconded by Council Member Castillo, and tagged by Council Members Vasquez and Galloway. (Note: Council Members Vasquez and Galloway removed their tags later in the meeting.)

Council Member Parker stated that she would urge her colleagues not to leave this mess for the next Council, that she would ask that they reconsider it during the course of the meeting.

MATTERS HELD - NUMBERS 68 through 77D

68. **RON CARTER AUTO GROUP** - \$1,417,123.75, **LAWRENCE MARSHALL CHRYSLER, L.P.** \$2,480,285.00, **TRIANGLE CHEVROLET, INC** - \$500,036.25, **LAWRENCE MARSHALL FORD-MERCURY, L.P.** - \$464,851.25, **PHILPOTT MOTORS, LTD.** - \$1,146,893.75, **BOERNE CHRYSLER SUPERSTORE** - \$73,596.25, **LAWRENCE MARSHALL CHEVROLET II, L.P.** \$1,673,058.75 and **CLEAR LAKE DODGE** - \$141,016.88 for Automobiles, Vans, Utility Vehicles and Pickup Trucks for Various Departments - \$7,896,861.88 - Grant, Enterprise, Equipment Acquisition, Sign Administration, Building Inspection, Street & Drainage Maintenance, Workers Compensation Administration, Local Law Enforcement and Disaster Recovery Funds - **(This was Item 27 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBER QUAN)** - was presented, moved by Council Member Boney, seconded by Council Member Quan. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1377 ADOPTED.
71. ORDINANCE providing for an ad valorem tax exemption on a historical site known as the **BAYOU LOFTS** located at 915 Franklin; containing findings and other provisions relating to the foregoing subject; providing for the revocation of such tax exemption and the recapture of taxes upon the occurrence of stated events; providing for severability - **DISTRICT I - CASTILLO** - **(This was Item 42 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. ORDINANCE 2001-1188 ADOPTED

72. ORDINANCE authorizing an Operations and Maintenance Agreement between **STELLA LINK REDEVELOPMENT ASSOCIATION, INC** and the City of Houston for the Operation and Maintenance of a New City Park containing 0.6198 acres in the Stella Link Campus Park **DISTRICT C - GOLDBERG - (This was Item 47 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. ORDINANCE 2001-1189 ADOPTED
73. ORDINANCE appropriating \$441,700.00 out of Street & Bridge Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **PERSPECTIVA CIVIC DESIGN, L.L.C.** for the Design of Houston's Heritage Corridor, Bayou Trails West from San Jacinto Street to Stude Park, CIP N-0420-16-2 (N-0420-16); providing funding for contingencies relating to construction of facilities financed by the Street & Bridge Consolidated Construction Fund - **DISTRICT H - VASQUEZ - (This was Item 61 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBER KELLER)** - was presented.

Council Member Keller moved to postpone Item No. 73 until the next Council Meeting, seconded by Council Member Vasquez. Council Member Sanchez absent on personal business. MOTION 2001-1378 ADOPTED.

74. ORDINANCE appropriating \$850,000.00 out of Street & Bridge Consolidated Construction Fund and \$305,000.00 out of Water & Sewer System Consolidated Construction Fund, and approving and authorizing professional engineering services contract between the City of Houston and **TURNER COLLIE & BRADEN, INC** for Design of Kirby Drive Improvements from IH610 to Brays Bayou, CIP N-0775-01-2 (SB9081); providing funding for contingencies relating to construction of facilities financed by the Street and Bridge Consolidated Construction Fund and the Water & Sewer System Consolidated Construction Fund - **DISTRICTS C - GOLDBERG and D - BONEY - (This was Item 70 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented.

Council Member Goldberg stated that this was an item that he believed on the next agenda would have an interlocal agreement with Metro and Harris County to help defray the cost of the project and as far as he knew the interlocal agreement had not been signed and would urge a one week delay in order to pass the item when the interlocal agreement was signed and authorized, that it just made more sense for both of them to run together. Council Member Boney absent.

Council Member Goldberg moved to postpone Item No. 74 until the next Council Meeting, seconded by Council Member Vasquez. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1379 ADOPTED

75. ORDINANCE appropriating \$408,000.00 out of Storm Sewer Consolidated Construction Fund and approving and authorizing professional services contract between the City of Houston and **SNOWDEN ENGINEERING, INC** for the Design of Edloe Storm Drainage Improvement CIP M-0253-01-2 (SM5019); providing funding for contingencies relating to construction of facility financed by the Storm Sewer Consolidated Construction Fund - **DISTRICT C - GOLDBERG - (This was Item 72 on Agenda of December 12, 2001, TAGGED BY COUNCIL MEMBER GOLDBERG)** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. ORDINANCE 2001-1190

ADOPTED

76. MOTION by Council Member Castillo/Seconded by Council Member Sanchez to adopt recommendation from Director Department of Public Works & Engineering for condemnation of Parcel AY1-047, located at 612 Chenevert Street, owned by Billy Marlin, Trustee, for the **EXTENSION OF AVENIDA DE LAS AMERICAS PROJECT from Rusk to Texas**, CIP B-0069-00-1 - **DISTRICT I - CASTILLO - (This was Item 81 on Agenda of December 12, 2001, POSTPONED BY MOTION #2001-1346)** - was presented. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1380 ADOPTED

Council Member Castillo moved to consider Item No. 77D out of order, seconded by Council Member Parker. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1381 ADOPTED.

- 77D. Ordinance approving and authorizing lease agreement between Lakewood Church, Inc, a Texas Non-Profit Corporation, as tenant, and the City of Houston, Texas, as landlord, for the Compaq Center - **DISTRICT C – GOLDBERG – (This was Item 45 and 45A on Agenda of December 5, 2001, POSTPONED BY MOTION #2001-1287)** – was presented.

Council Member Goldberg stated that he some additional amendments to Item No. 77D, which he had passed out, that basically the changes called for an increase in the base rent for the first 30 year term, from \$9.5 million to \$12.1 million, that they would amend Section 4.2 to increase the payments in the first three years of the lease or after any kind of legal action was concluded, it would go up from \$666,000 to \$1 million each of the first three years with the final installment of \$9.1 million due and payable on the commencement date, that he would amend Section 3.2 to delete the second sentence and replace it with a paragraph he had, basically giving the City \$22.6 million for the second thirty year term, if there was to be a second thirty year term, and number 4 would amend Section 22.10.4 to change the language to relax some of the conditions whereby the City had to facilitate any kind of setbacks or front required permits or replats, to soften the language to where the landlord, being the City, would have to just reasonably cooperate, that they were in addition to most of the amendments that he passed out last week, in addition to all but one of them, that he would withdraw amendment number B Number 2 and B Number 5.

Council Member Robinson asked for a point of order and asked if they could help each other to be clear, that he understood that the City Attorney's office met with Council Member Goldberg and there were a bunch of those that were impacted, that he was willing to withdraw his that were impacted and if someone would just point out what they were instead of trying to do it the way they were doing it now, if they could just get a coherent discussion of the amendments that needed to come down, and Council Member Parker stated that she would make the same agreement.

Mayor Brown stated that they should just go through each of the items, and asked the City Secretary to call the items.

77. Written motion presented by Council Member Robinson to amend Item 77D below to provide the following
- “1. eliminate the requirement that the city pay the first \$250,000 in legal fees to defend the lease agreement should it be approved by Council.
 2. mandate that the \$9.5 Million lease payment be deposited in the General Fund, and that the lease payment at the end of the initial thirty (30) year term be evenly divided between the

General Fund and the Convention and Entertainment Enterprise Fund.”

Council Member Robinson stated that he understood that he and Council Member Parker had essentially the same amendment so he would draw his Number 1 down so they could vote on Council Member Parker’s and they could get to the same place on the attorney’s fee, that in light of Council Member Goldberg’s amendment that he just laid out, Amendment 2, he would draw down his Amendment Number 2, because they had increased the upfront payment, that 77 Number 1 and 77 Number 2., he would take off the table.

Mayor Brown stated that Council Member Robinson withdrew 77 Number 1 and 77 Number 2., and Council Member Parker stated to Council Member Robinson that the other part of his number 2 was where the money was deposited and asked if he was withdrawing that as well, and Council Member Robinson stated that further down there were some other amendments that dealt with that.

77A. Motion by Council Member Parker/Seconded by Council Member Boney to amend Item 77D below to provide the following:

1. Amend Section 4.6(a) of the Lease as set forth on Exhibit A attached hereto to provide that in the event Lakewood’s Existing Facility located at 7317 E. Houston Road is not available for one or more City Dates (whether by sale, closure or otherwise), then Tenant shall substitute City Dates at the Leased Premises in lieu of City Dates at the Existing Facility.
2. Amend Section 4.6(b) of the Lease as set forth on Exhibit B attached hereto to provide (1) that Lakewood will accommodate the use of the Compaq Center for not only the 2012 Olympic bid but for future Olympic bids, and (2) that the parties anticipate that the cost of restoring the facility after the Olympics will be funded through the Houston 2012 Foundation.
3. Amend Section 7.1 of the Lease as set forth on Exhibit C attached hereto to provide that Lakewood will pay the City’s legal fees and costs for the deed restriction litigation.
4. Amend Section 18.1(g) of the Lease as set forth on Exhibit D attached hereto to provide that Lakewood will provide reasonable supporting documentation of “the investment(s) contemplated under Section 3.2” of the Lease (Section 3.2 requires Lakewood to make certain improvements as a condition to exercise the second 30 year lease term.) Note: For Exhibits A, B, C and D see file.

Mr. Steven Lewis stated that all four of the amendments had been reviewed with Lakewood and change pages had been prepared and both the administration and Lakewood were agreeable to all four of Council Member Parker’s amendments, and Council Member Castillo asked Mr. Lewis if that meant that there was no conflict between Council Member Parker’s amendments or Council Member Goldberg’s or any further down the list, and Mr. Lewis stated that was correct, that there was no conflict.

77B. Motion by Council Member Goldberg/Seconded by Council Member Parker to amend Item 77D to provide the following:

1. That the lease Agreement with Lakewood Church, Inc. be modified to require that all City Dates, as defined in Section 4.6 (a) of the Lease Agreement, be rolled over and made available for use by the City in subsequent years of the Lease, if such dates are unavailable for use by the City due to the construction of improvements by Lakewood Church, Inc. unavailability of parking or unavailability of heating or air conditioning.

2. That Section 3.2 of the Lease Agreement with Lakewood Church, Inc. be modified to provide that if Lakewood Church, Inc. has failed to make \$69 Million in alterations (as defined in the Lease Agreement) during the initial 30 year term, the City shall have the right to terminate the Lease Agreement, including the 30 year renewal.
3. That the ordinance be amended to provide that all rental payments to the City under the lease Agreement with Lakewood Church, Inc. be paid into a General Fund account or accounts.
4. That in order to guarantee use of the Compaq for any Olympics, the wording in Section 4.6(b) will substitute the word "shall" for "will" and Tenant shall also allow any use required for an Olympic test event separate and apart from either the 90 days for Olympic use or any of the city's dates.
5. The initial rent payment shall be made in two \$4.75 million payments: one paid on lease execution and the other upon commencement of the lease agreement.

Mr. Lewis stated that Item 77B were the amendments proposed two weeks ago by Council Member Goldberg, that the first amendment, although it caused a little discomfort with Lakewood, Council Member Goldberg had indicated a desire to not pull it back, that it was his understanding that Lakewood was prepared to live with that particular amendment, although they had asked for some minor changes to it, that Council Member Goldberg withdrew Number 2 and 3, that number 4 was acceptable to Lakewood and the administration, and Number 5 was previously withdrawn by Council Member Goldberg.

77C. Written Motion presented by Council Member Robinson to amend Item 77D below, to provide the following:

Require that at least \$25 million dollars of the \$69 million dollar renovation commitment be spent within the first ten (10) years of the lease

If all \$69 million dollars for renovations are not spent within the original thirty (30) year term of the lease, the lessee will pay the City \$20 million dollars to extend the lease an additional thirty (30) years.

Council Member Robinson stated that he pulled down his two amendments because they had been impacted by the changes by Council Member Goldberg and asked Council Member Goldberg if he was pulling down 77B Number 3. and Council Member Goldberg stated yes.

Mayor Brown stated that 77B Number 3 was still on the table, and Mr. Lewis stated that he believed Council Member Goldberg withdrew Numbers 2, 3 and 5 of 77B and Council Member Goldberg stated that was correct.

77D. Ordinance approving and authorizing lease agreement between Lakewood Church, Inc., a Texas Non-Profit Corporation, as tenant, and the City of Houston, Texas, as landlord, for the Compaq Center - **DISTRICT C – GOLDBERG – (This was Item 45 and 45A on Agenda of December 5, 2001, POSTPONED BY MOTION #2001-1287)** – was presented.

Council Member Castillo asked if they were then going to adopt the amendments in the order that they were considered today, the new ones by Council Member Goldberg, today's amendment's first, and then the ones by Council Member Boney, 77A and 77B with the ones that

were left on the table.

Mayor Brown stated that was correct, that they would first take up Council Member Goldberg's written amendments that were handed out today.

Council Member Bell asked for a point of order and asked if they voted on Council Member Castillo's motion to take Item 77D out of order, and it was his understanding that they did so that was the only thing on the table that they did and in addition to Council Member Goldberg's amendments, so then they would have to take up 77D after they considered the amendments and Mayor Brown stated that was correct.

Council Member Boney stated that Council Member Castillo had mentioned his name with regard to any amendments and stated that he had not proposed any amendments, and Council Member Castillo stated they were by Council Member Parker seconded by him.

Mayor Brown called for a vote on Council Member Goldberg's amendments and Council Member Tatro stated that he thought Council Member Goldberg's amendments showed that the lease agreement and the lease itself was very much still under works and his concern was that the impact of the amendments specifically and he was tagging Council Member Goldberg's amendments as they related to Item 77B and asked for a point of order and asked if they would take the specific items, say on 77A Number 1, 2 and 3, individually or would they vote on 77A and 77B in whole, and Council Member Goldberg stated individual amendments and Council Member Tatro stated that he would tag the individual amendments.

Mayor Brown asked Mr. Hall procedurally what would they be doing and Mr. Hall stated that as he understood it 77D was before them, which was the principal ordinance and the others were amendments to it and he thought by unanimous consensus basically Council had agreed to the order in which they were going to consider them, that it was his understanding that the amendments offered by Council Member Goldberg had just been tagged by Council Member Tatro, that the others were not subject to a tag, that the amendments that were part of 77B would be one at a time, that they were amendments to 77D, that what was just on the table were the ones that Council Member Tatro just tagged.

Council Member Bell asked if they went ahead and voted on 77D did it not render all of the other amendments moot and Mr. Hall stated that was correct.

Council Member Castillo moved to suspend the rules to override Council Member Tatro's tag on the motion to amend 77D by Council Member Goldberg, seconded by Council Member Boney.

After further discussion by Council Members, Council Member Vasquez moved to call the question, seconded by Council Member Castillo. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1382 ADOPTED.

A roll call vote was called on Council Member Castillo's motion to override the tag on motion to amend Item 77D.

ROLL CALL VOTE:

Mayor Brown voting aye
Council Member Tatro voting no
Council Member Galloway voting aye
Council Member Goldberg voting aye
Council Member Boney voting aye

Council Member Vasquez voting aye
Council Member Castillo voting aye
Council Member Parker voting aye
Council Member Quan voting aye
Council Member Sanchez absent on

Council Member Todd voting aye	personal business.
Council Member Ellis voting no	Council Member Bell voting no
Council Member Keller voting no	Council Member Robinson voting aye
	MOTION 2001-1383 ADOPTED

Mayor Brown stated that what was before the Council were Council Member Goldberg's amendments.

Motion by Council Member Goldberg, seconded by Council Member Castillo to amend 77D to provide the following:

Amend Section 4.2 of the Lease to provide that the amount of Base Rent payable in the initial 30-year term of the Lease will be increased to \$12,100,000.00. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1384 ADOPTED.

Motion by Council Member Goldberg, seconded by Council Member Castillo to amend 77D to provide the following: Amend Section 4.2 of the Lease to provide that the Base Rent shall be due and payable as follows:

- (i) The first installment of \$1,000,000 shall be due and payable on the Delivery Date (provided that Landlord has given Tenant thirty (30) days prior written notice of the actual Delivery Date); (ii) the second installment of \$1,000,000 shall be due and payable one (1) year after the first installment is due and payable; (iii) the third installment of \$1,000,000 shall be due and payable one (1) year after the second installment is due and payable; (iv) a final installment of \$9,100,000 will be due and payable on the Commencement Date. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1385 ADOPTED.

Motion by Council Member Goldberg, seconded by Council Member Castillo to amend 77D to provide the following: Amend Section 3.2 of the Lease to delete the second sentence and replace it with the following:

Notwithstanding the forgoing, Landlord shall have the right to not allow Tenant to exercise the option for the First Extended Term unless Tenant has invested at least Thirty Nine Million Dollars (\$39,000,000.00) in Alterations (which includes a chilled water or other air conditioning system). Additionally, Tenant shall pay to Landlord the sum of Twenty-Two Million Six Hundred Thousand Dollars (\$22,600,000.00) as additional consideration for the First Extended Term, which payment shall be due and payable in equal annual installments throughout the First Extended Term, such installments commencing on the commencement date of the First Extended Term and continuing thereafter on each annual anniversary of such commencement date. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1386 ADOPTED.

Motion by Council Member Goldberg, seconded by Council Member Castillo to amend 77D to provide the following: Amend Section 22.10.4 of the Lease to read as follows:

Landlord agrees to reasonably cooperate with Tenant (at no expense to Landlord) in connection with Tenant's application for and obtaining of any required permits, adjustments of setback lines in and around the Leased Premises, re-plats, plat amendments, Street and/or easement vacations, relocations of utility lines and facilities, and the waiver, grant or issuance of variances and permits required in connection with Tenant's proposed Alterations and the Permitted Uses; provided, however, that in no event shall Landlord's aforesaid covenant of cooperation waive or modify in any manner the terms and conditions of Section 22.10.3 above, but neither shall Tenant be treated any differently in any such application process than any other

lessee of public property; provided further, that Tenant shall in any event be required to comply with any and all parking requirements under applicable laws, codes and ordinances pertaining to the Permitted Uses (and, to the extent that any such parking requirements are satisfied by Tenant's use of "off-site" parking, Tenant shall be required to assure that any such off-site parking rights are assignable and are assigned to Landlord for Landlord's benefit in connection with the City Dates and for Olympic games as provided in Section 4.6 of this Lease). All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1387 ADOPTED.

Mayor Brown stated that they would refer back to the agenda with the amendments that had been printed out on the agenda.

The City Secretary called Item 77A and stated that was the motion that was proposed by Council Member Parker with four amendments. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION CARRIED

Council Member Bell stated that 77D was what was before them now, and Mayor Brown stated that they had to take the amendments before they took the main item.

The City Secretary stated that the next item was 77B, that items 2, 3 and 5 were withdrawn so that would leave items 1 and 4.

Mr. Hall stated that they had to go back and vote because they were separate amendments that were offered when she called them initially and that was his response to Council Member Tatro's question, that he asked if they would be considering those amendments separately, and Mayor Brown stated that they would go back and take the items one at a time.

The City Secretary stated that they previously voted on 77A as a whole so did they not have to dispose of that motion before going back and dividing the question, and Mr. Hall stated that he supposed they could but by unanimous decision they were taking these because it was a Council process and was a little bit unusual anyway, that they agreed on the order that they would take them out, that Mr. Lewis was concerned that the City Secretary called it, he thought as 77A1, and Mayor Brown asked what did they need to do to go back and take them separately and Mr. Hall stated that in the abundance of caution he thought they just call them again, and Mayor Brown asked the City Secretary to call them again, and she stated that they just forget that motion.

77A Number 1 - Motion by Council Member Parker/Seconded by Council Member Boney to amend Item 77D below to provide the following:

Amend Section 4.6(a) of the Lease as set forth on Exhibit A attached hereto to provide that in the event Lakewood's Existing Facility located at 7317 E. Houston Road is not available for one or more City Dates (whether by sale, closure or otherwise), then Tenant shall substitute City Dates at the Leased Premises in lieu of City Dates at the Existing Facility. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1388 ADOPTED.

77A Number 2 - Motion by Council Member Parker/Seconded by Council Member Boney to amend Item 77D below to provide the following:

Amend Section 4.6(b) of the Lease as set forth on Exhibit B attached hereto to provide (1) that Lakewood will accommodate the use of the Compaq Center for not only the 2012 Olympic bid but for future Olympic bids, and (2) that the parties anticipate that the cost of restoring the facility after the Olympics will be funded through the Houston 2012 Foundation. All voting aye. Nays none. Council Member Sanchez absent on personal

business. MOTION 2001-1389 ADOPTED.

77A Number 3 - Motion by Council Member Parker/Seconded by Council Member Boney to amend Item 77D below to provide the following:

Amend Section 7.1 of the Lease as set forth on Exhibit C attached hereto to provide that Lakewood will pay the City's legal fees and costs for the deed restriction litigation. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1390 ADOPTED.

77A Number 3 - Motion by Council Member Parker/Seconded by Council Member Boney to amend Item 77D below to provide the following:

Amend Section 18.1(g) of the Lease as set forth on Exhibit D attached hereto to provide that Lakewood will provide reasonable supporting documentation of "the investment(s) contemplated under Section 3.2" of the Lease (Section 3.2 requires Lakewood to make certain improvements as a condition to exercise the second 30 year lease term.) Note: For Exhibits A, B, C and D see file. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1391 ADOPTED.

77B Number 1. Motion by Council Member Goldberg/Seconded by Council Member Parker to amend Item 77D to provide the following:

That the lease Agreement with Lakewood Church, Inc. be modified to require that all City Dates, as defined in Section 4.6 (a) of the Lease Agreement, be rolled over and made available for use by the City in subsequent years of the Lease, if such dates are unavailable for use by the City due to the construction of improvements by Lakewood Church, Inc. unavailability of parking or unavailability of heating or air conditioning. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1392 ADOPTED.

The City Secretary stated that Item 77B Number 2 and 77B Number 3 were withdrawn.

77B Number 4. Motion by Council Member Goldberg/Seconded by Council Member Parker to amend Item 77D to provide the following: That in order to guarantee use of the Compaq for any Olympics, the wording in Section 4.6(b) will substitute the word "shall" for "will" and Tenant shall also allow any use required for an Olympic test event separate and apart from either the 90 days for Olympic use or any of the city's dates. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1393 ADOPTED.

After a lengthy discussion by Council Members relative to Item No. 77D as amended, Council Member Galloway moved to call the question, seconded by Council Member Quan. All voting aye. Nays none. MOTION 2001-1394 ADOPTED.

A roll call vote was called on 77D as amended.

ROLL CALL VOTE:

Mayor Brown voting aye
Council Member Tatro voting no
Council Member Galloway voting aye
Council Member Goldberg voting aye
Council Member Boney voting aye

Council Member Vasquez voting aye
Council Member Castillo voting aye
Council Member Parker voting aye
Council Member Quan voting aye
Council Member Sanchez absent on
personal business.

Council Member Todd voting aye
Council Member Ellis voting no
Council Member Keller voting no

Council Member Bell voting no
Council Member Robinson voting aye
ORDINANCE 2001-1191 ADOPTED.

Council Member Castillo moved to suspend the rules to hear from Pastor Osteen, seconded by Council Member Vasquez. All voting aye. Nays none. MOTION 2001-1395 ADOPTED.

Pastor Osteen appeared and stated that he wanted to thank them all for supporting them, that they did not take anything personally, that Council saw it as a business deal and Lakewood tried to do their best to put the best deal on the table and tried to follow the rules as best as they could, that they would make it a place to be proud of and wished everyone a Merry Christmas.

Council Members Vasquez and Galloway stated that they wanted to release their tags on Item No. 67-1, and Council Member Bell stated that he wanted to add his tag to Item No. 67-1.

Council Member Castillo asked for a point of order and stated that if the Council Member Bell tagged the item and he would not be present to vote on it and was it really in order for him to tag something that he would not be present to vote on, and Mayor Brown stated that he was still a Member of Council and had the privilege of a tag. Council Member Goldberg absent.

The City Secretary stated that there was a motion previously made to adopt the recommendation, but the appraisers were not named.

Mayor Brown asked Council Member Bell if they could get him to release his tag until they appointed appraisers and then he could retag it, and Council Member Bell stated yes.

Council Member Tatro stated that he wanted to name two appraisers, Michael D. Copeland and Mr. William Kaventa. Council Member Goldberg absent. Note: A vote was called on the naming of appraisers and not reported at this time as it was the interpretation by the City Secretary that the naming of appraisers was part of the motion to adopt the recommendation and name appraisers.

Council Member Bell tagged the motion to adopt Item No. 67-1. Council Member Goldberg absent.

Items postponed to end of agenda were considered as follows:

1. RECOMMENDATION from Director Planning & Development Department to approve amendments to the 2000 Major Thoroughfare and Freeway Plan (MTFP) and authorize publication of the 2001 MTFP in map form - was again before Council. Council Member Goldberg absent.

Council Member Boney stated that he reviewed the RCA but was not really quite sure what they were doing and why they were doing it and asked if there was anybody from the staff who could explain what Item No. 1 did, and Mayor Brown stated that Ms. McAbee, Legal Department, could explain it. Council Members Goldberg and Keller absent.

Ms. McAbee stated that these were the annual amendments to the Major Thoroughfare Freeway Plan, that the Planning Commission conducted hearings each year for amendments to the plan and then Council receives the RCA to approve the amendments, and Mr. Hall stated that this was notice to the whole world about what the City's plans were, so when people made their decisions on where to live or where not to live, it might be thirty years later, but they were on

notice that this was in the City's plan for its traffic movement, so they would avoid some of the problems like the ones they were facing now.

Council Member Quan stated that this was a very important plan and his concern was that they did not publicize it enough and only a few people ever showed up for the hearings, that he thought this was something that impacted the community in such a way that they needed to publicize it in a higher manner so that people could come to the hearings and provide their input. Council Members Goldberg, Boney and Parker absent.

Council Member Robinson stated that in light of Council Member Quan's comments he would ask that the administration consider also including this as part of their CIP District meetings, that it was also included in the HGAC TBC 2025 Plan, that anytime they updated their plan this was also included in that, and Mayor Brown thanked him for his suggestion. Council Members Goldberg and Parker absent.

A vote was called on Item No. 1. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Goldberg and Parker absent. MOTION 2001-1396 ADOPTED.

33. ORDINANCE approving and authorizing lease agreement between **HOUSTON COMMUNITY COLLEGE SYSTEM**, as landlord, and the City of Houston, Texas, as tenant, for space at 3100 Main Street, Houston, Texas for use by the Municipal Channel - **DISTRICT D - BONEY** - was again before Council. Council Member Goldberg absent.

Council Member Parker stated that she would release her tag if Council Member Goldberg would also release his tag; that she did not have any questions about the lease, that she thought it was a great lease with HCC and thought they had a great facility, that she had some of the same concerns about being in the basement and were they going to have flooding issues and the equipment purchases, that she had asked when it came before Fiscal Affairs that there be a real discussion about what kind of a Municipal Channel they wanted, where they wanted to go, what kind of programming upgrades they wanted and they were not presented with anything innovative, they simply had what they already had in a new location and she thought that the real discussion that should have taken place did not and if they were happy with the same old Municipal Channel run the same then they should vote for the lease, that she did receive in the backup a presentation by the Director of the Municipal Channel of possible changes and it did not look interesting and innovative. Council Member Goldberg absent.

Council Member Castillo stated that he remembered being in the discussions and hearing the debate and always believed that the charge that had been given to the Municipal Channel Division of Finance and Administration was to find a place to relocate and get the channel back on the air and was not so much to rethink the programming and all of the other details of the kind of information they put on the air, that he thought it was something that they ought to look at and was sure that the Council could within the provisions of the lease, cancel the lease if it got a better deal or if through the committee process or Council debate came to the conclusion that there needed to be a different type of approach to the Municipal Channel, that he did not think that having the lease locked them into what it would be five to ten years from now, that he thought there was still room to make the programming improvements. Council Members Goldberg, Keller and Bell absent.

Mayor Brown stated that Item No. 33 was still tagged. Council Member Goldberg absent.

Council Member Keller moved to override the tag on Item Numbers 33, 67-1 and 46, seconded by Council Member Robinson. Council Member Goldberg absent.

Mayor Brown advised that each item should be considered separately. Council Member Goldberg absent.

Council Member Keller suspended the rules to override the tag on Item No. 67-1, seconded by Council Member Vasquez.

Council Member Goldberg stated that he would release his tag on Item No. 33.

A roll call vote was called on Council Member Keller's motion to override the tag on Item No. 67-1.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Castillo voting aye
Council Member Galloway voting aye	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Boney voting aye	Council Member Sanchez absent on personal business.
Council Member Todd voting aye	Council Member Bell voting no
Council Member Ellis voting no	Council Member Robinson voting aye
Council Member Keller voting aye	MOTION 2001-1397 ADOPTED.

- 67-1. RECOMMENDATION from Director Department of Public Works and Engineering, reviewed and approved by the Joint Referral Committee, on request from Tom L. Shepard, Security Properties, for the abandonment and sale of Del Norte Drive and Diamond Street, from Rosslyn Road to Ella Lee Forest Addition, and Rosslyn Road, from Diamond Street to the proposed Candlelight Place Drive, and a 10-foot-wide prescriptive sanitary sewer easement in exchange for the conveyance to the City of right of way to transition Rosslyn Road from 100 feet to 60 feet and to widen Diamond Street, a 50-foot-wide utility easement, and two 20-foot-wide sanitary sewer easements, all located within the Deroloc Addition, Sam McClelland Survey. Parcels SY1-011A, SY1-011B, SY1-011C, SY1-011D, AY2-002A, AY2-002B, AY2-002C, VY2-009, DY2-016A, and DY2-016B - **APPRAISERS - DISTRICT A - TATRO** - was again before Council.

A roll call vote was called.

ROLL CALL VOTE:

Mayor Brown voting aye	Council Member Vasquez voting aye
Council Member Tatro voting aye	Council Member Castillo voting aye
Council Member Galloway voting no	Council Member Parker voting aye
Council Member Goldberg voting no	Council Member Quan voting no
Council Member Boney voting aye	Council Member Sanchez absent on personal business.
Council Member Todd voting aye	Council Member Bell voting no
Council Member Ellis voting aye	Council Member Robinson voting no
Council Member Keller voting aye	MOTION 2001-1398 ADOPTED.

Mayor Brown stated that on Item No. 33 the Council Members had removed their tag.

33. ORDINANCE approving and authorizing lease agreement between **HOUSTON COMMUNITY COLLEGE SYSTEM**, as landlord, and the City of Houston, Texas, as tenant, for space at 3100 Main Street, Houston, Texas for use by the Municipal Channel -

DISTRICT D - BONEY - was again before Council. All voting aye. Nays none. Council Member Sanchez absent on personal business. ORDINANCE 2001-1192 ADOPTED.

Council Member Keller moved to override the tag on Item No. 46, seconded by Council Member Robinson. All voting aye. Nays none. Council Member Sanchez absent on personal business. MOTION 2001-1399 ADOPTED.

46. ORDINANCE appropriating \$1,620,467.50 out of Court Technology Fee Fund and approving and authorizing professional services contract between the City of Houston and **MOTOROLA, INC** for Hand Held Ticket Issuance Devices; providing a maximum contract amount - \$35,407.50 - Grant Fund - Total contract amount - \$2,819,193.95 – was again before Council.

Council Member Goldberg stated that on Item No. 46 he had a concern that the maintenance agreement actually cost more than the equipment it was maintaining and it did not make sense to him that they would pay more in insurance on an item than the item was worth, and the other thing was that it was very unique software and nothing like it existed in the entire Country and Motorola was using City money to develop their software to use for the rest of the Country and he thought that was why the cost was so high, that he would vote no on it.

Council Member Quan stated that there were two phases to the contract, that Phase I was a test phase for about 3 months at \$350,000 and then they would go into Phase II, but the item was a contract for the entire amount and he just wanted to make sure that they got a chance to review the test results from Phase I and make sure that it was acceptable to Council before they agreed to go forward with the full contract, that his understanding was that Motorola would refund the money to them if they were not satisfied, and Mayor Brown stated that it was true, that it was a better good deal that they would agree to refund the money.

Council Member Boney stated that the funds that were being used to pay for the new technology that was going to be used for Municipal Courts was from a special Legislative Bill that was passed which allowed for a fee to be tacked on to misdemeanor traffic and non traffic offenses, so what they were really doing was using the opportunity given to them by the State Legislature to create monies that would go out of existence in a year to two to put in more technologies so that the revenue stream was more constant and goes up, that it did not impact the City's General Fund at all.

Council Member Ellis stated that he was in support of the item and had a discussion with Council Member Quan prior to the Council Meeting and shared his concerns as well, what reassurances did they have that if Phase I did not work that it would come back to the Council and urged Mayor Brown to bring it before Council and suggested that prior to the end of Phase 1 that they run it through a committee and take a look at whether or not they wanted to move to Phase II, and Mayor Brown stated that they would do that. Council Member Todd absent.

A vote was called on Item No. 46. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Member Todd absent. ORDINANCE 2001-1193 ADOPTED.

MATTERS TO BE PRESENTED BY COUNCIL MEMBERS

Council Member Parker stated that she wanted to tell the outgoing Council Members that it had been a pleasure to serve with them, that Council Member Sanchez had been a real gentleman to work with, even when he was voting wrong on most of the issues, they were able to discuss them, that he would also miss Council Member Todd, that he had never taken the

issues personally and had always dealt with Council as colleagues and had always been approachable on issues and willing to overlook when she voted against something, that they worked together in the best interest of the City, and wished him good luck in his future endeavors, that Council Member Boney had been an able articulator of issues for the administration, that Council Member Castillo was the institutional memory of Council and wished him good luck in his future commissioner's race, that she wanted to wish Council Member Bell good luck in his future political endeavors, that she knew he was not going to go away and they would continue to see him and thanked him for his service to the City. Council Member Boney absent.

Council Member Castillo stated that he wanted to take the opportunity to express his appreciation to the staff of his office for helping for six years to put on a Christmas Party for the children in District I, that they had about 800 children every year that got gifts because they would not otherwise be able to have them, that they had many people to help them but the person that had put in the most time was his current Chief of Staff, Elizabeth Zermeno, Art Rodriguez, Christina Jaramillo and Deann Castillo, who put in so many hours after work to make it something that was delightful to the children, that there had been some officers in the Eastend Police Station who had been a key to making the party go off as well as it did, they helped to wrap the toys and to carry them to the multi service center where Santa Claus had a chance to give them to the children, they served pizzas and did an awful lot of work and spent an average of 5 hours on that day helping to put the party on, to all of the men and women of the East Police Station they were very grateful for making Christmas delightful to the children. Council Member Boney absent.

Council Member Castillo stated that he wanted to take the opportunity to express his appreciation to the citizens and residents of District I for giving him the honor of representing them on the Council, that he wanted to express his thanks to his colleagues on Council for bearing out his debates and sometimes his wrong votes, but they were all meant in the best interest of the residents of his district.

Council Member Castillo stated that he wanted to wish everyone in his district and the City a very Merry Christmas and Happy New Year. Council Member Boney absent.

Council Member Tatro stated that he wanted to wish everybody Happy Holidays and Merry Christmas and New Year, and to the outgoing Council Members it had been a pleasure working with them all. Council Members Boney and Castillo absent.

Council Member Tatro stated that he wanted to get information from Mr. Haines, that he understood he had a meeting with the Harris County Flood Control people on the Fast Track Buyout Program and would like to get the information that they were submitting to the State on the criteria for the homes that were going to be bought out under the Fast Track Program. Council Members Boney, Castillo and Robinson absent.

Council Member Ellis stated that he wanted to take the opportunity to wish everybody a Merry Christmas and Happy New Year and also wanted to tell his colleagues, the outgoing Council Members how much he had enjoyed serving with them, that he looked forward to seeing where all of the five Members were going to go, that he looked forward to serving with the remaining Council Members and the incoming Council Members. Council Members Boney and Robinson absent.

Council Member Goldberg stated that he also would like to offer his respects to the outgoing Council Members, that he had a chance to follow them from afar since they were elected before his term and then had the chance to work with them and it was really a unique

experience, that he wanted to thank them for the opportunity to communicate with them and discussing things with them. Council Members Boney, Vasquez and Robinson absent.

Council Member Goldberg stated that he had mentioned earlier that he thought it was a flawed process and one of the problems was that he did not think that City Council had a confident team of legal advisors and he would propose that whoever was the next Mayor Pro Tem, out of their budget or somehow out of Council Members budget that they do approve some sort of expenditure for them to have legal representation and to rely on them, that about a month ago he had written up an innocuous legal question with a hypothetical and that was four weeks ago and he still had not gotten the answer back and if they had some sort of legal counsel for Council Members he thought they could do away with that problem and thought they would have a better and more effective representation by the officials that the public had elected. Council Members Boney, Vasquez and Robinson absent.

Council Member Todd stated that he wanted to recognize his staff, that Bud Taylor had been his Chief of Staff for 6 years and had done a very good job, that it had been a very interesting ride for 6 years with a lot of high profile things going on, all kind of interesting public things that had happened that Bud and his staff members had all played roles in, that he really enjoyed working with his colleagues at the Council table, that he thought that each Council Member had a great future and everyone had fantastic leadership skills, that the Mayor, Ms. Stein and Ms. Russell had been a joy to work with, even when he was suing the Mayor, that he never lost his cool. Council Members Tatro, Boney and Vasquez absent.

Council Member Galloway stated that it had been an enjoyable experience in working with the senior colleagues on Council and wanted to thank them for their leadership and for giving of their service to the Houston community. Council Members Tatro, Boney and Vasquez absent.

Council Member Robinson stated that they passed the Aqua Source item and he wanted to thank the administration and the City Attorney, that those were the kind of things that he thought they did when they were at their best, when they solved problems on the ground for folks who wanted a better quality of life day to day in the City of Houston, that during the holiday times he was even more excited about making a difference in people's lives. Council Members Boney and Vasquez absent.

Council Member Robinson stated that he also wanted to thank his staff, that he was a task master at time and drove people and demanded a lot and they had been able to hang in there with him, that he would not be able to do the kind of job he did without the people who supported him because they were also committed to make sure they helped the citizens of Houston, that he wanted to thank all of the Council Members who were leaving, that he had enjoyed serving with each and everyone one of them, that everybody brought a different perspective, that he wished happy holidays to all of the Council Members and to the citizens of Houston. Council Members Boney and Vasquez absent.

Council Member Quan stated that he too wanted to thank all of the Council Members, that he enjoyed all of the time they had spent together on Council and without a doubt they had all been people of high integrity who really cared about the City of Houston and would continue to contribute to the future of the City, that he wanted to thank Mayor Brown for his leadership during the past term and looked forward to the Members that were coming back and the new Members who would be joining them, that he wanted to wish everyone a happy holiday season and best wishes for the New Year. Council Members Boney and Vasquez absent.

Council Member Bell stated that he wanted to thank Allison for being present on his last day and also wanted to thank her for all the support that she had shown during his almost 5 years on

Council, that before coming to Council yesterday he went by to meet with Mayor Bob Lanier, that he would always owe Mayor Lanier an enormous debt of gratitude for believing in him and placing confidence in him, that he would also owe him for giving him an up close and personal lesson about leadership, because whether one agreed with him or disagreed with him he damn sure knew how to get things done, so he wanted to say thanks, that he would also like to thank Mayor Brown for the fight, sometimes on the same side, sometimes on different sides, but even then for the most part quite civil, that he would like to thank Mayor Brown for being big enough to allow them to bury the hatchet so that he could end on what he considered a high note, that last week Mayor Brown spoke about how they both loved the City, that was so true and he wanted nothing but the best for Mayor Brown in his final two years. Council Member Bell further stated that he loved the public arena and had loved being a part of the process, that he always liked to feel that he left a place a little better than he found it, that in some respects he thought that in this case, that they had been able to accomplish a great deal and much of it was due to a somewhat extraordinary and intensely loyal staff, Alice, Jeff and Dee, that he hoped he had improved the quality just a little and he knew that they would keep doing the same after he had long since departed. Council Members Boney, Vasquez and Castillo absent.

Council Member Keller stated that he wanted to wish all of the outgoing Council Members the utmost respect and good luck in the future, that he was sure that their energy that they had and displayed in Council would serve them well in whatever way they went. Council Members Vasquez and Castillo absent.

Council Member Keller stated that he wanted to congratulate HPD Officer Brian Carr, that he had congratulated him once before in being a member of the team that had one of the largest drug seizures in the history of the City, that Brian was the husband of his chief aide, Janet Carr and was proud to learn that out of 1,200 applicants for the sergeants exam, Brian finished 8th, and he relinquished the remainder of his time to Controller, Sylvia Garcia. Council Members Vasquez and Castillo absent.

Ms. Garcia stated that she wanted to say goodbye to all of her colleagues who were leaving, Council Members Todd, Boney, Bell, Sanchez and Castillo, that their presence was felt and they all added their own special dimension to the special dynamics of City Council, that she really enjoyed working with them, especially Council Members Bell and Castillo as chair of Fiscal Affairs, that they worked on a lot of issues together and got a lot done for the City, that as Council Member Keller pointed out some of them would see each other on the campaign trail, that she thought what was important was that all of them had a commitment to the City and the County and a commitment to public service. Council Members Vasquez and Castillo absent.

Council Member Boney stated that he wanted to thank all of colleagues, both those who were part of their outgoing class and those who were part of the previous class, that he counted it a privilege an honor to serve as a Member of the governing board of a \$2.2 billion business called the City of Houston, that he counted it a privilege and high honor to have served as Mayor Pro Tem and thanked Mayor Brown for his support and nomination and also of his colleagues, that he thought it was important for them as a group to understand that this was public service and that regardless of the debates and disagreements there really was a lot of very serious, hard and dedicated work going on by everybody at the table, that he also wanted to commend his staff, that it was the hard work of those people on their staffs who were very seldom recognized publicly that made it possible for them to gain the public acknowledgement for policy making or decisions that were made, that also the City staff that they did not often get the credits, the people who were part of the 23,000 City employees, that he wanted to thank the Controller for being willing to work with them, that he suspected that many of the Council Member would succeed to other offices, whether they be higher or other, that they would support them, that God bless them, the City and the United States. Council Members Vasquez and Castillo absent.

Mayor Brown stated that he wanted to invite everybody to attend their holiday celebration at 5:30 p.m. in the Visitors Center, that on behalf of himself personally and all of the people in the City to express appreciation to each of the Council Member for their hard work and dedication, particularly to those who would not be with them because of term limits, that he wanted to thank them for their contributions, that each one of them individually and collectively could honestly say that they had made great progress and the City was a better City because they served, that if they looked at the indicators that determined the quality of life in the City they had all been improved and he wanted to wish each of them the best in their future endeavors and for each Council Member that would be serving in the future he looked forward to working with them for two more years and knew that they would continue the great progress that they made over the last four years so on behalf of all of the citizens of the City he thanked them and best of the holidays to each and everyone of them.

Council Member Boney stated that he wanted to respond to the constituents who were present yesterday, that it was his hope that they could mediate the Allen Parkway Village issue in such a way as those persons who were evicted could be reinstated back into Allen Parkway Village and into public housing and hoped that when the Mayor meets with the community that HUD would be present and the Housing Authority, that it just did not seem historically correct and accurate that people who had been advocates for public housing and for Allen Parkway Village would be evicted from Allen Parkway Village and public housing and become homeless. Council Members Vasquez and Castillo absent.

There being no further business before Council, the City Council adjourned at 11:30 a.m. upon MOTION by Council Member Galloway, seconded by Council Member Tatro. All voting aye. Nays none. Council Member Sanchez absent on personal business. Council Members Vasquez and Castillo absent.

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

MINUTES READ AND APPROVED

Anna Russell, City Secretary